

TOWN OF ELIOT  
INCORPORATED 1810  
1333 STATE ROAD  
ELIOT, MAINE 03903  
439-1813

## **AGENDA ELIOT BOARD OF APPEALS**

**TYPE OF MEETING: REGULAR MEETING**

**DATE: April 18, 2024**

**TIME 7:00 P.M.**

**LOCATION: ELIOT TOWN HALL & REMOTE (OPTION)**

- 1. 7:00 PM: ROLL CALL**
- 2. PUBLIC COMMENT PERIOD**
- 3. PUBLIC HEARINGS:**
  - a) Request from Natural Rocks Spring Water Ice Co., Inc., located at 299 Harold Dow Highway, Map 37, Lot 3-1 in the Commercial Industrial Zone and Limited Commercial Shoreland Zone to determine, under Section 44-22 of the Eliot Code of Ordinances, possible inconsistencies in the current Shoreline District Boundary Line as it applies to the above property.**
- 4. REVIEW AND APPROVE PREVIOUS MINUTES**
- 5. OTHER BUSINESS**
- 6. ADJOURN**

**Bill Hamilton, Chairman  
Board of Appeals**

**cc: CEO,  
S/M,  
BOA MEMBERS**

**Zoom Link: <https://us06web.zoom.us/j/87289888633?pwd=AG7naITAWessQwssZ37YQvXsfAI7R0.1>**

# TOWN OF ELIOT MAINE

Board of Appeals  
1333 State Road  
Eliot ME, 03903



## PUBLIC HEARING NOTICE

**AUTHORITY:** Eliot, Maine Board of Appeals  
**PLACE:** Town Hall (1333 State Rd.) with Remote Option  
**DATE OF HEARING:** April 18, 2024  
**TIME:** 7:00PM

Notice is hereby given that the Board of Appeals of the Town of Eliot, Maine will hold a public hearing on Thursday, April 18, 2024 at 7:00 PM for the following:

**Request from Natural Rocks Spring Water Ice Co., Inc., located at 299 Harold Dow Highway, Map 37, Lot 3-1 in the Commercial Industrial Zone and Limited Commercial Shoreland Zone to determine, under Section 44-22 of the Eliot Code of Ordinances, possible inconsistencies in the current Shoreline District Boundary Line as it applies to the above property.**

Interested persons may be heard and written communication received regarding the proposed application at this public hearing. The application is on file and available for review in the Land Use Office at Eliot Town Hall, 1333 State Road, Eliot, ME 03903. The meeting agenda and information on how join the remote Zoom meeting will be posted on the web page at [eliotmaine.org](http://eliotmaine.org). Town Hall is accessible for persons with disabilities.

Town of Eliot  
**PUBLIC HEARING NOTICE**

**AUTHORITY:** Eliot, Maine Board of Appeals  
**PLACE:** Town Hall, 1333 State Rd., with Remote Option  
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BLACK HAWK HOLDINGS LLC  
36 WILSON ST  
WILTON, NH 03086

SLATE HILL RECYCLING LLC  
171 YORK WOODS RD  
SOUTH BERWICK, ME 03908

CRESTA, RALPH J  
CRESTA, KATHERINE A  
295 WEST RD  
PORTSMOUTH, NH 03801

DJR REAL ESTATE LLC  
C/O DANA BREARLEY  
290 HAROLD L DOW HWY  
ELIOT, ME 03903

GORANSSON, PAUL  
GORANSSON, HLEN  
255 DEPOT RD  
ELIOT, ME 03903

HERITAGE OPERATING LP  
AMERIGAS PROPANE LP  
C/O THE ALBANO GROUP  
PO BOX 1240  
MANCHESTER, NH 03105

JULIE LANE LLC  
113 GOVERNMENT ST  
KITTEERY, ME 03904

LORON LLC  
44 RIVERVIEW DR  
ELIOT, ME 03903

MORIARTY, MARIE  
23 LANDING DR  
METHUEN, MA 01844-5825

PAOLUCCI REALTY TRUST  
PETER J & CARMEN S PAUL T  
291 HAROLD L DOW HWY  
ELIOT, ME 03903

REGAL HOLDINGS LLC  
13 ELDREDGE RD  
ELIOT, ME 03903



FEB 29 2024

February 28, 2024  
10380

William Hamilton, Chairman, Board of Appeals  
Shelly Bishop, Code Enforcement Officer  
Jeff Brubaker, AICP, Planner  
Town of Eliot  
1333 State Road  
Eliot, Maine 03903

Digital submittal: sbishop@eliotme.org

**Applicant: Natural Rocks Spring Water Ice Co., Inc.**

**Municipal Code of Ordinances: Sec. 44-22 Interpretation of district boundaries**

**Subject Property: 299 Harold Dow Highway (Corner Lot at Dow Highway and Julie Lane)**

**Assessor: Map 37/Lot3-1**

Dear Chair Hamilton, Ms. Bishop, Mr. Brubaker, and Board of Appeals members:

On behalf of Natural Rocks Spring Water Ice Co., Inc., Sebago Technics respectfully requests a determination from the Town of Eliot Board of Appeals (BOA) regarding the location of the current Shoreland Zoning district boundary line as it impacts their property at 299 Harold Dow Highway. The property is located in the *Commercial Industrial (CI)* and *Limited Commercial Shoreland Zone*. *Sec. 44-22-Interpretation of district boundaries* of the Eliot Municipal Code of Ordinances states that the BOA is the final authority as to the location of district boundary lines in cases where uncertainty exists. The basis and reasoning for this request for determination are presented in the accompanying information, including maps, photographs, and emails. We understand that a formal application form specific to a zoning boundary determination request does not exist, so the Code Enforcement Officer advised us to address the request in writing and attach all pertinent information in support of a BOA review.

The applicant respectfully requests that the BOA evaluate the shoreland zoning district boundary line based upon the limits of "Freshwater Wetlands >10 Acres" along the easterly line of Julie Lane as shown on the Town of Eliot Official Zoning Map, June 7, 2014, and on the Town website ([https://www.eliotmaine.org/sites/g/files/vyhlf4386/f/uploads/zoning\\_map.pdf](https://www.eliotmaine.org/sites/g/files/vyhlf4386/f/uploads/zoning_map.pdf)). As the shoreland zoning district boundary line is based upon the resource boundary, any adjustment to the wetland limits would amend the district boundary line of the *Limited Commercial District* (250' foot offset) on Map 37/Lot 3-1. For reference, the revised edge of the wetlands, as verified by the State, is shown in blue on the enclosed Natural Resource Map.

Per the field investigation by wetland scientist Cole Peters, CG, PWS, Environmental Services Manager of Sebago Technics, and subsequent discussion with the Town Manager, Town Planner, and Jeffrey Kalinch, Assistant Shoreland Zoning Coordinator, Maine Department of Environmental Protection (MDEP), we understand that the BOA is authorized to hear and decide cases involving possible inconsistencies in zoning lines. The applicant believes that after reviewing the information provided, the BOA designation will identify that the district line should be different than what is currently shown on the Official Zoning Map. Cole Peters provides an updated location of the wetlands and 250'-setback in the appended memorandum.

The specifics regarding a revision to the wetland boundary and related Limited Commercial District boundary at this specific location are for the following reasons:

1. The segment of forested wetland (PFO1) along Julie Lane is an appendage to the main body of emergent wetland (PEM1) to the south (downstream) along Great Creek and is substantially different in character (vegetative cover type, underlying soil, hydrologic conditions, proximity to stream and slope or gradient). These characteristics contribute to roles or functions of wetlands and the purposes of the Shoreland Zoning Ordinance (Sec 44-1).
2. The segment of forested wetland (PFO1) along Julie Lane is not representative of the form or type of wetland subject to the Shoreland Zoning Ordinance (Sec. 44-3):  
*Freshwater wetland means freshwater swamps, bogs, and similar areas, other than forested wetlands (underline added), which are:...*  
(Sec. 1-2, page CD1:15).
3. As established by the current Shoreland Zoning Map, the overlying 250-wide *Limited Commercial District* that relates or is tied to the boundary of "freshwater wetland" encompasses essentially the entirety of Lot 37-1, which is in the *Commercial Industrial District*.
4. Land use standards (Section 44-35) applicable to the Limited Commercial District, as established by the current Shoreland Zoning Map, essentially prohibit further development in Lot 37- 1, which can otherwise conform to requirements applicable to the *Commercial Industrial District*.
5. Wetlands on Lot 37-1 are not proposed to be filled for contemplated development.

Should the BOA agree with the enclosed memorandum and the State of Maine Department of Environmental Protection's opinion, per the attached December 4, 2023, email from Mr. Kalinich stating that it appears there is a substantial difference between what was mapped and what is currently present on the property, the applicant will then proceed with a formal map amendment and subsequent Planning Board review of a development application for proposed

site improvements in accordance with guidance provided by Town Planner, Jeff Brubaker on January 16, 2024.

We believe that this submittal and fee of \$150.00 (Sec. 45-50) is sufficient for review and determination, as requested. If you have any comments or questions, please do not hesitate to contact me at [sfrank@sebagotechnics.com](mailto:sfrank@sebagotechnics.com) or by telephone at (207) 200-2062. I look forward to hearing from you and presenting the request in person at the next scheduled Board of Appeals meeting.

Sincerely,

SEBAGO TECHNICS, INC.



Shawn M. Frank, P.E.  
Senior Vice President, Commercial Development

enc.

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT			VISION
NATURAL ROCKS SPRING WATER IC	1 Level	5 Well	1 Paved	2 Suburban	Description	Code	Appraised	Assessed	
		6 Septic			COMMERC.	3160	444,500	444,500	4509
					COM LAND	3160	282,000	282,000	
299 HAROLD L DOW HWY					COMMERC.	3160	2,500	2,500	ELIOT, ME
ELIOT ME 03903	Supplemental Data		PRECINC HEART TIF						
PHOTO	Alt Prcl ID		Assoc Pld#						
GIS ID	37-3-1								

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)	
Year	Code	Description	Amount	Code	Description	Number	Amount	Year	Code
		NATURAL ROCKS SPRING WATER ICE CO I	16400	0290	08-22-2012	U	0	2021	3160
		TISCHNER STEVEN V	11558	0317	04-17-2002	Q	252,000	2020	3160
		HOSUE AUBREY REVOCABLE TRUST	9411	0037	02-04-1999	U	0	2021	3160
		HOSUE AUBREY	7754	0002	03-19-1996	U	65,000	2020	3160
Total			0.00				729,000	Total	729,000

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Code	Description	Amount
		NATURAL ROCKS ICE CO	0
Total			0.00

ASSESSING NEIGHBORHOOD		NOTES	
Nbhd	Nbhd Name	Tracing	Batch
0001			

BUILDING PERMIT RECORD				VISIT / CHANGE HISTORY										
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Date	Id	Type	Is	Cd	Purpose/Result	
12-11	03-06-2012	NC	New Construct	130,600	11-06-2012	100	11-06-2012	10-08-2014	MP			00	Measur+Listed	
02-145	08-27-2002	NC	20X36 WALKIN	20,000	06-13-2003	100		06-19-2003	MP			00	Measur+Listed	
02-33	04-03-2002	NC	LOADING DOC	13,000	06-19-2003	100		05-08-1997	FG			00	Measur+Listed	
Total Appraised Parcel Value					Total Appraised Parcel Value				729000.00					

LAND LINE VALUATION SECTION										
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	I. Factor	Site Index	Cond.	Nbhd.
1	3160	COMM WHSE	C/I		43,560	2.45	1.80000	G	0.90	1.000
1	3160	COMM WHSE	C/I		1,000	8,000	1.80000	G	0.90	1,000
Total Card Land Units					2,000	Parcel Total Land Area: 3,0000				

APPRAISED VALUE SUMMARY									
Appraised Bldg. Value (Card)	Appraised X1 (B) Value (Bldg)	Appraised Ob (B) Value (Bldg)	Appraised Land Value (Bldg)	Special Land Value	Total Appraised Parcel Value	Exemption	Valuation Method		
444,500	0	2,500	282,000	0	729,000	0	C		

TOTAL VALUATION SUMMARY									
Total Appraised Parcel Value	Total Land Value	Total Card Land Units <th>AC <th>Parcel Total Land Area <th>Total Land Area <th>Total Land Value </th></th></th></th>	AC <th>Parcel Total Land Area <th>Total Land Area <th>Total Land Value </th></th></th>	Parcel Total Land Area <th>Total Land Area <th>Total Land Value </th></th>	Total Land Area <th>Total Land Value </th>	Total Land Value			
729,000.00	282,000	2,000		3,0000		282,000			





CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT		VISION
NATURAL ROCKS SPRING WATER IC	1 Level	5 Well	1 Paved	2 Suburban	Description	Code	Appraised	
		6 Septic			COMMERC. COM LAND	3160	444,500	444,500
299 HAROLD L DOW HWY					COMMERC.	3160	282,000	282,000
						3160	2,500	2,500
ELIOT ME 03903								
	Alt Prcl ID							
	STYLE							
	GROSS							
	EFFEC							
	PHOTO							
	GIS ID	37-3-1						
				Assoc Pld#				

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)					
NATURAL ROCKS SPRING WATER ICE CO I	16400	0290	08-22-2012	U	I	0	1A	Year	Code	Assessed	Year	Code	Assessed
TISCHNER STEVEN V	11558	0317	04-17-2002	Q	I	252,000	00	2022	3160	444,500	2021	3160	435,000
HOSUE AUBREY REVOCABLE TRUST	9411	0037	02-04-1999	U <th>I</th> <td>0</td> <td>1A</td> <td></td> <td>3160</td> <td>282,000</td> <td></td> <td>3160</td> <td>165,400</td>	I	0	1A		3160	282,000		3160	165,400
HOSUE AUBREY	7754	0002	03-19-1996	U <th>V</th> <td>65,000</td> <td>1P</td> <td></td> <td>3160</td> <td>2,500</td> <td></td> <td>3160</td> <td>2,500</td>	V	65,000	1P		3160	2,500		3160	2,500
	Total					729,000			Total	729,000		Total	729,000

EXEMPTIONS		Amount	Code	Description	Number	Amount	Other Assessments
Year	Code	Description	Amount	Code	Description	Number	Amount
			0.00				

ASSESSING NEIGHBORHOOD		Nbhd	Nbhd Name	Batch
0001		B	Tracing	

NOTES	
Appraised Bldg. Value (Card) 444,500 Appraised XI (B) Value (Bldg) 0 Appraised Ob (B) Value (Bldg) 2,500 Appraised Land Value (Bldg) 282,000 Special Land Value 0 Total Appraised Parcel Value 729,000 Exemption 0 Valuation Method C	

BUILDING PERMIT RECORD		Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments
Total Appraised Parcel Value 729,000.00 VISIT/CHANGE HISTORY Date Id Type Is Cd Purpose/Result										

LAND LINE VALUATION SECTION															
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	I. Factor	Site Index	Cond.	Nbhd.	Nbhd Adj	Notes	Location Adjustment	Adj Unit Pric	Land Value
2	3160	COMM WHSE	C/I		43,560	SF	2.45	1.80000	G	0.50	1.000	TOPO	0	2.21	96,100

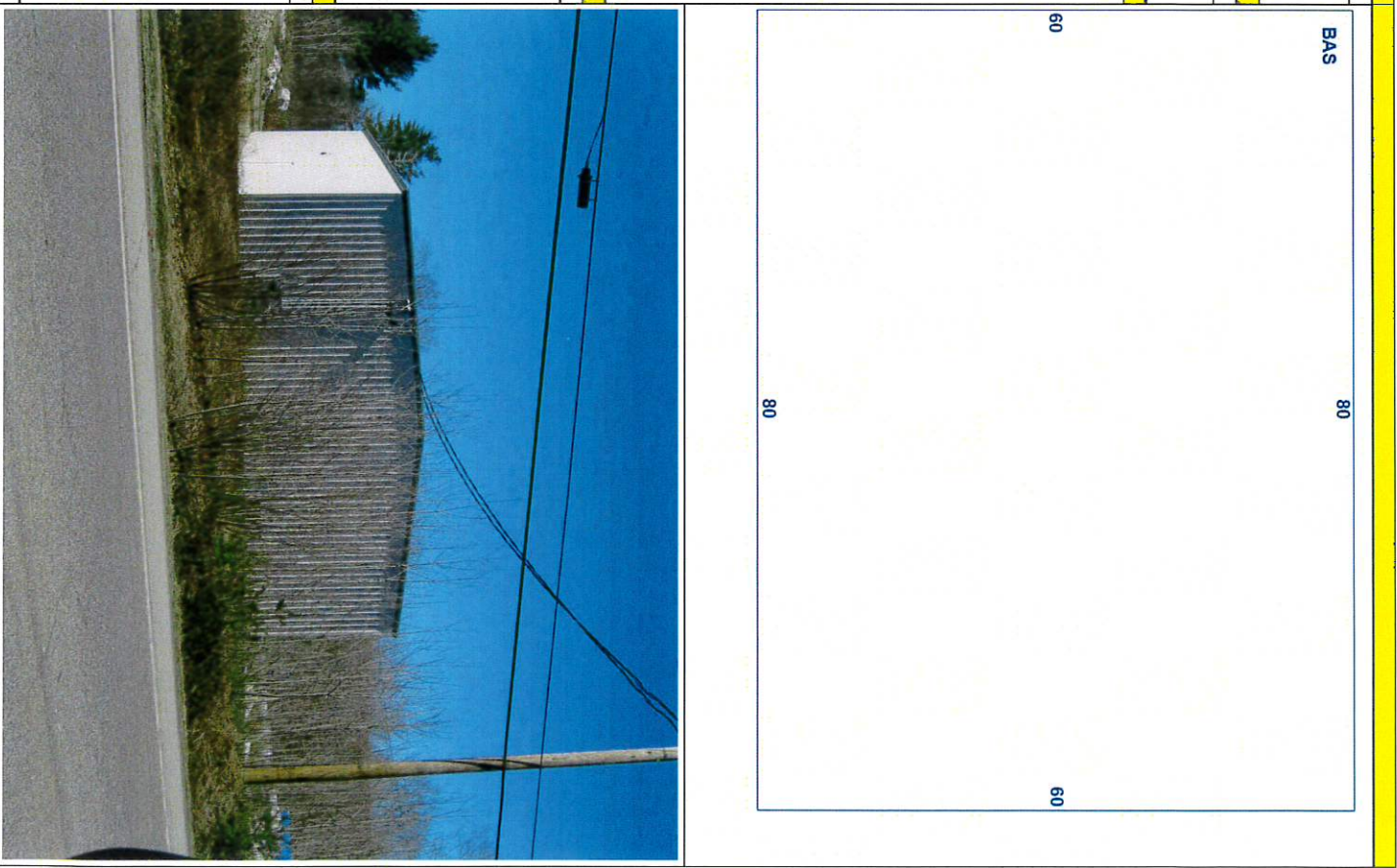
Total Card Land Units	1.000	AC	Parcel Total Land Area:	3.0000	Total Land Value	282,000
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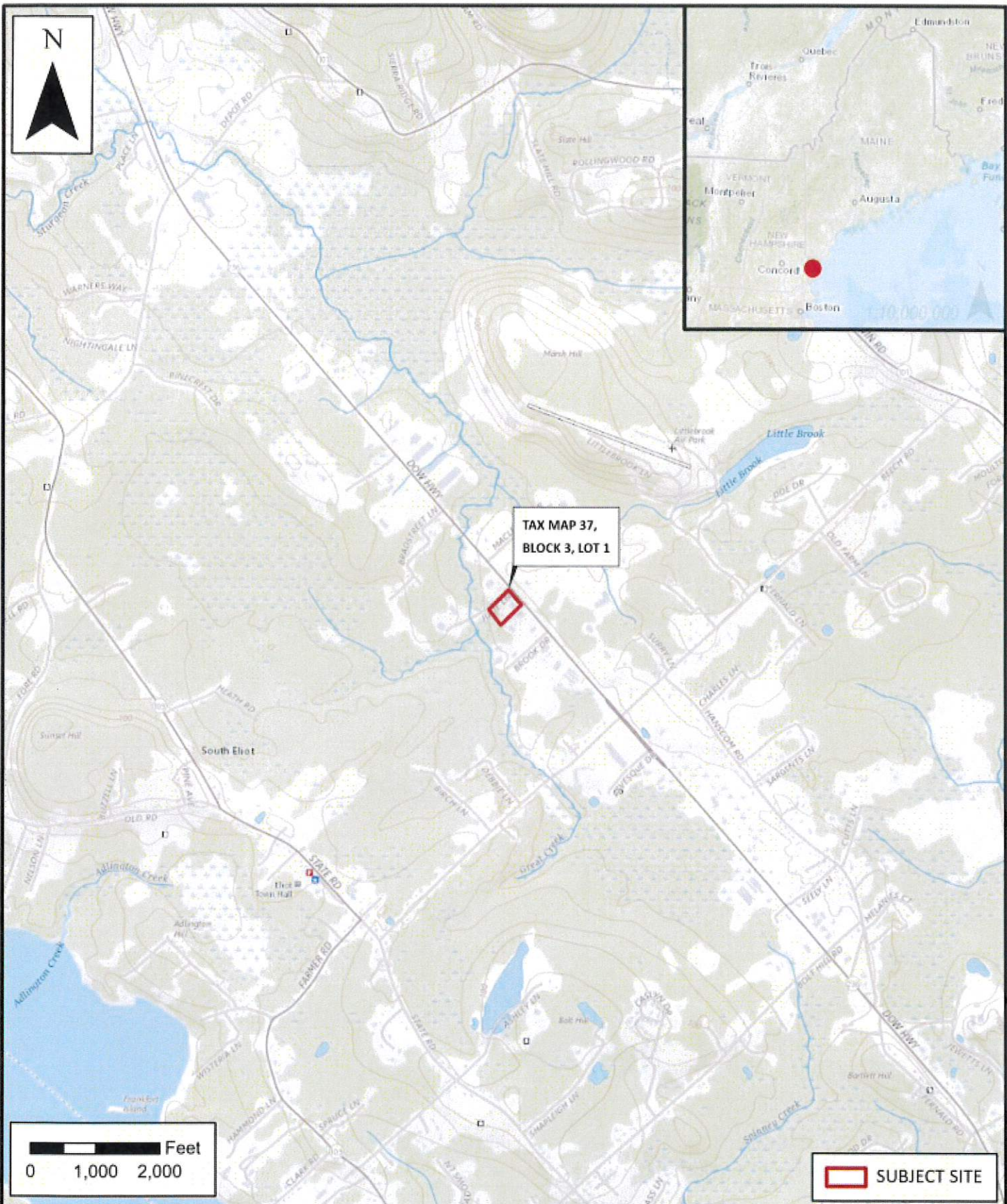
CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)							
Element	Cd	Description	Element	Cd	Description	Element	Description				
Style: 48		Warehouse									
Model 94		Commercial									
Grade 03		Average									
Stories: 1											
Occupancy 1.00											
Exterior Wall 1 27		Pre-finish Metl									
Exterior Wall 2											
Roof Structure 03		Gable/Hip									
Roof Cover 01		Metal/Tin									
Interior Wall 1 05		Drywall/Sheet									
Interior Wall 2											
Interior Floor 1 03		Concr-Finished									
Interior Floor 2											
Heating Fuel 02		Oil									
Heating Type 04		Forced Air-Duc									
AC Type 03		Central									
Bldg Use 3160		COMM WHSE									
Total Rooms 1											
Total Bedrms											
Total Baths											
Heat/AC 00		NONE									
Frame Type 01		NONE									
Baths/Plumbing 01		LIGHT									
Ceiling/Wall 00		NONE									
Rooms/Prtns 01		LIGHT									
Wall Height 20.00											
% Comm Wall											
1st Floor Use:											
<b>OB - OUTBUILDING &amp; YARD ITEMS(U) / XF - BUILDING EXTRA FEATURES(B)</b>											
Code	Description	L/B	Units	Unit Price	Yr Bit	Cond. Cd	% Good	Grade	Grade Adj	Appr. Value	
<b>BUILDING SUB-AREA SUMMARY SECTION</b>											
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value					
BAS	First Floor	4,800	4,800	4,800	0						
Ttl Gross Liv / Lease Area		4,800	4,800	4,800							

MIXED USE		
Code	Description	Percentage
3160	COMM WHSE	100
		0
		0

**COST / MARKET VALUATION**

RCN	Year Built	Effective Year Built	Depreciation Code	Remodel Rating	Year Remodeled	Depreciation %	Functional Obsol	Economic Obsol	Trend Factor	Condition	Condition %	Percent Good	RCNLD	Dep % Ovr	Misc Imp Ovr	Dep Ovr Comment	Misc Imp Ovr Comment	Cost to Cure Ovr	Cost to Cure Ovr Comment
	2012	2008	A			0				1	100	239,000							





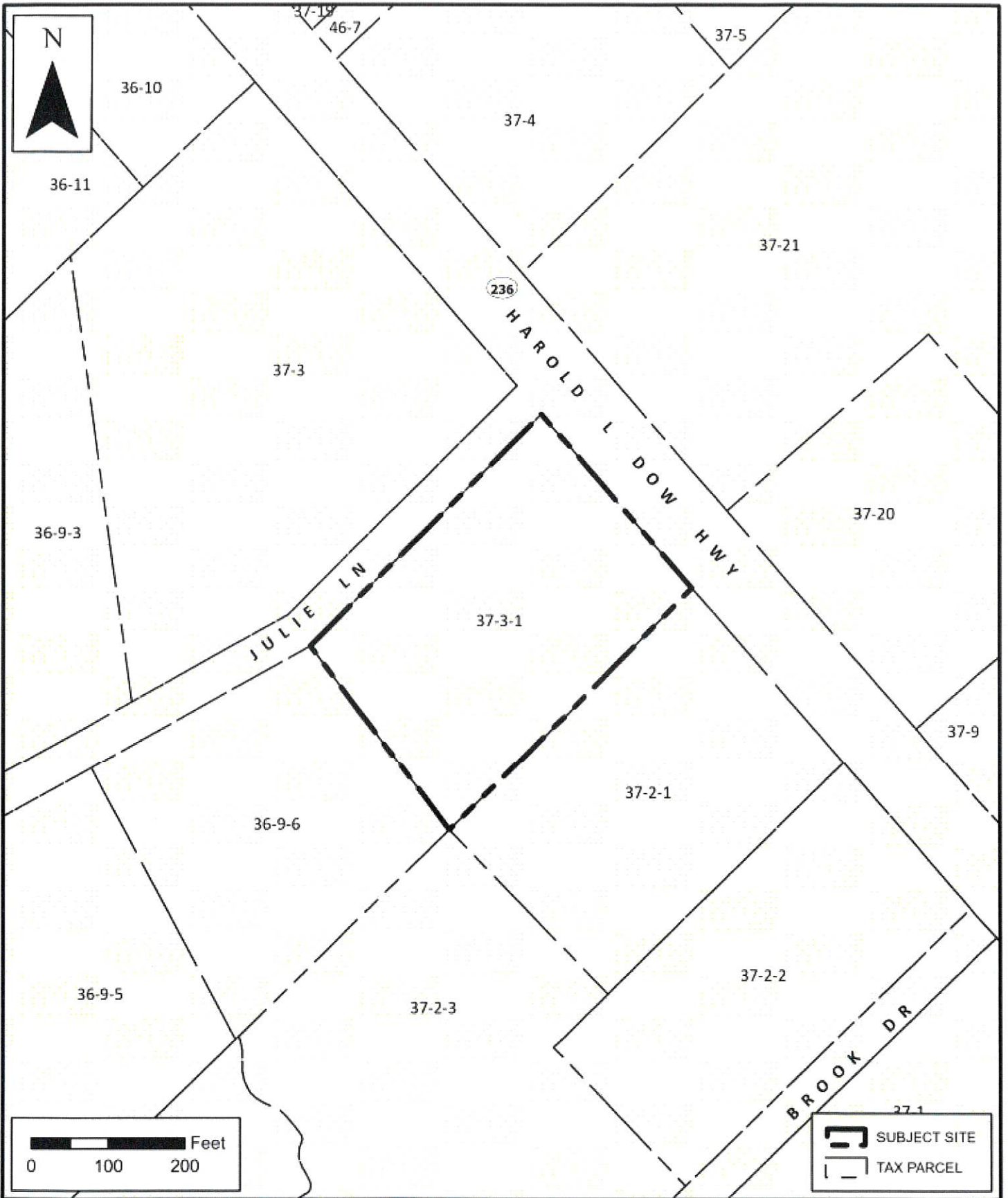
WWW.SEBAGOTECHNICS.COM  
 75 John Roberts Rd. - Suite 6A  
 South Portland, ME 04106  
 Tel. 207-200-2100



**LOCATION MAP**  
**PATCO CONSTRUCTION, INC.**

**LOCATION:**  
 299 HAROLD DOW HIGHWAY  
 ELIOT, ME

**INFORMATION:**  
 MAINE GEOLIBRARY  
 USGS QUADRANGLE

**SCALE:** 1:24,000  
**DATE:** 8/18/2022



 SUBJECT SITE  
 TAX PARCEL



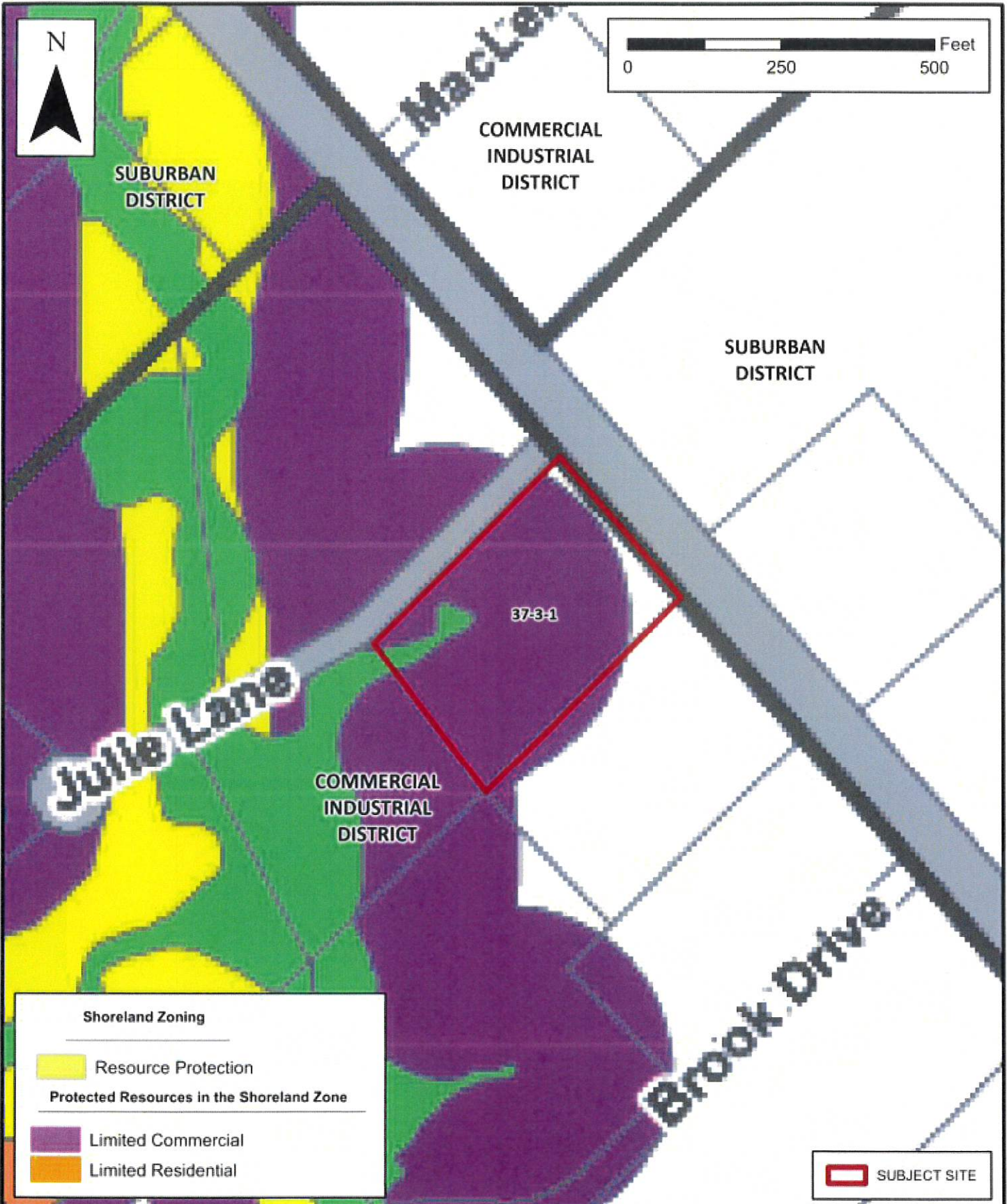
WWW.SEBAGOTECHNICS.COM  
 75 John Roberts Rd - Suite 6A  
 South Portland, ME 04106  
 Tel: 207-200-2106

**TAX PARCEL MAP**  
**PATCO CONSTRUCTION, INC.**

SCALE: 1:2,000  
 DATE: 8/18/2022

LOCATION:  
 299 HAROLD DOW HIGHWAY  
 ELIOT, ME

INFORMATION:  
 MAINE GEOLIBRARY  
 CITY OF SANFORD, MAINE



**Shoreland Zoning**

- Resource Protection

**Protected Resources in the Shoreland Zone**

- Limited Commercial
- Limited Residential

SUBJECT SITE

**SEBAGO**  
TECHNICS

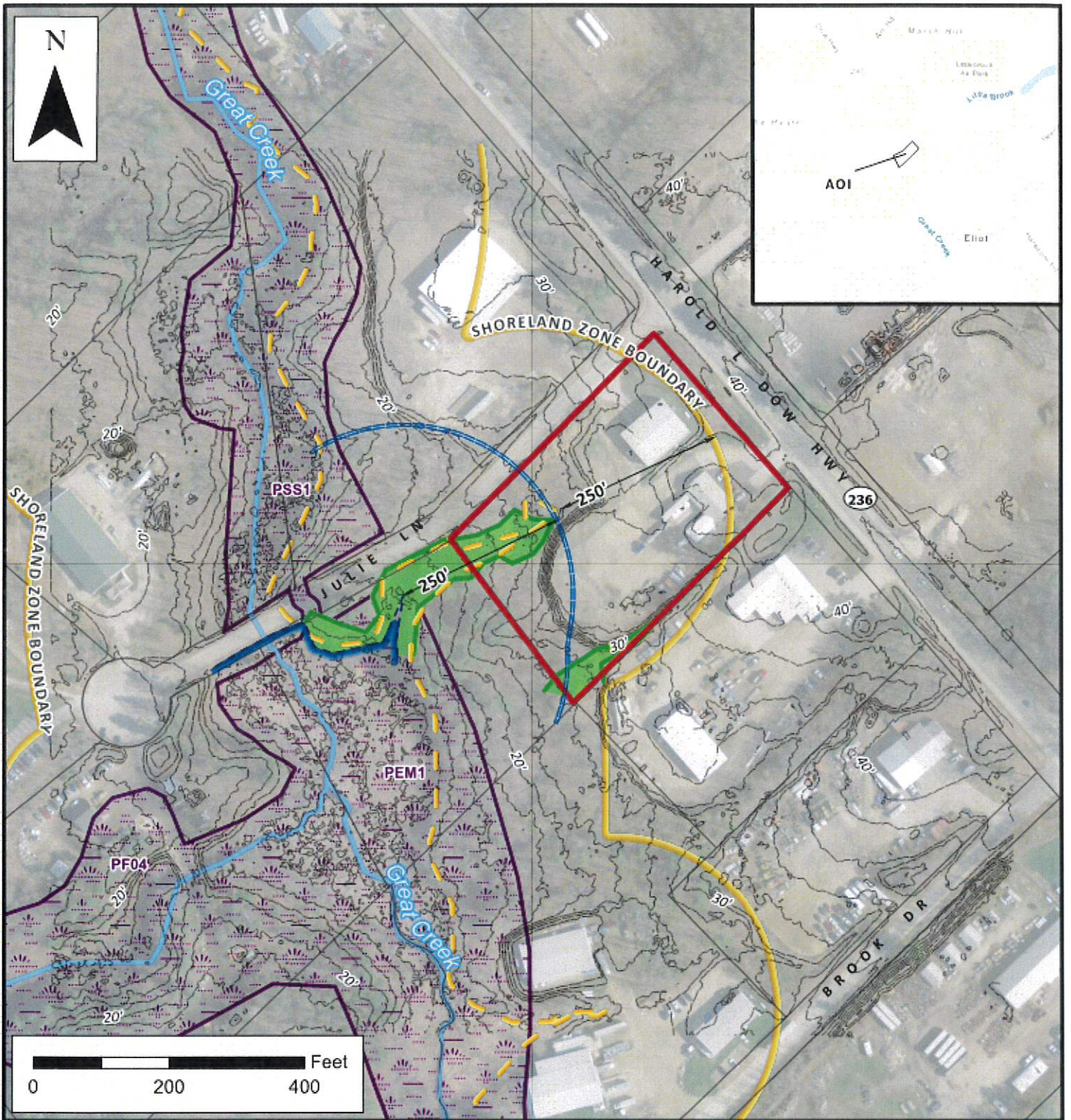
WWW.SEBAGOTECHNICS.COM  
75 John Roberts Rd - Suite 4A  
South Portland, ME 04106  
Tel. 207.200.2100

**ZONING MAP**  
PATCO CONSTRUCTION, INC.

SCALE: 1:2,500  
DATE: 8/22/2022

LOCATION:  
299 HAROLD DOW HIGHWAY  
ELIOT, ME

INFORMATION:  
MAINE GEOLIBRARY  
USGS QUADRANGLE



- |                        |   |                             |                                     |
|------------------------|---|-----------------------------|-------------------------------------|
| AREA OF INTEREST (AOI) | NATIONAL WETLAND INVENTORY                  | DELINEATED WETLAND BOUNDARY | DELINEATED EDGE OF SHORELAND        |
| TAX PARCELS            | WETLAND BOUNDARY PER TOWN                   | DELINEATED WETLANDS         | 250FT OFFSET FROM EDGE OF SHORELAND |
| 2' CONTOUR             | SHORELAND ZONING BOUNDARY PER TOWN OF ELIOT |                             | NHD STREAM                          |
| 10' CONTOUR            |   |                             |                                     |



WWW.SEBAGOTECHNICS.COM  
79 John Roberts Rd., Suite 44  
South Portland, ME 04106  
Tel. 207-283-2100

## NATURAL RESOURCES NATURAL ICE BUILDING

SCALE: 1:2,400

DATE: 11/28/2023

LOCATION:  
HAROLD DOW HWY  
ELIOT, ME

INFORMATION: 2019 NH COASTAL LIDAR  
2018 ORTHOREGIONAL IMAGERY  
TOWN OF ELIOT, ME - OFFICIAL ZONING MAP - 2014

**From:** Kalinich, Jeffrey C <Jeffrey.C.Kalinich@maine.gov>  
**Sent:** Monday, December 4, 2023 2:40 PM  
**To:** Cole Peters <CPeters@sebagotechnics.com>  
**Cc:** Shawn Frank <sfrank@sebagotechnics.com>  
**Subject:** RE: [External] Julie Lane, Eliot- Shoreland Zone Map

Cole,

Thanks for the additional photos and information. It appears you are considering all the relevant factors in determining the transition to a forested wetland. It's hard to see with just one photo.

I have not heard from the Town yet.

Jeff

1

Jeffrey C. Kalinich  
Assistant Shoreland Zoning Coordinator  
Maine Department of Environmental Protection  
312 Canco Road  
Portland, Maine 04103  
Ph. (207) 615-7044  
Fax. (207) 822-6303  
[www.Maine.gov/dep](http://www.Maine.gov/dep)



**From:** Cole Peters <[CPeters@sebagotechnics.com](mailto:CPeters@sebagotechnics.com)>  
**Sent:** Monday, December 4, 2023 2:14 PM  
**To:** Kalinich, Jeffrey C <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>  
**Cc:** Shawn Frank <[sfrank@sebagotechnics.com](mailto:sfrank@sebagotechnics.com)>  
**Subject:** RE: [External] Julie Lane, Eliot- Shoreland Zone Map

**EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Jeff-

Similar to the case for Photo 3, yes there is a bit of a transition but ... (I will explain with following photos)



Left (west) of Photo 6.

Right (east) of Photo 6.

Along both (west and east) sides of the narrow finger of wetland along Julie Lane there is a transition from trees > shrubs > emergents that is similar to Photo 3. However, due to the narrow width of the finger, the transition is not as wide or distinct and the red maple tree canopy hangs over the finger from both sides. There is a shrub understory upslope (north) of the covertype boundary identified in Photo 6 but is with overhead tree canopy. On the west side of the finger, based on

stumps and remaining sections of log, trees were also recently cut to maintain clearance separation directly below the overhead distribution line along Julie Lane.

Below is an upslope (northward) view of the inverted V shown on the map that marks (pink flag) the transition from emergent (cattail) in foreground to woody (alder and red maple) behind. Distinctly different here also, versus the shrubs along the main stem of wetland along Great Creek (Photo 2), is that the trees and alder are not growing in standing water.



Photo 5 is taken upslope (north) of above and is a view in the opposite direction looking toward Great Creek.

These are the best additional views I have on hand.

Don't hesitate to give me a call if that is simpler way to discuss and understand.

Thank you,

Cole

Cole Peters, PWS, CG

Environmental Division Manager

An Employee-Owned Company

75 John Roberts Rd., Suite 4A, South Portland, ME 04106

Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781

[cpeters@sebagotechnics.com](mailto:cpeters@sebagotechnics.com) | [www.sebagotechnics.com](http://www.sebagotechnics.com)



**From:** Kalinich, Jeffrey C <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>

**Sent:** Monday, December 4, 2023 1:13 PM

**To:** Cole Peters <[CPeters@sebagotechnics.com](mailto:CPeters@sebagotechnics.com)>

**Cc:** Shawn Frank <[sfrank@sebagotechnics.com](mailto:sfrank@sebagotechnics.com)>

**Subject:** RE: [External] Julie Lane, Eliot- Shoreland Zone Map

Hi Cole,

Thanks for the update. **It appears there is a substantial difference between what was mapped and what is currently present.** The only question I have is regarding photo 6. From the photo it is difficult to determine if there is a PSS transition between PEM and PFO. Do you have any other photos of this area?

Thanks,

Jeff

Jeffrey C. Kalinich

Assistant Shoreland Zoning Coordinator

Maine Department of Environmental Protection

312 Canco Road

Portland, Maine 04103

Ph. (207) 615-7044

Fax. (207) 822-6303

[www.Maine.gov/dep](http://www.Maine.gov/dep)

**From:** Cole Peters <[CPeters@sebagotechnics.com](mailto:CPeters@sebagotechnics.com)>

**Sent:** Friday, December 1, 2023 5:11 PM

**To:** Kalinich, Jeffrey C <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>

**Cc:** Shawn Frank <[sfrank@sebagotechnics.com](mailto:sfrank@sebagotechnics.com)>

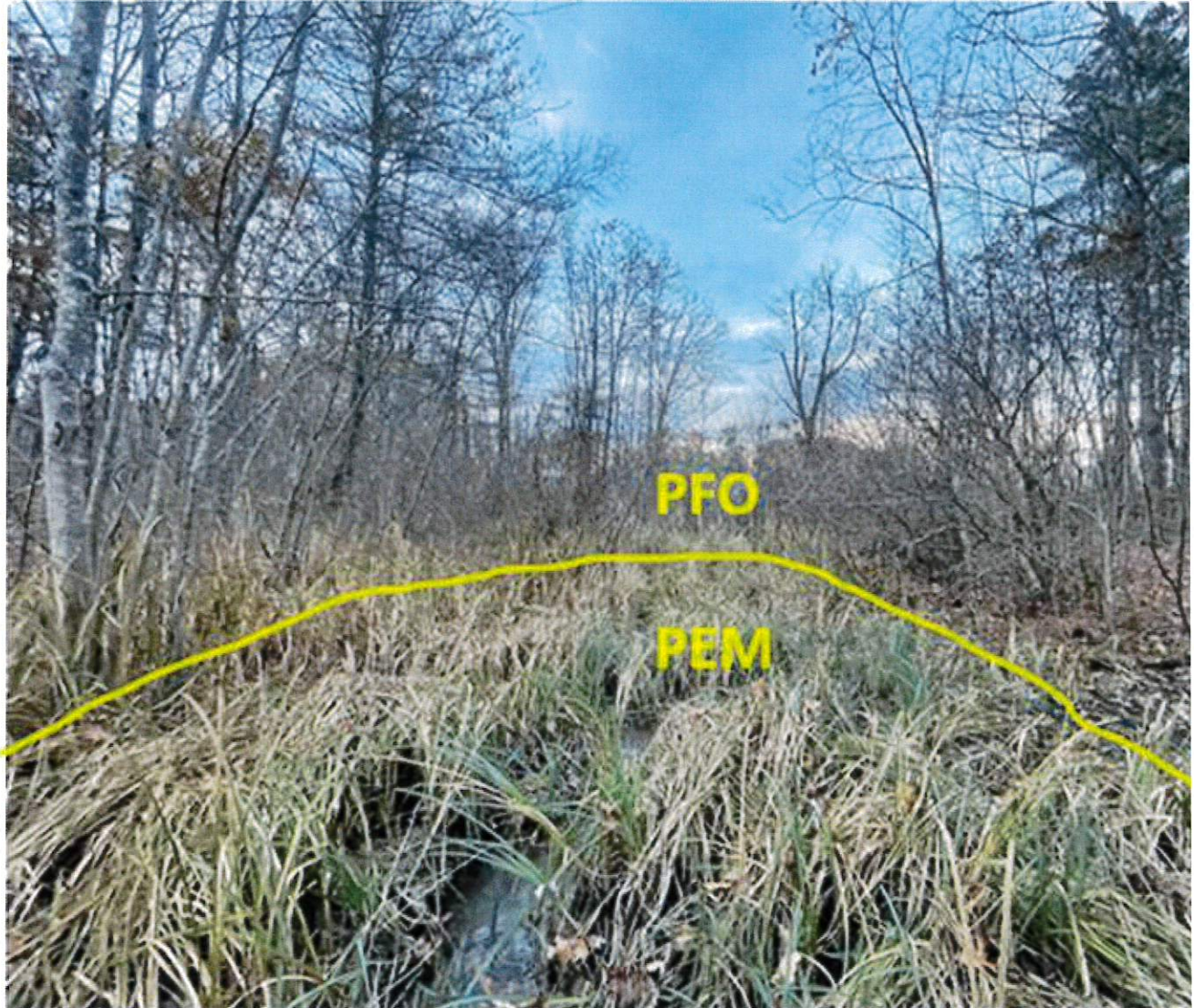
**Subject:** RE: Julie Lane, Eliot- Shoreland Zone Map

**EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Jeff,

I just noticed that when file size was reduced to create the pdf file sent below that on Photo 6, the shape of the yellow line boundary between PFO and PEM was affected also and goes straight across the image.

Below is how Photo 6 was intended to appear where the arcuate line between PFO and PEM corresponds to the inverted V in the blue GPS line on the map accompanying the memo.



**Photograph 6:** Northward upgradient view from the PEM marsh in foreground with transition to forested PFO wetland that extends along Julie Lane on left.

Enjoy the weekend!

Cole

Cole Peters, PWS, CG

Environmental Division Manager

An Employee-Owned Company

75 John Roberts Rd., Suite 4A, South Portland, ME 04106

Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781

[cpeters@sebagotechnics.com](mailto:cpeters@sebagotechnics.com) | [www.sebagotechnics.com](http://www.sebagotechnics.com)



**From:** Cole Peters  
**Sent:** Friday, December 1, 2023 1:54 PM  
**To:** 'Kalinich, Jeffrey C' <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>  
**Cc:** Shawn Frank <[sfrank@sebagotechnics.com](mailto:sfrank@sebagotechnics.com)>  
**Subject:** RE: Julie Lane, Eliot- Shoreland Zone Map

Hi Jeff-

Thank you again for your response below.

As described in my attached memo and displayed on the accompanying map, I have since been to the Site to verify the edge of wetland as well as vegetative cover types, in comparison to what appears on the Town of Elliot Shoreland Zone Map.

The Department's input on the relationship between Site conditions and what is displayed on the Town map will be relied on by the Town to make a determination about the extent of Shoreland Zone jurisdiction at Lot 37-3-1.

Please let me know if you have any questions.

Thank you,

Cole  
Cole Peters, PWS, CG  
Environmental Division Manager  
An Employee-Owned Company  
75 John Roberts Rd., Suite 4A, South Portland, ME 04106  
Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781  
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**From:** Kalinich, Jeffrey C <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>  
**Sent:** Thursday, November 9, 2023 2:46 PM  
**To:** Cole Peters <[CPeters@sebagotechnics.com](mailto:CPeters@sebagotechnics.com)>  
**Subject:** RE: Julie Lane, Eliot- Shoreland Zone Map

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Hi Cole,

It was good discussing Eliot's shoreland zoning map in the vicinity of Julie Lane and the Dow Highway. The NWI map raises questions regarding the finger of wetland on Eliot's map along Julie Lane. The finger of wetland mapped on Eliot's map may be something that was missed by the NWI, but identified by the mapper for Eliot. I recommend you verify the edge of the freshwater wetland in that area and compare it to what is mapped by Eliot. If it is significantly different than what is mapped, then Eliot's shoreland map will need to be amended to reflect the correct edge of the freshwater wetland. If it is a matter of identifying the edge of the freshwater wetland on the lot, that may be able to be accomplished as part of the permit review process.

Let me know if you have any additional questions.

Jeff

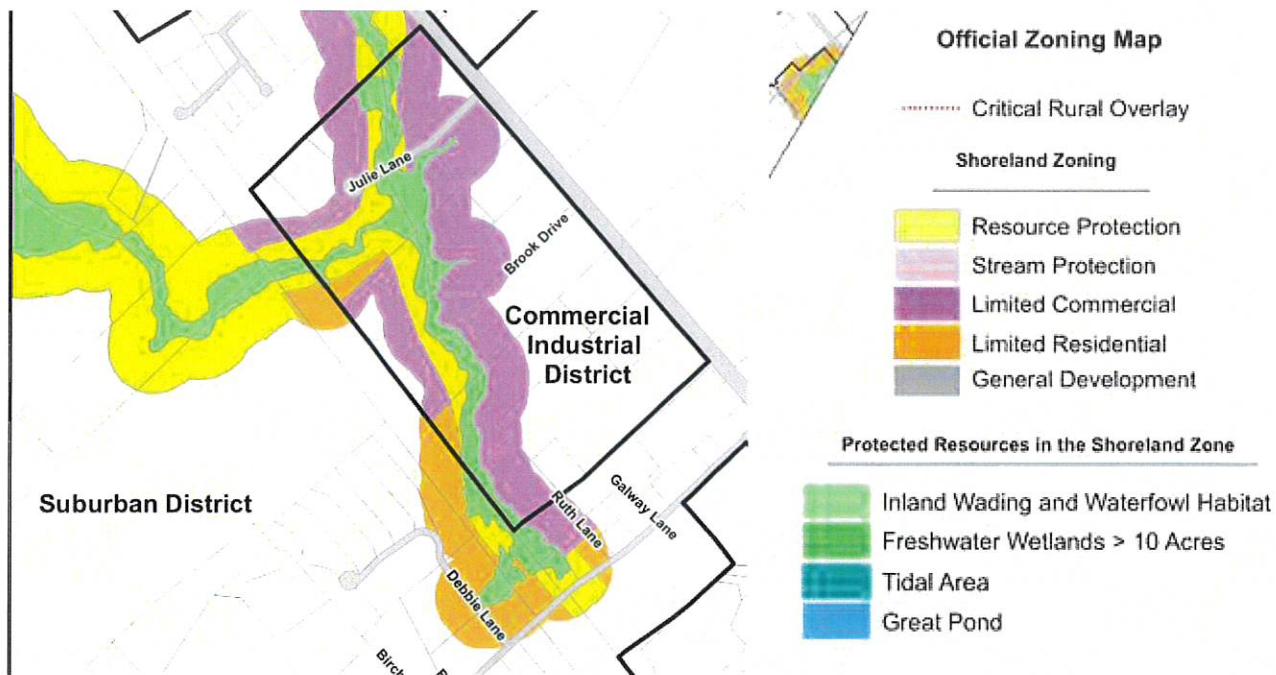
Jeffrey C. Kalinich  
Assistant Shoreland Zoning Coordinator  
Maine Department of Environmental Protection  
312 Canco Road  
Portland, Maine 04103  
Ph. (207) 615-7044  
Fax. (207) 822-6303  
[www.Maine.gov/dep](http://www.Maine.gov/dep)

**From:** Cole Peters <[CPeters@sebagotechnics.com](mailto:CPeters@sebagotechnics.com)>  
**Sent:** Wednesday, November 8, 2023 11:29 AM  
**To:** Kalinich, Jeffrey C <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>  
**Subject:** Julie Lane, Eliot- Shoreland Zone Map

**EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Jeff,

Thinking about it more after leaving you my voice message today, I thought that you having maps before you would be a good way for us to both be on the same page to discuss mapping near Julie Lane below.



Please call me at your earliest convenience.

Thank you,

Cole

Cole Peters, PWS, CG

Environmental Division Manager

An Employee-Owned Company

75 John Roberts Rd., Suite 4A, South Portland, ME 04106

Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781

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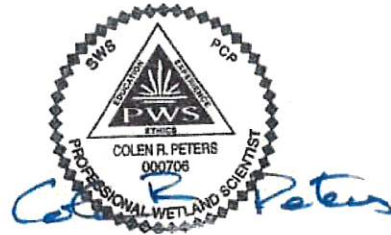


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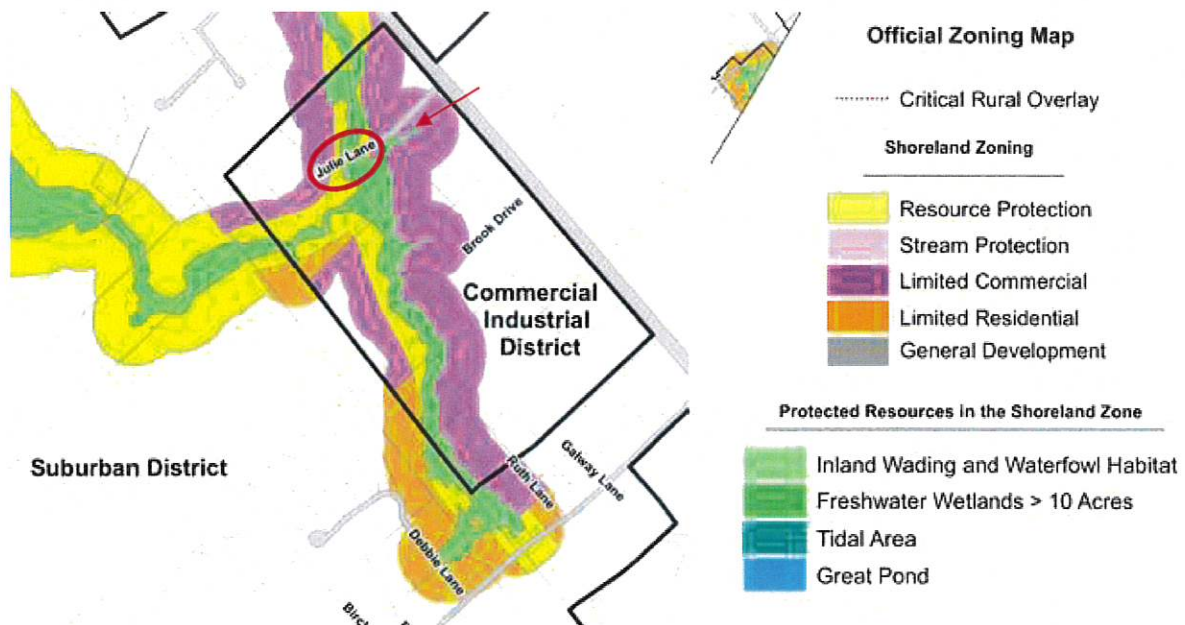
**Town of Elliott  
Shoreland Zone Map**

**To:** Jeff Kalinich, MDEP Shoreland Zoning Unit  
**From:** Cole Peters, PWS  
**Date:** November 21, 2023  
**Project:** 10380 – 299 Harold Dow Highway  
**cc:** Shawn Frank, PE, Project Manager



Maps and other information presented below are relevant to determining the extent of the Shoreland Zone to the east of Julie Lane in Elliot. Identified below on an excerpt of the Town of Elliot Shoreland Zone Map (6/7/2014) is the specific area of interest (AOI) at the south corner of Julie Lane and Route 236 with an address of 299 Harold Dow Highway (Route 236) designated as Lot 37-3-1. In particular, a determination is requested regarding Shoreland Zoning regulation related to a finger of wetland trending northeast-southwest that is generally parallel to Julie Lane on the north side of Great Creek.

As displayed on the Zoning Map, essentially the entire Lot 37-31-1 is now identified as the Limited Commercial District within 250 ft surrounding the finger of wetland.



Mapping of wetland in the area by the US Fish and Wildlife Service for the National Wetland Inventory (NWI) appears below and generally coincides with the configuration of “Freshwater Wetlands >10 acres” depicted on the Town of Elliott Shoreland Zone Map. In this general area the NWI map identifies two wetland cover types:

**PFO4/1C:** Seasonally flooded (C), Mixed needle-leaved evergreen (4) / deciduous (1) Forested Palustrine wetland

**PEM1/SS1E:** Seasonally flooded/saturated (E), Persistent (1) Emergent, and Deciduous (1), Scrub Shrub Palustrine wetland



299 Harold Dow Highway, Eliott, ME



November 22, 2023

**Wetlands**

- |                                   |                 |
|-----------------------------------|-----------------|
| Freshwater Emergent Wetland       | Lake            |
| Estuarine and Marine Deepwater    | Other           |
| Estuarine and Marine Wetland      | Freshwater Pond |
| Freshwater Forested/Shrub Wetland | Riverine        |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Differentiation of wetland covertypes (FO- forested, SS- scrub shrub, EM- emergent) on the NWI map is relevant to the Town of Eliot Shoreland Zoning Ordinance which states: *“Freshwater wetland means freshwater swamps, bogs and similar areas, other than forested wetlands”* (underline added) where *“Forested wetland means a freshwater wetland dominated by woody vegetation that is six meters (approximately 20 feet) tall.”* (Sec. 1-2) The NWI map is therefore an initial means to identify by vegetation cover type, wetlands that are forested and not intended to be addressed by the Shoreland Zoning Ordinance.

On November 15, 2023, wetland characteristics including dominant wetland covertype were field reviewed along Julie Lane to evaluate what is displayed on the Zoning and NWI maps. Photographs 1 and 2 display PEM and PSS wetland covertypes along Great Creek that are consistent with NWI mapping. Photograph 3, on the east side of Julie Lane, illustrates a common transition from emergent (PEM), to shrub (PSS) to forested (PFO) covertype that is typical along the edge of many wetlands. Photographs 4 and 5 display forested wetland (PFO) throughout the finger of wetland displayed on the Zoning Map or to the north and upslope from the main body of the non-forested (PEM and PSS) wetland along Great Creek. Photograph 6 presents an upslope (northward) view along the length of the finger of wetland on the Zoning Map and identifies an abrupt distinct boundary between herbaceous emergent vegetation and woody vegetation.

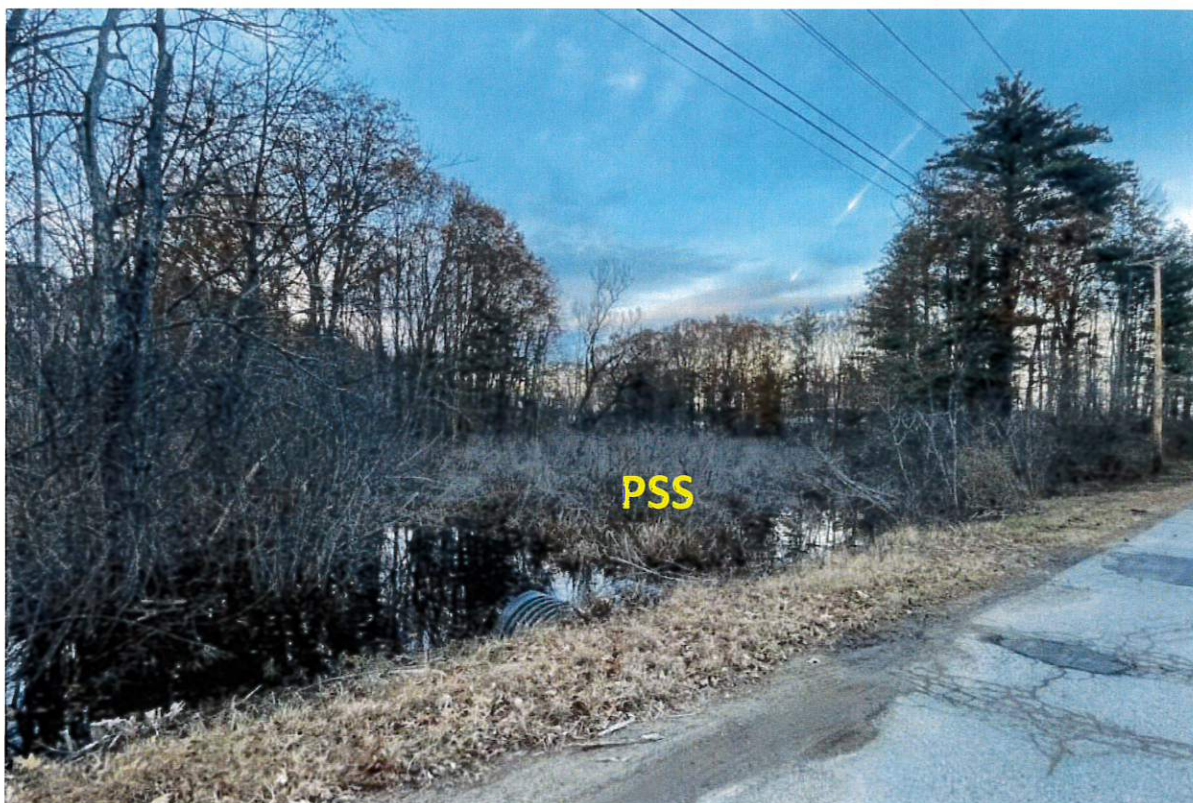
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Sebago Technics has met with the Eliot Town Manager and Town Planner to discuss updating the extent of the Shoreland Zone on the east side of Julie Lane in relation to Lot 37-3-1. Site conditions and the relationship to the NWI and the Zoning maps have also been discussed with the Town Code Enforcement Officer.

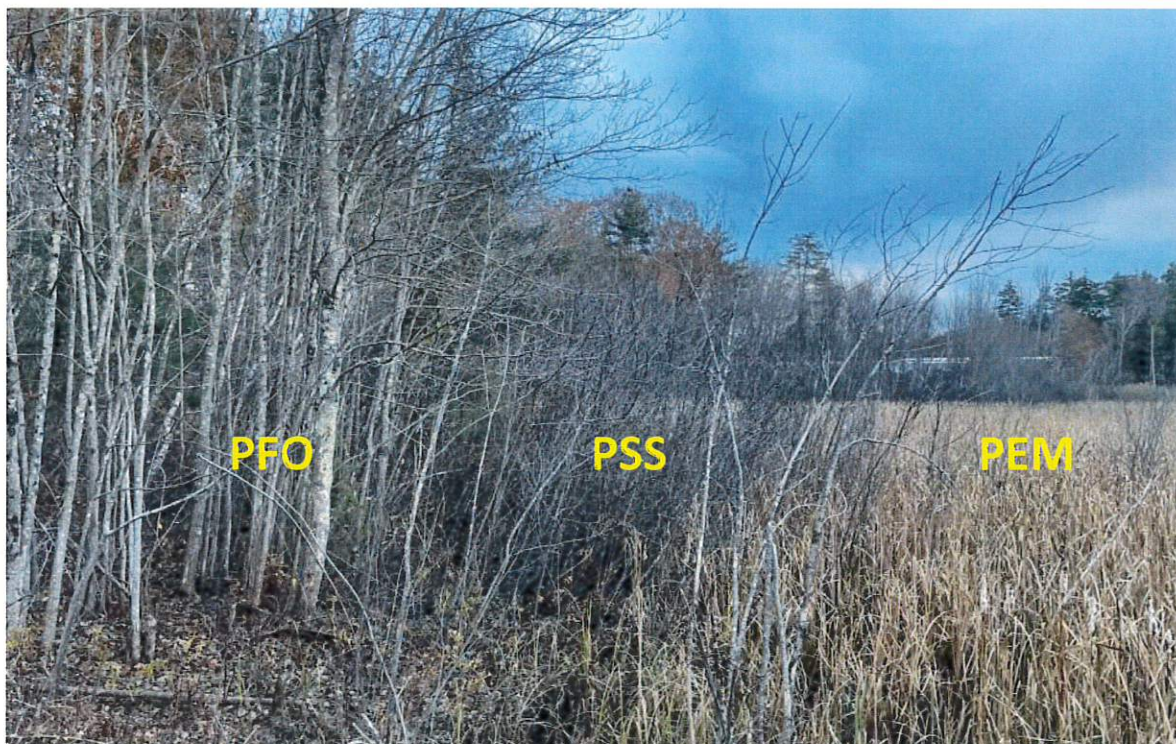
The Town of Eliot will rely on a determination from the Maine Department of Environmental Protection in order to update the extent of the Shoreland Zone as described above and as displayed by the blue lines on the attached map.



**Photograph 1:** Overview of cattail marsh (NWI- Palustrine Emergent Wetland/PEM) along Great Creek on the east side of Julie Lane (at left).



**Photograph 2:** Overview of shrub swamp (NWI- Palustrine Scrub Shrub Wetland/PSS) along Great Creek on the west side of Julie Lane (at right).



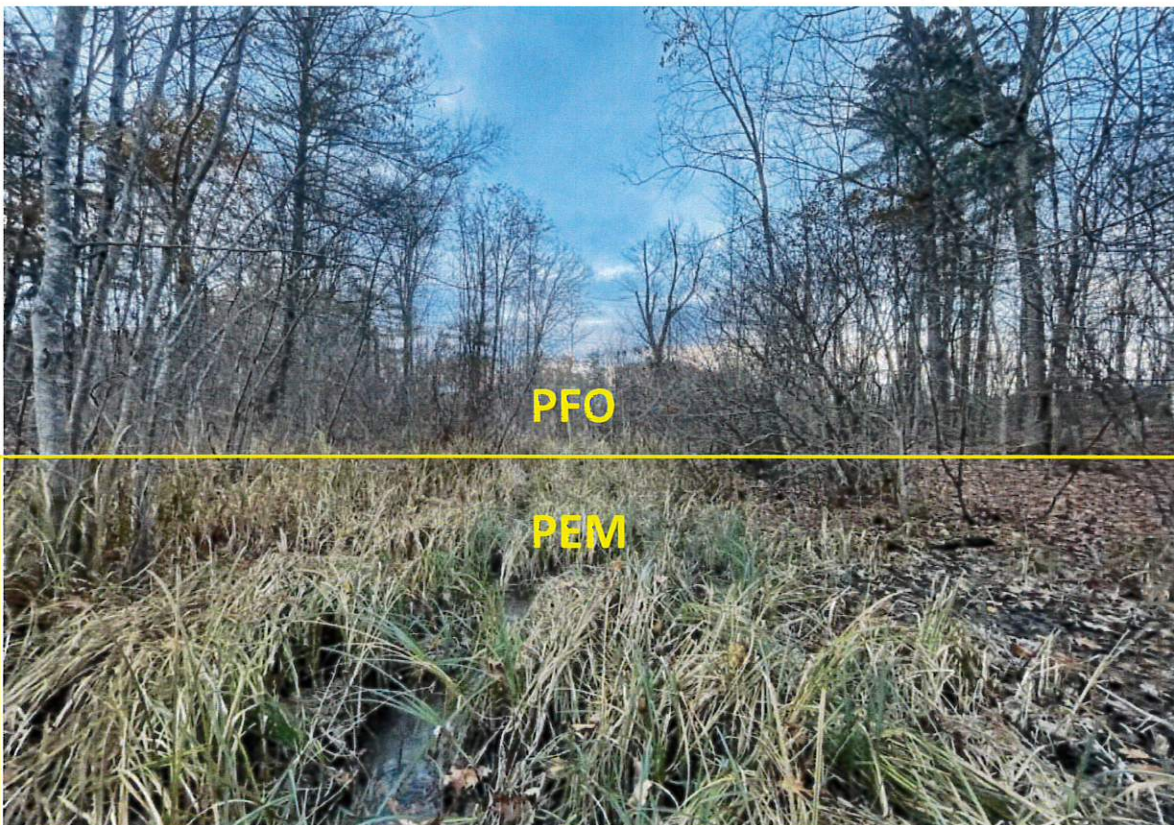
**Photograph 3:** Eastward view at location marked by arrow in Photo 1 showing bands of forested (PFO) and scrub shrub (PSS) wetland that fringe the cattail marsh (PEM).



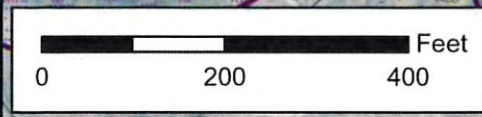
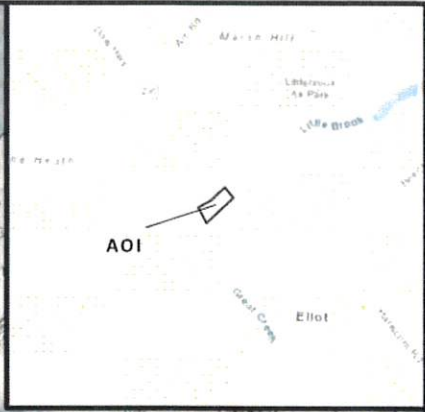
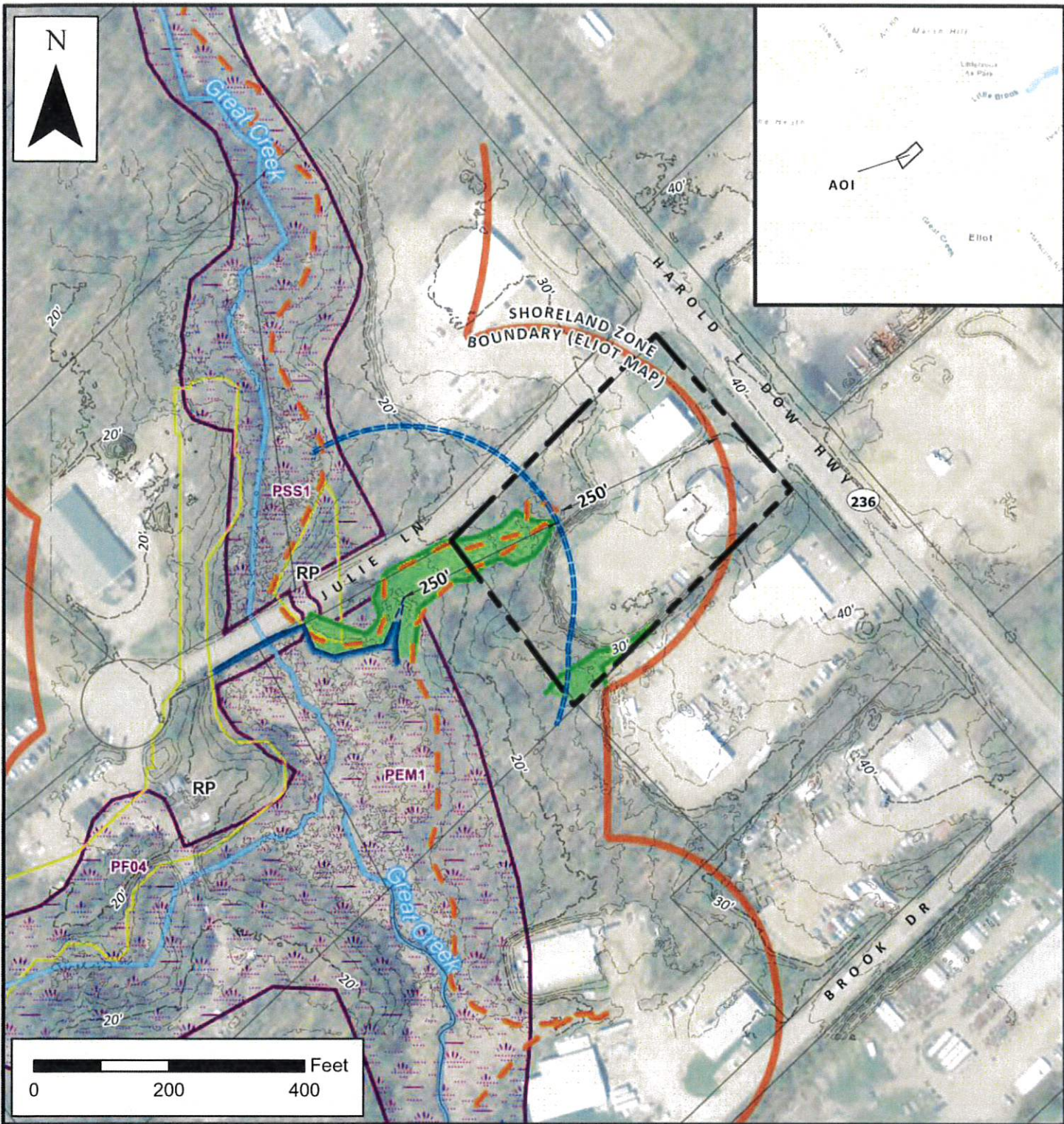
**Photograph 4:** View upslope (north) of Photo 2 showing forested PFO wetland along east side of Julie Lane at left. Trees have been cut in this area to maintain operation clearance requirements or the electrical distribution line at upper left corner.



**Photograph 5:** Downgradient view from north end of wetland along Julie Lane with X marking tree stump.



**Photograph 6:** Northward upgradient view from the PEM marsh in foreground with yellow line marking transition to forested PFO wetland that extends along Julie Lane on left.



- |                        |   |                             |                                     |
|------------------------|---|-----------------------------|-------------------------------------|
| AREA OF INTEREST (AOI) | NATIONAL WETLAND INVENTORY                  | DELINEATED WETLAND BOUNDARY | DELINEATED EDGE OF SHORELAND        |
| TAX PARCELS            | WETLAND BOUNDARY PER TOWN                   | DELINEATED WETLANDS         | 250FT OFFSET FROM EDGE OF SHORELAND |
| 2' CONTOUR             | SHORELAND ZONING BOUNDARY PER TOWN OF ELIOT |                             | NHD STREAM                          |
| 10' CONTOUR            |   |                             |                                     |

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**NATURAL RESOURCES**  
**NATURAL ICE BUILDING**

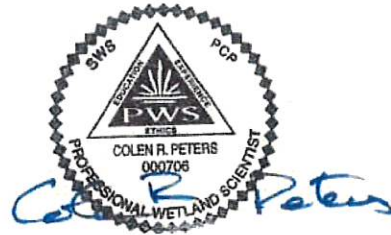
LOCATION: HAROLD DOW HWY  
ELIOT, ME

SCALE: 1:2,400  
DATE: 11/28/2023

INFORMATION: 2019 NH COASTAL LIDAR  
2018 ORTHOREGIONAL IMAGERY  
TOWN OF ELIOT, ME - OFFICIAL ZONING MAP - 2014

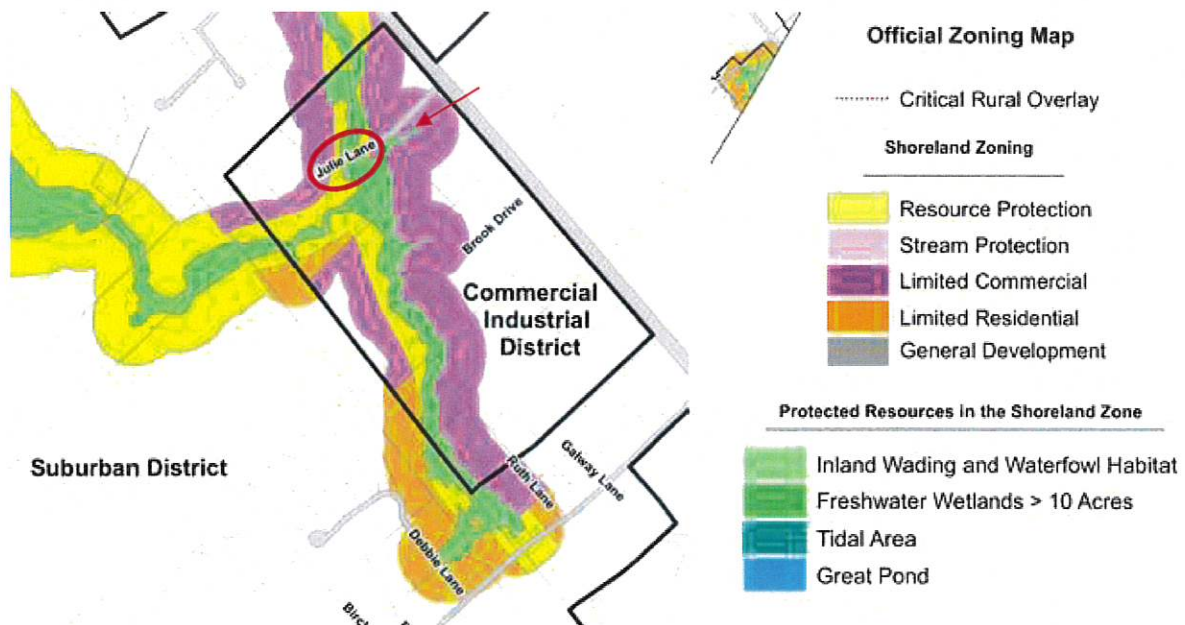
**Town of Elliott  
Shoreland Zone Map**

**To:** Jeff Kalinich, MDEP Shoreland Zoning Unit  
**From:** Cole Peters, PWS  
**Date:** November 21, 2023  
**Project:** 10380 – 299 Harold Dow Highway  
**cc:** Shawn Frank, PE, Project Manager



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As displayed on the Zoning Map, essentially the entire Lot 37-31-1 is now identified as the Limited Commercial District within 250 ft surrounding the finger of wetland.

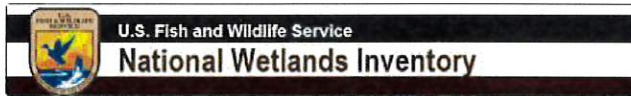


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299 Harold Dow Highway, Eliott, ME



November 22, 2023

<b>Wetlands</b>	Freshwater Emergent Wetland	Lake
Estuarine and Marine Deepwater	Freshwater Forested/Shrub Wetland	Other
Estuarine and Marine Wetland	Freshwater Pond	Riverine

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Sebago Technics has met with the Eliot Town Manager and Town Planner to discuss updating the extent of the Shoreland Zone on the east side of Julie Lane in relation to Lot 37-3-1. Site conditions and the relationship to the NWI and the Zoning maps have also been discussed with the Town Code Enforcement Officer.

The Town of Eliot will rely on a determination from the Maine Department of Environmental Protection in order to update the extent of the Shoreland Zone as described above and as displayed by the blue lines on the attached map.



**Photograph 1:** Overview of cattail marsh (NWI- Palustrine Emergent Wetland/PEM) along Great Creek on the east side of Julie Lane (at left).



**Photograph 2:** Overview of shrub swamp (NWI- Palustrine Scrub Shrub Wetland/PSS) along Great Creek on the west side of Julie Lane (at right).



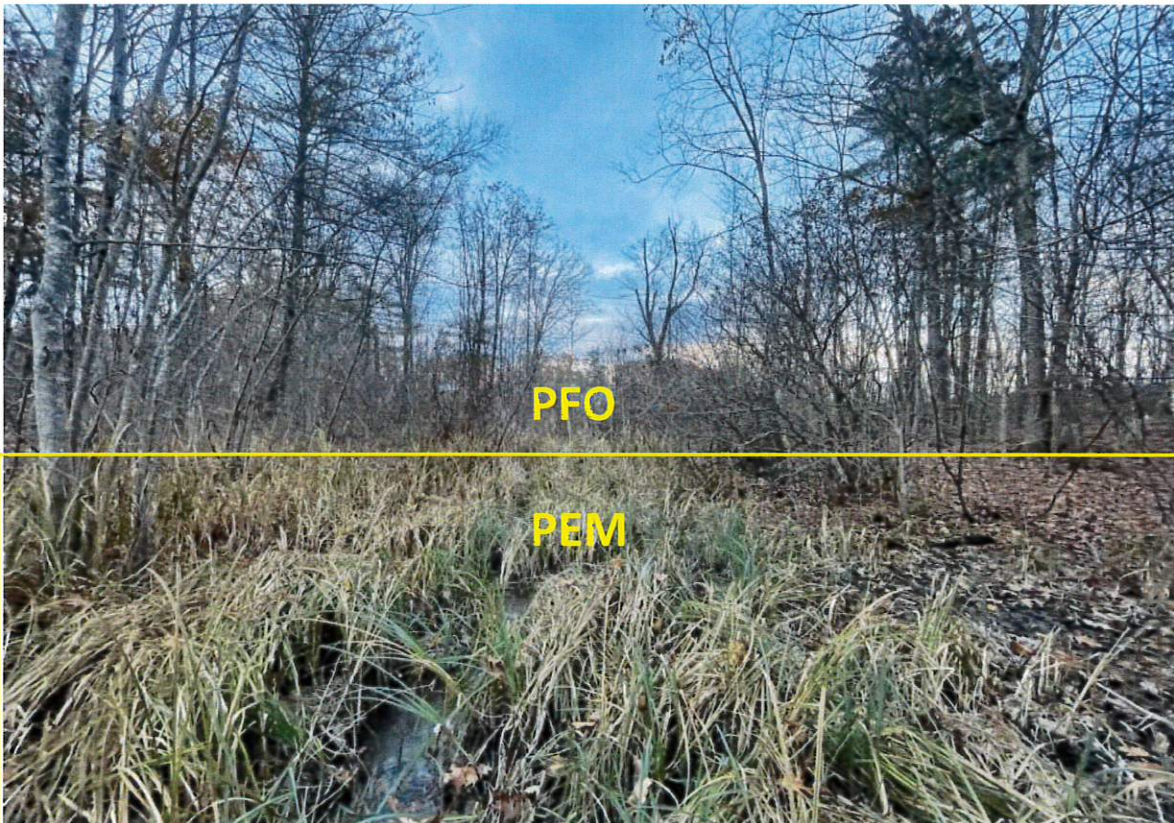
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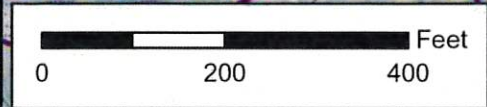
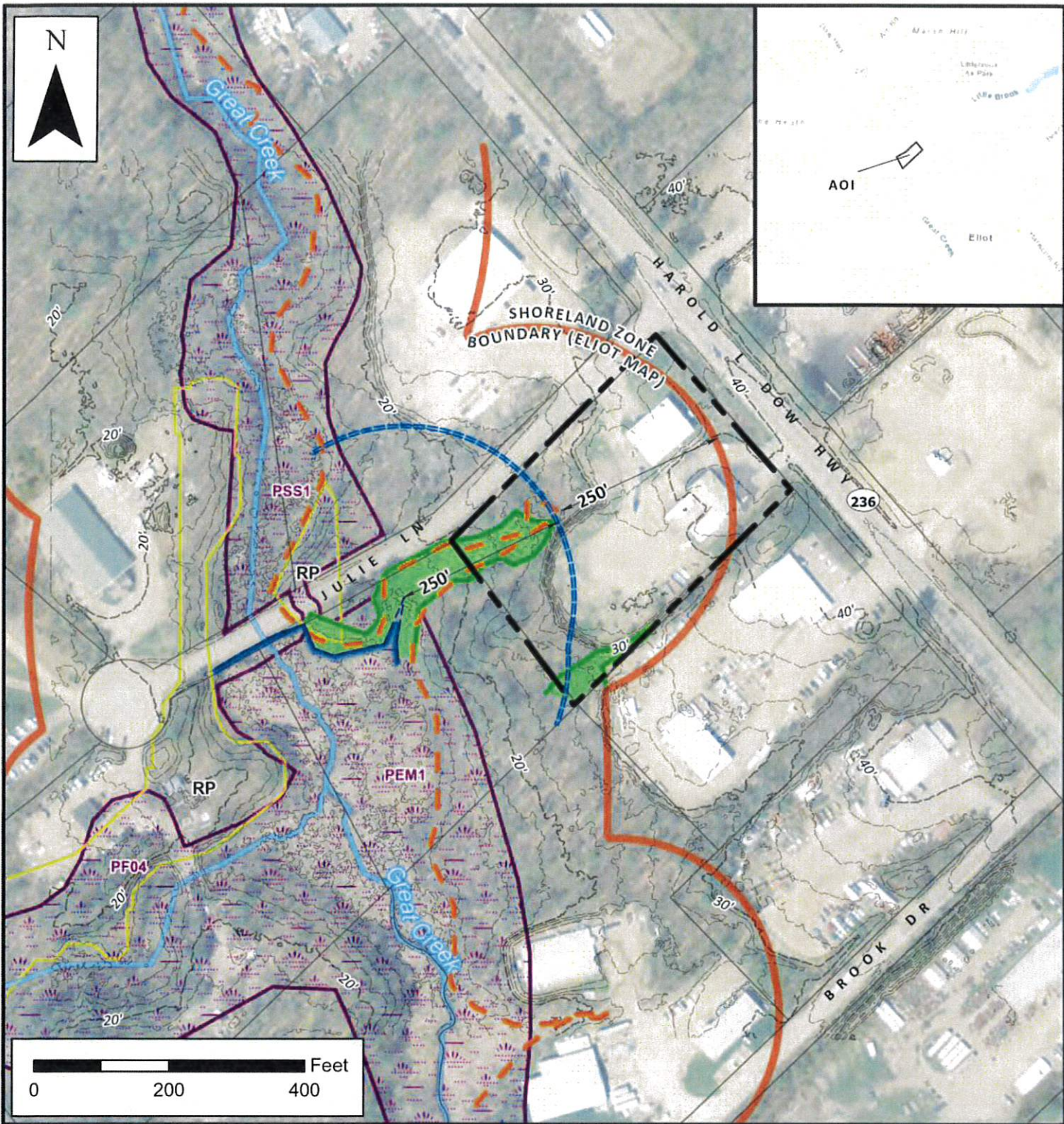
**Photograph 4:** View upslope (north) of Photo 2 showing forested PFO wetland along east side of Julie Lane at left. Trees have been cut in this area to maintain operation clearance requirements or the electrical distribution line at upper left corner.



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**NATURAL RESOURCES**  
**NATURAL ICE BUILDING**

LOCATION: HAROLD DOW HWY  
ELIOT, ME

INFORMATION: 2019 NH COASTAL LIDAR  
2018 ORTHOREGIONAL IMAGERY  
TOWN OF ELIOT, ME - OFFICIAL ZONING MAP - 2014

SCALE: 1:2,400  
DATE: 11/28/2023



FEB 29 2024

February 28, 2024  
10380

William Hamilton, Chairman, Board of Appeals  
Shelly Bishop, Code Enforcement Officer  
Jeff Brubaker, AICP, Planner  
Town of Eliot  
1333 State Road  
Eliot, Maine 03903

Digital submittal: sbishop@eliotme.org

**Applicant: Natural Rocks Spring Water Ice Co., Inc.**

**Municipal Code of Ordinances: Sec. 44-22 Interpretation of district boundaries**

**Subject Property: 299 Harold Dow Highway (Corner Lot at Dow Highway and Julie Lane)**

**Assessor: Map 37/Lot3-1**

Dear Chair Hamilton, Ms. Bishop, Mr. Brubaker, and Board of Appeals members:

On behalf of Natural Rocks Spring Water Ice Co., Inc., Sebago Technics respectfully requests a determination from the Town of Eliot Board of Appeals (BOA) regarding the location of the current Shoreland Zoning district boundary line as it impacts their property at 299 Harold Dow Highway. The property is located in the *Commercial Industrial (CI)* and *Limited Commercial Shoreland Zone*. *Sec. 44-22-Interpretation of district boundaries* of the Eliot Municipal Code of Ordinances states that the BOA is the final authority as to the location of district boundary lines in cases where uncertainty exists. The basis and reasoning for this request for determination are presented in the accompanying information, including maps, photographs, and emails. We understand that a formal application form specific to a zoning boundary determination request does not exist, so the Code Enforcement Officer advised us to address the request in writing and attach all pertinent information in support of a BOA review.

The applicant respectfully requests that the BOA evaluate the shoreland zoning district boundary line based upon the limits of "Freshwater Wetlands >10 Acres" along the easterly line of Julie Lane as shown on the Town of Eliot Official Zoning Map, June 7, 2014, and on the Town website ([https://www.eliotmaine.org/sites/g/files/vyhlf4386/f/uploads/zoning\\_map.pdf](https://www.eliotmaine.org/sites/g/files/vyhlf4386/f/uploads/zoning_map.pdf)). As the shoreland zoning district boundary line is based upon the resource boundary, any adjustment to the wetland limits would amend the district boundary line of the *Limited Commercial District* (250' foot offset) on Map 37/Lot 3-1. For reference, the revised edge of the wetlands, as verified by the State, is shown in blue on the enclosed Natural Resource Map.

Per the field investigation by wetland scientist Cole Peters, CG, PWS, Environmental Services Manager of Sebago Technics, and subsequent discussion with the Town Manager, Town Planner, and Jeffrey Kalinch, Assistant Shoreland Zoning Coordinator, Maine Department of Environmental Protection (MDEP), we understand that the BOA is authorized to hear and decide cases involving possible inconsistencies in zoning lines. The applicant believes that after reviewing the information provided, the BOA designation will identify that the district line should be different than what is currently shown on the Official Zoning Map. Cole Peters provides an updated location of the wetlands and 250'-setback in the appended memorandum.

The specifics regarding a revision to the wetland boundary and related Limited Commercial District boundary at this specific location are for the following reasons:

1. The segment of forested wetland (PFO1) along Julie Lane is an appendage to the main body of emergent wetland (PEM1) to the south (downstream) along Great Creek and is substantially different in character (vegetative cover type, underlying soil, hydrologic conditions, proximity to stream and slope or gradient). These characteristics contribute to roles or functions of wetlands and the purposes of the Shoreland Zoning Ordinance (Sec 44-1).
2. The segment of forested wetland (PFO1) along Julie Lane is not representative of the form or type of wetland subject to the Shoreland Zoning Ordinance (Sec. 44-3):  
*Freshwater wetland means freshwater swamps, bogs, and similar areas, other than forested wetlands (underline added), which are:...*  
(Sec. 1-2, page CD1:15).
3. As established by the current Shoreland Zoning Map, the overlying 250-wide *Limited Commercial District* that relates or is tied to the boundary of "freshwater wetland" encompasses essentially the entirety of Lot 37-1, which is in the *Commercial Industrial District*.
4. Land use standards (Section 44-35) applicable to the Limited Commercial District, as established by the current Shoreland Zoning Map, essentially prohibit further development in Lot 37- 1, which can otherwise conform to requirements applicable to the *Commercial Industrial District*.
5. Wetlands on Lot 37-1 are not proposed to be filled for contemplated development.

Should the BOA agree with the enclosed memorandum and the State of Maine Department of Environmental Protection's opinion, per the attached December 4, 2023, email from Mr. Kalinch stating that it appears there is a substantial difference between what was mapped and what is currently present on the property, the applicant will then proceed with a formal map amendment and subsequent Planning Board review of a development application for proposed



site improvements in accordance with guidance provided by Town Planner, Jeff Brubaker on January 16, 2024.

We believe that this submittal and fee of \$150.00 (Sec. 45-50) is sufficient for review and determination, as requested. If you have any comments or questions, please do not hesitate to contact me at [sfrank@sebagotechnics.com](mailto:sfrank@sebagotechnics.com) or by telephone at (207) 200-2062. I look forward to hearing from you and presenting the request in person at the next scheduled Board of Appeals meeting.

Sincerely,

SEBAGO TECHNICS, INC.



Shawn M. Frank, P.E.  
Senior Vice President, Commercial Development

enc.

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT		PREVIOUS ASSESSMENTS (HISTORY)		VISION	
Level	Well	1 Paved	2 Suburban	Description	Code	Appraised	Assessed	Year	Code	Assessed	
1	6 Septic			COMMERC. COM LAND COMMERC.	3160 3160 3160	444,500 282,000 2,500	444,500 282,000 2,500	2021 2021 2020	3160 3160 3160	435,000 165,400 2,500	4509 ELIOT, ME
299 HAROLD L DOW HWY ELIOT ME 03903 PHOTO GIS ID 37-3-1 Assoc Pld#											

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)	
Year	Code	Description	Amount	Code	Description	Number	Amount	Year	Code
		NATURAL ROCKS SPRING WATER ICE CO I	16400	0290	08-22-2012	U	0	2022	3160
		TISCHNER STEVEN V	11558	0317	04-17-2002	Q	252,000		3160
		HOSUE AUBREY REVOCABLE TRUST	9411	0037	02-04-1999	U	0		3160
		HOSUE AUBREY	7754	0002	03-19-1996	U	65,000		3160
Total			0.00				729,000	Total	729,000

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Code	Description	Amount
		NATURAL ROCKS ICE CO	0
Total			0.00

ASSESSING NEIGHBORHOOD		NOTES	
Nbhd	Nbhd Name	B	Tracing
0001			Batch

BUILDING PERMIT RECORD		VISIT / CHANGE HISTORY	
Permit Id	Issue Date	Type	Description
12-11	03-06-2012	NC	New Construct
02-145	08-27-2002	NC	20X36 WALKIN
02-33	04-03-2002	NC	LOADING DOC

LAND LINE VALUATION SECTION		APPRAISED VALUE SUMMARY	
Use Code	Description	Zone	Land Type
1	3160 COMM WHSE	C/I	C/I
Total Card Land Units		2.000	AC
Parcel Total Land Area:		3.0000	

APPRAISED VALUE SUMMARY		VALUATION METHOD	
Appraised Bldg. Value (Card)	Appraised Ob (B) Value (Bldg)	Special Land Value	Total Appraised Parcel Value
444,500	2,500	0	729,000

VALUATION METHOD		PURPOSE RESULT	
Date	Id	Type	Is
10-08-2014	MP		00
06-19-2003	MP		00
05-08-1997	FG		00

ADJUSTMENT		PURPOSE RESULT	
Adj Unit Pric	Land Value	Measur+Listed	Measur+Listed
3.97	172,900	00	00
12,960	13,000	00	00
Total Land Value		282,000	

**CONSTRUCTION DETAIL**

**CONSTRUCTION DETAIL (CONTINUED)**

Element	Cd	Description	Element	Cd	Description
Style: 48		Warehouse			
Model: 94		Commercial			
Grade: 03		Average			
Stories: 1					
Occupancy: 1.00					
Exterior Wall 1: 08		Wood on Sheath			
Exterior Wall 2: 25		Vinyl Siding			
Roof Structure: 03		Gable/Hip			
Roof Cover: 01		Metal/Tin			
Interior Wall 1: 05		Drywall/Sheet			
Interior Wall 2: 03		Concr-Finished			
Interior Floor 1: 02		Oil			
Interior Floor 2: 05		Hot Water			
Heating Fuel: 03		Central			
AC Type: 3160		COMM WHSE			
Bldg Use: 00					
Total Rooms: 00					
Total Bedrms: 00					
Total Baths: 00					
Heat/AC: 02		NONE			
Frame Type: 02		WOOD FRAME			
Baths/Plumbing: 06		AVERAGE			
Ceiling/Wall: 03		CEIL & WALLS			
Rooms/Prtns: 12.00		ABOVE AVERAGE			
Wall Height: 0.00					
% Comm Wall: 0.00					
1st Floor Use: 3221					

MIXED USE		
Code	Description	Percentage
3160	COMM WHSE	100
		0
		0

**COST / MARKET VALUATION**

Code	Description	Yr Bld	Cond. Cd	% Good	Grade	Grade Adj	Appr. Value
PAV1	PAVING-ASPH	L		2,500	2.00	2008	2,500

**OB - OUTBUILDING & YARD ITEMS(L) / YF - BUILDING EXTRA FEATURES(B)**

**BUILDING SUB-AREA SUMMARY SECTION**

Code	Description	Living Area	Floor Area	Eft Area	Unit Cost	Undeprec Value
BAS	First Floor	2,352	2,352	2,352	0	
SDA	Store Display Area	1,088	1,088	1,088	0	
Ttl Gross Liv / Lease Area		3,440	3,440	3,440		

BAS	20	68	16
SDA	68	68	16
	20	68	16



CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT		
Natural	Level	Well	Paved	Suburban	Description	Code	Appraised	Assessed
NATURAL ROCKS SPRING WATER IC	1	6 Septic	1	2	COMMERC. COM LAND	3160	444,500	444,500
299 HAROLD L DOW HWY					COMMERC.	3160	282,000	282,000
						3160	2,500	2,500
SUPPLEMENTAL DATA					ELIOT, ME			
Alt Prcl ID					VISION			
STYLE								
GROSS								
EFFEC								
PHOTO								
GIS ID 37-3-1					Assoc Pld#			

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	Year	Code	Assessed	Year	Code	Assessed
NATURAL ROCKS SPRING WATER ICE CO I	16400	0290	08-22-2012	U	I	0	1A	2022	3160	444,500	2021	3160	435,000
TISCHNER STEVEN V	11558	0317	04-17-2002	Q	I	252,000	00		3160	282,000		3160	165,400
HOSUE AUBREY REVOCABLE TRUST	9411	0037	02-04-1999	U	I	0	1A		3160	2,500		3160	3160
HOSUE AUBREY	7754	0002	03-19-1996	U	V	65,000	1P		3160	2,500		3160	2,500
Total													729,000

EXEMPTIONS		Amount	Code	Description	Number	Amount	Comm Int	
Year	Code	Description	Amount	Code	Description	Number	Amount	
			0.00					
Total								0.00

ASSESSING NEIGHBORHOOD		Nbhd	Nbhd Name	Batch
	0001	B	Tracing	

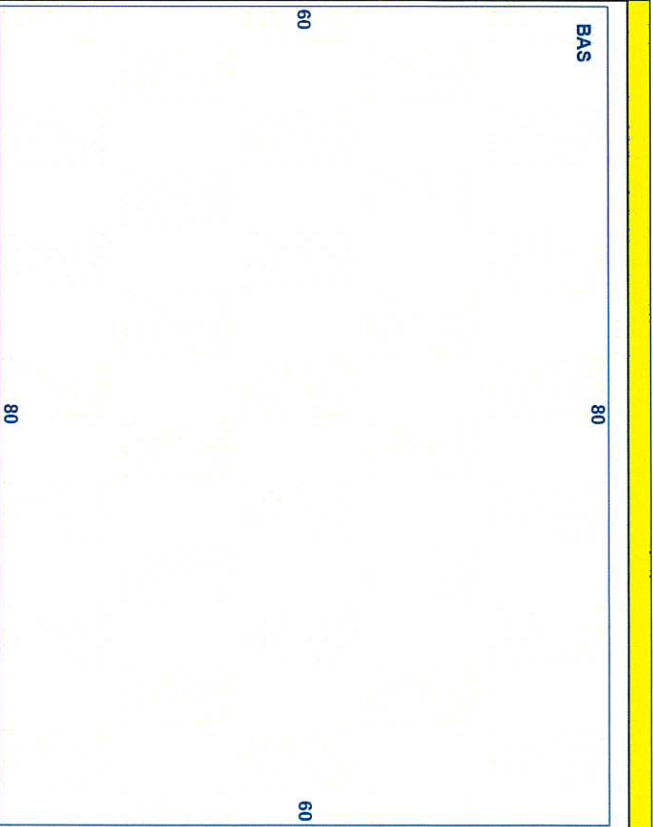
OTHER ASSESSMENTS		Amount	Code	Description	Number	Amount	Comm Int	
This signature acknowledges a visit by a Data Collector or Assessor								
APPRaised VALUE SUMMARY								
Appraised Bldg. Value (Card)								444,500
Appraised XI (B) Value (Bldg)								0
Appraised Ob (B) Value (Bldg)								2,500
Appraised Land Value (Bldg)								282,000
Special Land Value								0
Total Appraised Parcel Value								729,000
Exemption								0
Valuation Method								C
Total Appraised Parcel Value								729,000.00

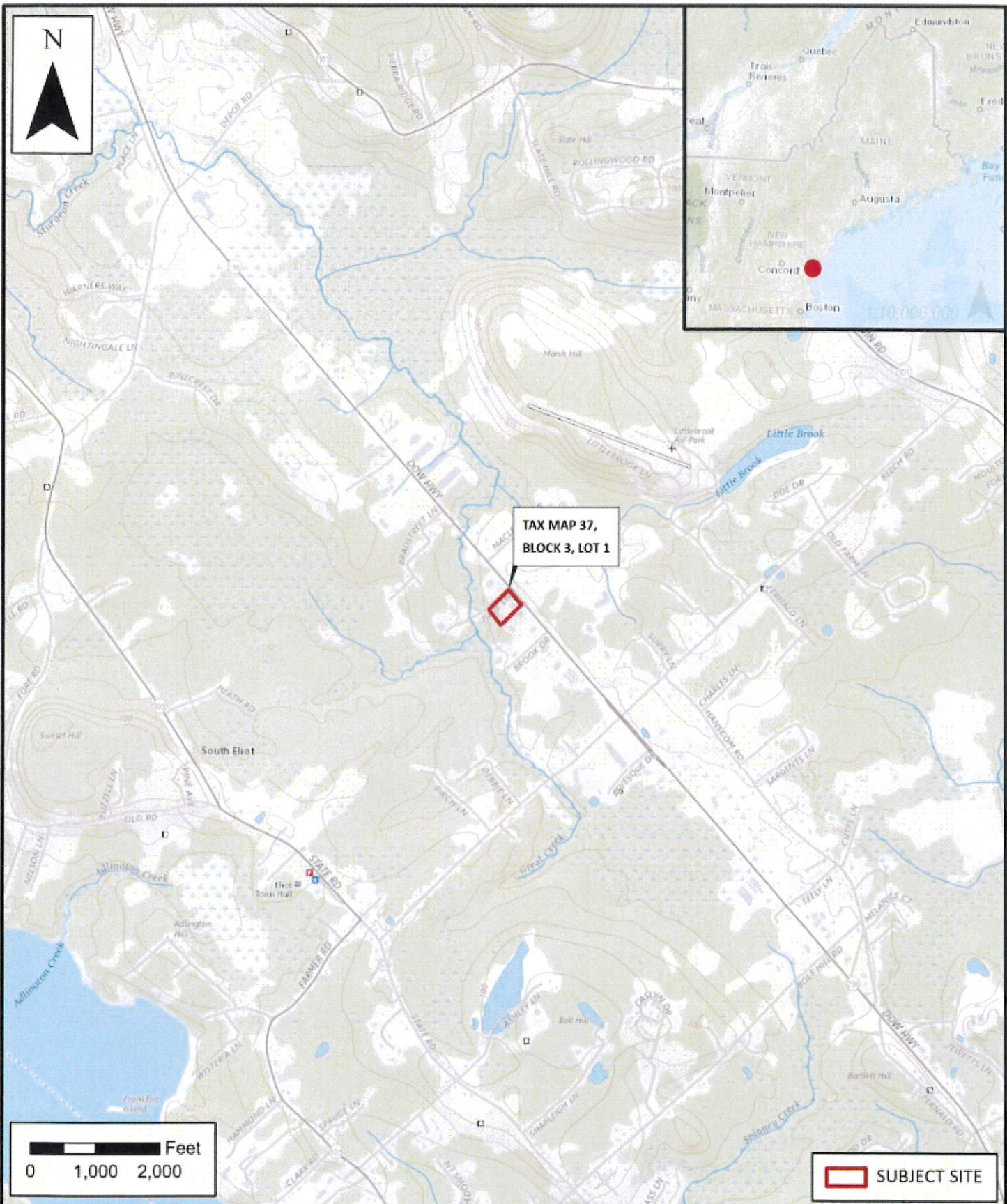
BUILDING PERMIT RECORD		Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	
LAND LINE VALUATION SECTION											
Total Appraised Parcel Value											729,000.00

VISIT/CHANGE HISTORY		Date	Id	Type	Is	Cd	Purpose/Result	
Total Appraised Parcel Value								729,000.00

LAND LINE VALUATION SECTION		Use Code	Description	Zone	Land Type	Land Units	Unit Price	I. Factor	Site Index	Cond.	Nbhd.	Nbhd Adj	Notes	Location Adjustment	Adj Unit Pric	Land Value
B	3160	COMM WHSE	C/I		43,560 SF	2.45	1.80000	G	0.50	1.000	TOPO		0	2.21	96,100	
Total Card Land Units																1.000
AC																
Parcel Total Land Area:																3.0000
Total Land Value																282,000

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)							
Element	Cd	Description	Element	Cd	Description	Element	Description				
Style: Model Grade	48 94 03	Warehouse Commercial Average									
Stories:	1										
Occupancy	1.00		<b>MIXED USE</b>								
Exterior Wall 1	27	Pre-finish Melt	Code	Description	Percentage						
Exterior Wall 2			3160	COMM WHSE	100						
Roof Structure	03	Gable/Hip			0						
Roof Cover	01	Metal/Tin	<b>COST / MARKET VALUATION</b>								
Interior Wall 1	05	Drywall/Sheet									
Interior Wall 2			RCN		238,992	60	60				
Interior Floor 1	03	Concr-Finished	Year Built	2012							
Interior Floor 2			Effective Year Built	2008							
Heating Fuel	02	Oil	Depreciation Code	A							
Heating Type	04	Forced Air-Duc	Remodel Rating								
AC Type	03	Central	Year Remodeled								
Bldg Use	3160	COMM WHSE	Depreciation %	0							
Total Rooms			Functional Obsol								
Total Bedrms	1		Economic Obsol								
Total Baths			Trend Factor	1							
Heat/AC	00	NONE	Condition								
Frame Type	01	NONE	Condition %	100							
Baths/Plumbing	01	LIGHT	Percent Good	239,000							
Ceiling/Wall	00	NONE	RCNLD								
Rooms/Prtns	01	LIGHT	Dep % Ovr								
Wall Height	20.00		Misc Imp Ovr Comment								
% Comm Wall			Dep Ovr Comment								
1st Floor Use:			Cost to Cure Ovr Comment								
<b>OB - OUTBUILDING &amp; YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)</b>											
Code	Description	L/B	Units	Unit Price	Yr Bit	Cond. Cd	% Good	Grade	Grade Adj	Appr. Value	
<b>BUILDING SUB-AREA SUMMARY SECTION</b>											
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Underprec Value					
BAS	First Floor	4,800	4,800	4,800	0						
Total Gross Liv / Lease Area		4,800	4,800	4,800							





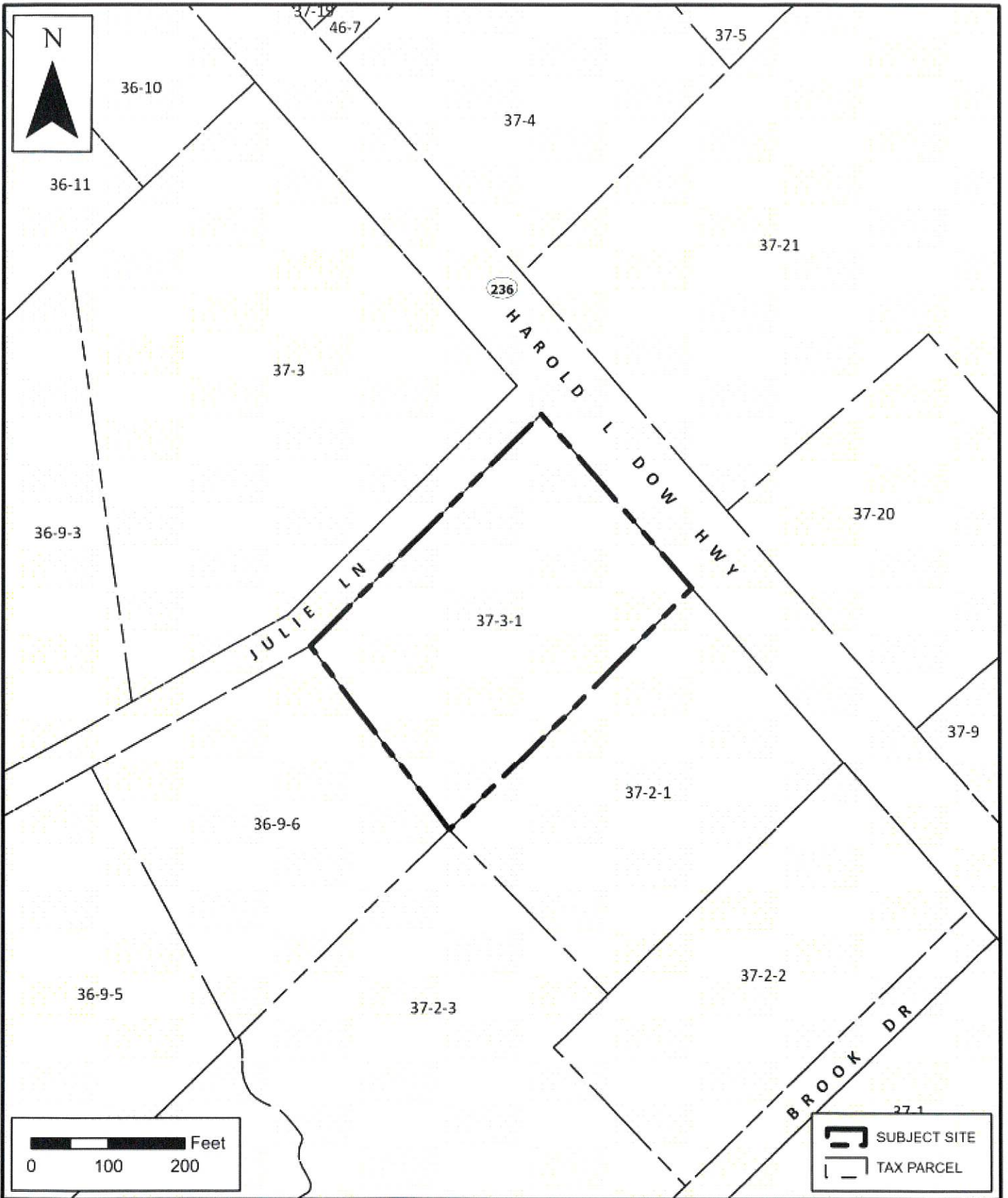
WWW.SEBAGOTECHNICS.COM  
 75 John Roberts Rd. - Suite 6A  
 South Portland, ME 04106  
 Tel. 207-200-2100

**LOCATION MAP**  
**PATCO CONSTRUCTION, INC.**

**LOCATION:**  
 299 HAROLD DOW HIGHWAY  
 ELIOT, ME

**INFORMATION:**  
 MAINE GEOLIBRARY  
 USGS QUADRANGLE

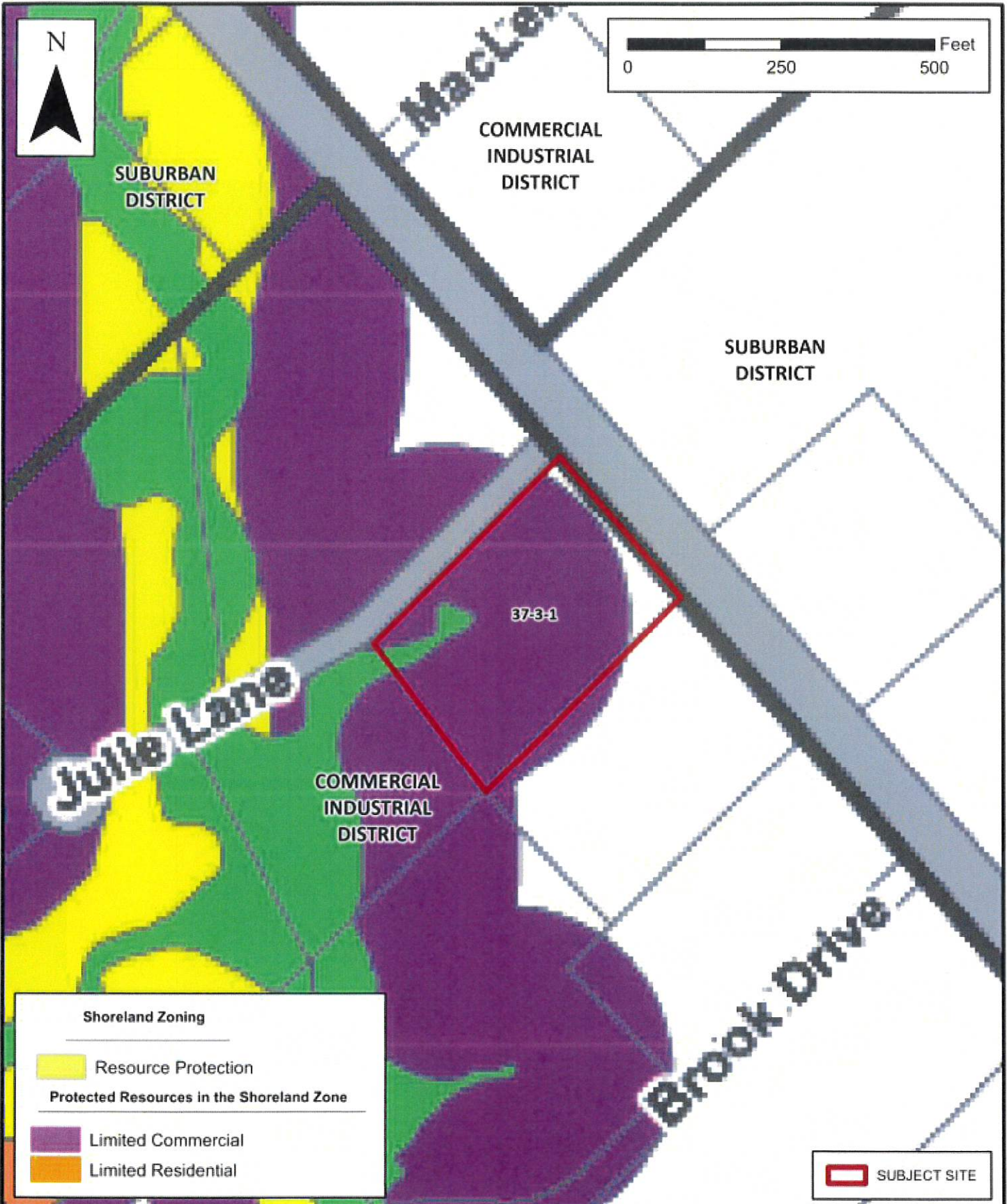
**SCALE:** 1:24,000  
**DATE:** 8/18/2022



**SEBAGO**  
TECHNICS

WWW.SEBAGOTECHNICS.COM  
75 John Roberts Rd - Suite 6A  
South Portland, ME 04106  
Tel: 207-200-2106

<b>TAX PARCEL MAP</b>		SCALE: 1:2,000
PATCO CONSTRUCTION, INC.		DATE: 8/18/2022
LOCATION:	INFORMATION:	
299 HAROLD DOW HIGHWAY ELIOT, ME	MAINE GEOLIBRARY CITY OF SANFORD, MAINE	



**Shoreland Zoning**

- Resource Protection

**Protected Resources in the Shoreland Zone**

- Limited Commercial
- Limited Residential

SUBJECT SITE

**SEBAGO**  
TECHNICS

WWW.SEBAGOTECHNICS.COM  
75 John Roberts Rd - Suite 4A  
South Portland, ME 04106  
Tel: 207.200.2100

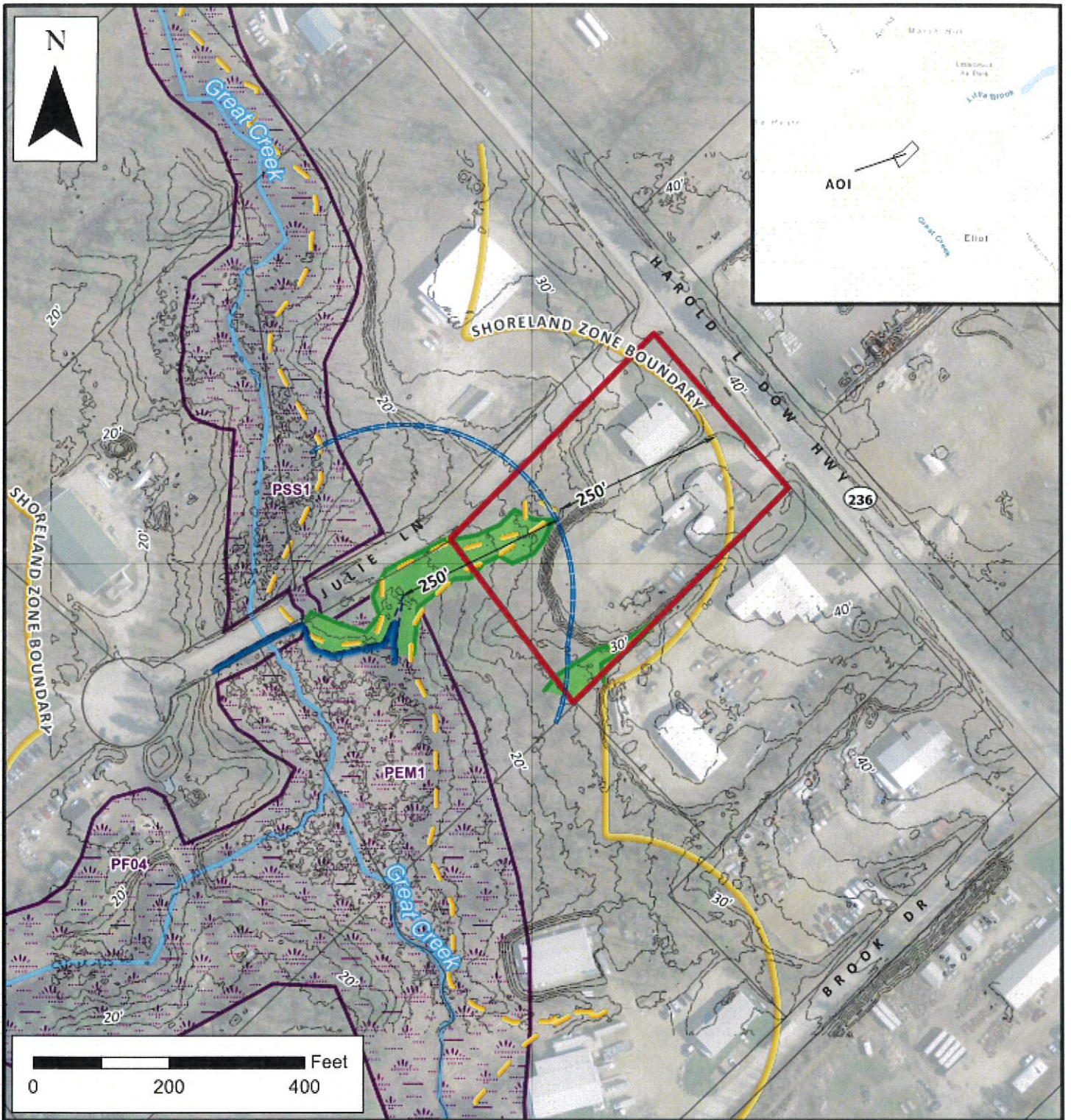
**ZONING MAP**  
PATCO CONSTRUCTION, INC.

SCALE: 1:2,500  
DATE: 8/22/2022

LOCATION:  
299 HAROLD DOW HIGHWAY  
ELIOT, ME

INFORMATION:  
MAINE GEOLIBRARY  
USGS QUADRANGLE





- |                        |   |                             |                                     |
|------------------------|---|-----------------------------|-------------------------------------|
| AREA OF INTEREST (AOI) | NATIONAL WETLAND INVENTORY                  | DELINEATED WETLAND BOUNDARY | DELINEATED EDGE OF SHORELAND        |
| TAX PARCELS            | WETLAND BOUNDARY PER TOWN                   | DELINEATED WETLANDS         | 250FT OFFSET FROM EDGE OF SHORELAND |
| 2' CONTOUR             | SHORELAND ZONING BOUNDARY PER TOWN OF ELIOT |                             | NHD STREAM                          |
| 10' CONTOUR            |   |                             |                                     |

**SEBAGO**  
TECHNICS

WWW.SEBAGOTECHNICS.COM  
75 John Roberts Rd., Suite 44  
South Portland, ME 04106  
Tel. 207-283-2100

**NATURAL RESOURCES**  
**NATURAL ICE BUILDING**

SCALE: 1:2,400  
DATE: 11/28/2023

LOCATION:  
HAROLD DOW HWY  
ELIOT, ME

INFORMATION: 2019 NH COASTAL LIDAR  
2018 ORTHOREGIONAL IMAGERY  
TOWN OF ELIOT, ME - OFFICIAL ZONING MAP - 2014

**From:** Kalinich, Jeffrey C <Jeffrey.C.Kalinich@maine.gov>  
**Sent:** Monday, December 4, 2023 2:40 PM  
**To:** Cole Peters <CPeters@sebagotechnics.com>  
**Cc:** Shawn Frank <sfrank@sebagotechnics.com>  
**Subject:** RE: [External] Julie Lane, Eliot- Shoreland Zone Map

Cole,

Thanks for the additional photos and information. It appears you are considering all the relevant factors in determining the transition to a forested wetland. It's hard to see with just one photo.

I have not heard from the Town yet.

Jeff

1

Jeffrey C. Kalinich  
Assistant Shoreland Zoning Coordinator  
Maine Department of Environmental Protection  
312 Canco Road  
Portland, Maine 04103  
Ph. (207) 615-7044  
Fax. (207) 822-6303  
[www.Maine.gov/dep](http://www.Maine.gov/dep)

**From:** Cole Peters <[CPeters@sebagotechnics.com](mailto:CPeters@sebagotechnics.com)>  
**Sent:** Monday, December 4, 2023 2:14 PM  
**To:** Kalinich, Jeffrey C <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>  
**Cc:** Shawn Frank <[sfrank@sebagotechnics.com](mailto:sfrank@sebagotechnics.com)>  
**Subject:** RE: [External] Julie Lane, Eliot- Shoreland Zone Map

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Hi Jeff-

Similar to the case for Photo 3, yes there is a bit of a transition but ... (I will explain with following photos)



Left (west) of Photo 6.

Right (east) of Photo 6.

Along both (west and east) sides of the narrow finger of wetland along Julie Lane there is a transition from trees > shrubs > emergents that is similar to Photo 3. However, due to the narrow width of the finger, the transition is not as wide or distinct and the red maple tree canopy hangs over the finger from both sides. There is a shrub understory upslope (north) of the covertype boundary identified in Photo 6 but is with overhead tree canopy. On the west side of the finger, based on

stumps and remaining sections of log, trees were also recently cut to maintain clearance separation directly below the overhead distribution line along Julie Lane.

Below is an upslope (northward) view of the inverted V shown on the map that marks (pink flag) the transition from emergent (cattail) in foreground to woody (alder and red maple) behind. Distinctly different here also, versus the shrubs along the main stem of wetland along Great Creek (Photo 2), is that the trees and alder are not growing in standing water.



Photo 5 is taken upslope (north) of above and is a view in the opposite direction looking toward Great Creek.

These are the best additional views I have on hand.

Don't hesitate to give me a call if that is simpler way to discuss and understand.

Thank you,

Cole

Cole Peters, PWS, CG

Environmental Division Manager

An Employee-Owned Company

75 John Roberts Rd., Suite 4A, South Portland, ME 04106

Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781

[cpeters@sebagotechnics.com](mailto:cpeters@sebagotechnics.com) | [www.sebagotechnics.com](http://www.sebagotechnics.com)



**From:** Kalinich, Jeffrey C <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>

**Sent:** Monday, December 4, 2023 1:13 PM

**To:** Cole Peters <[CPeters@sebagotechnics.com](mailto:CPeters@sebagotechnics.com)>

**Cc:** Shawn Frank <[sfrank@sebagotechnics.com](mailto:sfrank@sebagotechnics.com)>

**Subject:** RE: [External] Julie Lane, Eliot- Shoreland Zone Map

Hi Cole,

Thanks for the update. It appears there is a substantial difference between what was mapped and what is currently present. The only question I have is regarding photo 6. From the photo it is difficult to determine if there is a PSS transition between PEM and PFO. Do you have any other photos of this area?

Thanks,

Jeff

Jeffrey C. Kalinich

Assistant Shoreland Zoning Coordinator

Maine Department of Environmental Protection

312 Canco Road

Portland, Maine 04103

Ph. (207) 615-7044

Fax. (207) 822-6303

[www.Maine.gov/dep](http://www.Maine.gov/dep)

**From:** Cole Peters <[CPeters@sebagotechnics.com](mailto:CPeters@sebagotechnics.com)>

**Sent:** Friday, December 1, 2023 5:11 PM

**To:** Kalinich, Jeffrey C <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>

**Cc:** Shawn Frank <[sfrank@sebagotechnics.com](mailto:sfrank@sebagotechnics.com)>

**Subject:** RE: Julie Lane, Eliot- Shoreland Zone Map

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Hi Jeff,

I just noticed that when file size was reduced to create the pdf file sent below that on Photo 6, the shape of the yellow line boundary between PFO and PEM was affected also and goes straight across the image.

Below is how Photo 6 was intended to appear where the arcuate line between PFO and PEM corresponds to the inverted V in the blue GPS line on the map accompanying the memo.



**Photograph 6:** Northward upgradient view from the PEM marsh in foreground with transition to forested PFO wetland that extends along Julie Lane on left.

Enjoy the weekend!

Cole

Cole Peters, PWS, CG

Environmental Division Manager

An Employee-Owned Company

75 John Roberts Rd., Suite 4A, South Portland, ME 04106

Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781

[cpeters@sebagotechnics.com](mailto:cpeters@sebagotechnics.com) | [www.sebagotechnics.com](http://www.sebagotechnics.com)



**From:** Cole Peters  
**Sent:** Friday, December 1, 2023 1:54 PM  
**To:** 'Kalinich, Jeffrey C' <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>  
**Cc:** Shawn Frank <[sfrank@sebagotechnics.com](mailto:sfrank@sebagotechnics.com)>  
**Subject:** RE: Julie Lane, Eliot- Shoreland Zone Map

Hi Jeff-

Thank you again for your response below.

As described in my attached memo and displayed on the accompanying map, I have since been to the Site to verify the edge of wetland as well as vegetative cover types, in comparison to what appears on the Town of Elliot Shoreland Zone Map.

The Department's input on the relationship between Site conditions and what is displayed on the Town map will be relied on by the Town to make a determination about the extent of Shoreland Zone jurisdiction at Lot 37-3-1.

Please let me know if you have any questions.

Thank you,

Cole  
Cole Peters, PWS, CG  
Environmental Division Manager  
An Employee-Owned Company  
75 John Roberts Rd., Suite 4A, South Portland, ME 04106  
Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781  
[cpeters@sebagotechnics.com](mailto:cpeters@sebagotechnics.com) | [www.sebagotechnics.com](http://www.sebagotechnics.com)



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**From:** Kalinich, Jeffrey C <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>  
**Sent:** Thursday, November 9, 2023 2:46 PM  
**To:** Cole Peters <[CPeters@sebagotechnics.com](mailto:CPeters@sebagotechnics.com)>  
**Subject:** RE: Julie Lane, Eliot- Shoreland Zone Map

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Hi Cole,

It was good discussing Eliot's shoreland zoning map in the vicinity of Julie Lane and the Dow Highway. The NWI map raises questions regarding the finger of wetland on Eliot's map along Julie Lane. The finger of wetland mapped on Eliot's map may be something that was missed by the NWI, but identified by the mapper for Eliot. I recommend you verify the edge of the freshwater wetland in that area and compare it to what is mapped by Eliot. If it is significantly different than what is mapped, then Eliot's shoreland map will need to be amended to reflect the correct edge of the freshwater wetland. If it is a matter of identifying the edge of the freshwater wetland on the lot, that may be able to be accomplished as part of the permit review process.

Let me know if you have any additional questions.

Jeff

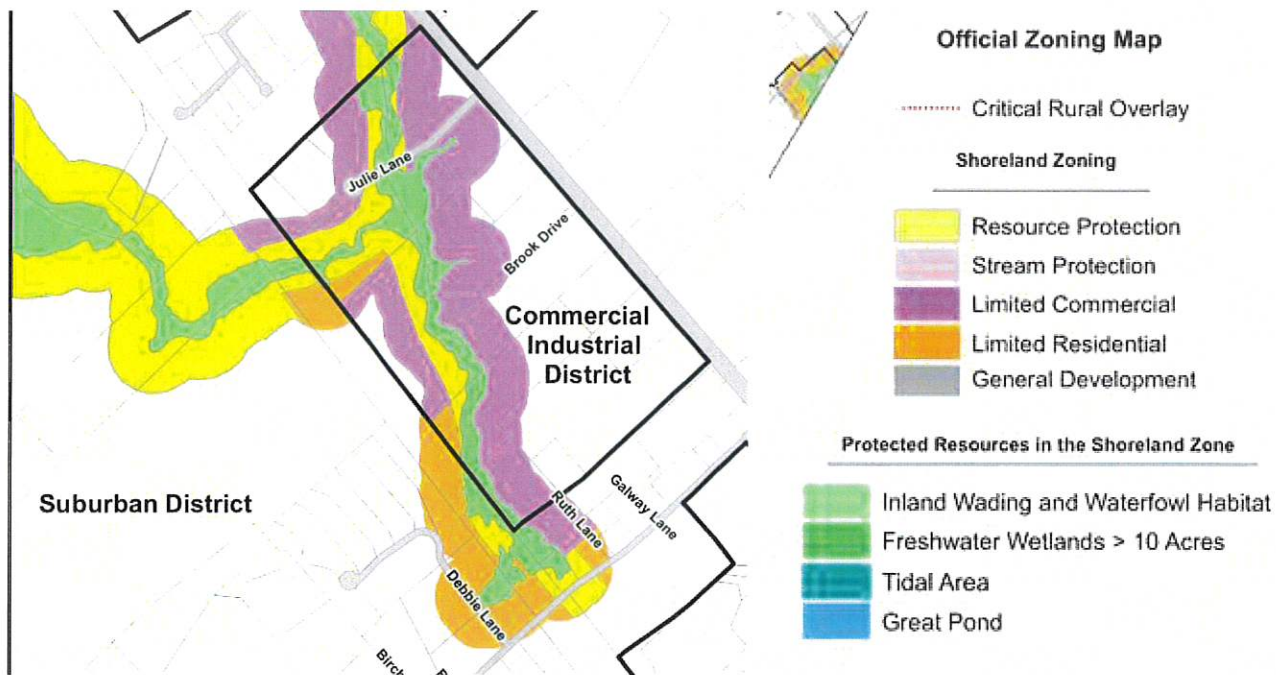
Jeffrey C. Kalinich  
Assistant Shoreland Zoning Coordinator  
Maine Department of Environmental Protection  
312 Canco Road  
Portland, Maine 04103  
Ph. (207) 615-7044  
Fax. (207) 822-6303  
[www.Maine.gov/dep](http://www.Maine.gov/dep)

**From:** Cole Peters <[CPeters@sebagotechnics.com](mailto:CPeters@sebagotechnics.com)>  
**Sent:** Wednesday, November 8, 2023 11:29 AM  
**To:** Kalinich, Jeffrey C <[Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov)>  
**Subject:** Julie Lane, Eliot- Shoreland Zone Map

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Hi Jeff,

Thinking about it more after leaving you my voice message today, I thought that you having maps before you would be a good way for us to both be on the same page to discuss mapping near Julie Lane below.



Please call me at your earliest convenience.

Thank you,

Cole

Cole Peters, PWS, CG

Environmental Division Manager

An Employee-Owned Company

75 John Roberts Rd., Suite 4A, South Portland, ME 04106

Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781

[cpeters@sebagotechnics.com](mailto:cpeters@sebagotechnics.com) | [www.sebagotechnics.com](http://www.sebagotechnics.com)



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