

# TOWN OF ELIOT, MAINE

## PLANNING BOARD AGENDA

TYPE OF MEETING: REMOTE  
PLACE: ZOOM ONLINE MEETING

DATE: Tuesday, June 2, 2020  
TIME: 7:00 P.M.

*PLEASE NOTE: IT IS THE POLICY OF THE PLANNING BOARD THAT THE APPLICANT OR AN AGENT OF THE APPLICANT MUST BE PRESENT IN ORDER FOR REVIEW OF THE APPLICATION TO TAKE PLACE.*

- 1) ROLL CALL
- 2) PLEDGE OF ALLEGIANCE
- 3) MOMENT OF SILENCE
- 4) 10-MINUTE PUBLIC INPUT SESSION
- 5) REVIEW AND APPROVE MINUTES
  - a) May 26, 2020 – If available
- 6) NOTICE OF DECISION
  - a) 787 Main Street (Map 6 Lot 44) PB19-15
  - b) 0 Main Street (Map 6 Lot 154) PB19-17
- 7) PUBLIC HEARING
  - a) **352 River Road (Map 25 Lot 12) PB20-6:** Shoreland Zoning Application to construct a PT wood 4' x 25' access ramp, 6' x 50' pier with batter pilings & attached 10' x 15' float storage frame, 3' x 40' aluminum ramp and a 10' x 30' PT wood float. Applicant: Leblanc Associates, INC Owners: Tyler & Melissa Coutu
- 8) OLD BUSINESS
  - a) **0 Harold L Dow Highway (Map 29 / Lot 31) PB19-23:** Application for nine new commercial condos with allowable commercial uses and four 30,000-gallon propane tanks
- 9) NEW BUSINESS
- 10) CORRESPONDENCE
- 11) SET AGENDA AND DATE FOR NEXT MEETING
- 12) ADJOURN

POSTED  
5/28/20

**To view a live remote meeting: (Instructions can also be found on the Planning Board webpage)**

- a) Go to [www.eliotme.org](http://www.eliotme.org)
- b) Click on "Meeting Videos" – Located in the second column, on the left-hand side of the screen.
- c) Click on the meeting under "Live Events" – The broadcasting of the meeting will start at 7:00 (Please note: streaming a remote meeting can be delayed on average of about a minute)

**Instructions to join remote meeting:**

- a) To participate please call into meeting 5 minutes in advance of meeting start time.
- b) Please call **1-646-558-8656**
  1. When prompted enter meeting number: **945 8800 3443 #**
  2. When prompted to enter Attendee ID **press #**
  3. When prompted enter meeting password: **338948 #**
- c) Members of the Public calling in, will be first automatically be placed in a virtual waiting room until admitted by one of the members of the Planning Board. Members of the public will be unmuted one at a time to allow for input. Please remember to state your name and address for the record.
- d) Press \*9 to raise your virtual hand to speak



Dennis Lentz, Chair

1 **ITEM 1 - ROLL CALL**

2  
3 Present: Dennis Lentz - Chairman, Christine Bennett, Melissa Horner, Carmela Braun,  
4 Bill Olsen – Alternate.

5  
6 Also Present: David Galbraith, Planner; Kristina Goodwin, Land Use Administrative  
7 Assistant.

8  
9 Absent: Ed Cielezsko (excused).

10  
11 Voting members: Dennis Lentz, Christine Bennett, Melissa Horner, Carmela Braun and  
12 Bill Olsen – Alternate.

13  
14 NOTE: There was a slight delay in starting the meeting due to technical issues.

15  
16 **ITEM 2 – PLEDGE OF ALLEGIANCE**

17  
18 This was deferred.

19  
20 **ITEM 3 – MOMENT OF SILENCE**

21  
22 **ITEM 4 – 10-MINUTE PUBLIC INPUT SESSION**

23  
24 Ms. Seeley wished to speak to the application regarding 100 Harold L. Dow Highway  
25 and was told she could speak and ask questions during the public hearing-portion of that  
26 application.

27  
28 Ms. Seeley thanked the PB.

29  
30 **ITEM 5 – REVIEW AND APPROVE MINUTES**

31  
32 Ms. Braun moved, second by Ms. Bennett, to approve the minutes of May 19, 2020, as  
33 amended.

34 **VOTE**

35 **5-0**

36 **Motion approved**

37  
38 **ITEM 6 – PUBLIC HEARING**

39  
40 **A. 100 Harold L. Dow Highway (Map 23, Lot 12) PB20-2: (Sketch Plan); Applicant**  
41 **proposes redevelopment of a portion of the parcel for bulk storage propane.**  
42 **Applicant: ENI 100 HLD HWY, LLC; Owner: Toro Properties, LLC.**

43  
44 **Received: January 22, 2020**

45 **1<sup>st</sup> Heard: March 3, 2020**

46 **Public Hearing: May 26, 2020**

47 **2<sup>nd</sup> Hearing: May 26, 2020**  
48 **Site Walk: N/A**  
49 **Approval: May 26, 2020**

50  
51  
52 Attorney (Sandra) Guay (Woodman, Edmands), Mr. (Chris) Tymula (Project Engineer),  
53 Ms. (Jody) Ameden (Project Safety & Compliance Specialist), and Mr. (Peter) Kropp  
54 (applicant representative from Energy North - ENI) were present for this application.

55  
56 Mr. Lentz explained the public hearing procedures.

57  
58 **7:13 PM Public Hearing opened.**

59  
60 Attorney Guay (Project Permitting Attorney) introduced the project team and gave an  
61 overview of the project. At the March 3<sup>rd</sup> Sketch Plan Review, the PB found that the  
62 application was complete. The Site Plan Application is concerned with the proposal for a  
63 bulk propane storage facility. It is located in the Commercial/Industrial District at 100  
64 Harold Dow Highway and is on a 1.02-acre area of a 3-acre parcel that is a currently  
65 existing gravel area that is currently used by the owner for the temporary storage of boats,  
66 storage containers, and concrete. The application meets or exceeds the review and safety  
67 standards, both in the ordinance and as otherwise required by law. As you are aware, the  
68 Fire Chief has been consulted and has provided a letter, which is at Tab #12, and has  
69 indicated that he has no concerns with the layout or the design of the project. At present,  
70 here are two existing commercial uses located at the property, 'Boat Storage, Retail and  
71 'Repair Operation', which was approved by the PB in 2017, and the Notice of Decision is  
72 at Tab #11, and an 'Auto Sales and Repair Business'. ENI is seeking to amend the  
73 existing 1995 Site Plan (Tab #10) only with respect to the project. It will not be  
74 impacting either of the other two existing uses. The proposal is for above-ground propane  
75 fuel tanks. Per the ordinance, the bulk fuel tanks cannot exceed 50,000 gallons in size and  
76 must be limited to local use only. The propane tanks are 30,000 gallons and the propane  
77 is being delivered locally. As discussed at the initial meeting, there will initially be no  
78 more than 2 transport trucks delivering to the site per day. Once the tanks are full and  
79 operational, that's anticipated to be reduced to 1 per day or even fewer than 1 per day.  
80 There will initially be 2 small bobtail customer delivery vehicles on-site. They leave in  
81 the morning, come back once at midday to refill, and then come back again between 5:00  
82 PM and 5:30 PM, and they are in for the night at that point. The submission includes 2  
83 waiver requests (Tab 7). One is the High Intensity Soils Report - the site is currently  
84 already developed with gravel and paved areas and post-development maintains existing  
85 conditions with limited grading and development and no negative impact on areas or  
86 surrounding properties. This request was discussed at the March 3<sup>rd</sup> meeting. The second  
87 request was for the Stormwater Run-off Plan. Mr. Tymula has talked with Town staff  
88 about this and it was determined that this plan was not required, here, based on a  
89 comparison on the existing site conditions and proposed site conditions. The proposed  
90 site conditions actually remove approximately 5,000 square feet of gravel and replaces it  
91 with 6" of loam and seed; so, it is a greater on-site infiltration and no negative impact to  
92 surrounding areas. Just about a year ago, ENI (applicant) purchased the Jenkins fuel

93 business located on the abutting 114 Harold Dow Highway property and they have been  
94 operating it since that time. They operate an office out of this location and has full-time  
95 staff located there. I'm hopeful that at the end of the discussion tonight, we will schedule  
96 this for its Notice of Decision at the PB's June 16, 2020 meeting. I would be happy to  
97 answer any questions, now, or I could turn this over to Mr. Tymula to review the Site  
98 Plan.

99  
100 Mr. Lentz said that we got four letters from abutters and, at some point, I would like to  
101 read them into the record.

102  
103 Attorney Guay agreed. Then, there are some questions in there that I could respond to,  
104 with some for Ms. Ameden related to the tanks themselves.

105  
106 Mr. Lentz read the abutter letters into the record. (See attached).

107  
108 Attorney Guay said that with respect to no people on hand to supervise, as I noted,  
109 Energy North does have the abutting property and there are people there working. This is  
110 a daytime operation. The trucks are going to leave, come back once, and back in again by  
111 5PM to 5:30 PM. There's no evidence of decrease in property value. These properties do  
112 abut a commercial/industrial zone and there are a lot of uses permitted in that zone – auto  
113 repair, fireworks & fireworks sales and that is usually something that comes up a lot in  
114 these discussions. There's a lot of different kinds of industrial uses that are already  
115 permitted under the ordinances in that zone and fuel storage tanks is one of those  
116 permitted uses. With respect to the comment on the limited liability company (LLC), it is  
117 just a form of ownership. They have just as much responsibility in insurance as every  
118 other business. I don't think the PB can really consider all the possibilities of all the  
119 things that could ever happen in the future. The property is insured. They are a respected,  
120 long-time, well-established company. The trucks entering and exiting are very limited,  
121 the traffic is very limited. I think that Ms. Ameden has some information on noise levels  
122 that she can share with you.

123  
124 Ms. Seeley said that Ms. Goodwin has a petition that was signed by many abutters, also,  
125 besides the abutters that wrote in. There were extra abutters on that petition that signed it.

126  
127 Ms. Goodwin confirmed that there were a total of five letters that came in, two that  
128 looked very similar but one was the letter from Ms. Seeley and one was a letter from a  
129 few different people.

130  
131 Ms. Seeley said that that petition letter has the same information on it that we've already  
132 gone through. The reason I wanted it in the record is that I wanted the names of the other  
133 abutters as possible people objecting to this. There are signatures on the front and back of  
134 that document.

135  
136 Mr. Lentz said that we will make sure that all of the documentation gets into the record.

137

138 At this time, Mr. Tymula reviewed the site plan and, then, questions were asked and  
139 answered.

140  
141 Mr. Tymula (Project Manager) screen-shared the site plan while he reviewed it. He  
142 discussed the existing conditions plan. The one-story building is centrally-located on the  
143 lot and is a 1,483 square-foot garage. The surrounding areas along ‘this’ boundary shows  
144 the edge of the wetlands. The entire site was field-surveyed by our office with the  
145 residential abutters along the rear. Jenkins Fuels is on the left and Edward Jones is on the  
146 right, with Route 236 at the bottom, to give a frame of reference. Essentially everything is  
147 graveled with the two access points paved along Route 236. We are not altering those  
148 driveway access curb-cuts. We are basically maintaining them for the fuel functionality  
149 of the fuel area that is located along the left-hand side of the site. We are proposing four  
150 30,000-gallon fuel propane tanks. The entire area is surrounded by a 6-foot gate along  
151 ‘here’ and then there are guardrail barriers along the boundary ‘here’ for the bobtail  
152 filling and offload stanchion locations for the fueling trucks. We have a gated access  
153 point ‘here’ and a gated access point ‘here’. They are cantilevered gates that are security  
154 locked. We show additional bobtail parking spaces up in through ‘here’ and essentially  
155 all the work that is within ‘this’ fenced area is gravel today and will remain gravel in the  
156 future. The area outside the fence line between the fence and wetlands, anywhere there is  
157 gravel, the gravel will be removed and work will be pulled back further from the  
158 wetlands. It will be loamed and seeded, which will promote infiltration on-site, as well as  
159 protect the wetlands surrounding the property. We received our Permit-by-Rule on March  
160 26<sup>th</sup> for work within the wetland buffer zones. There is no wetland disturbance on-site  
161 and is all disturbance of wetland buffer area, only, and the overall development has less  
162 buffer impact in the proposed development than there is today. From a stormwater,  
163 grading, drainage, erosion control point of view, the current plan shows the limits of  
164 work on-site. We are protecting the wetlands by a row of silt fence along the edge ‘here’.  
165 We have a stabilizing construction entrance along ‘this’ portion ‘here’ and, then, we have  
166 temporary stockpiles along ‘here’. This will all prevent any silt and sediment from  
167 entering the wetlands as well as protecting all of the abutting properties and the street  
168 drainage system. Here is the landscaping plan. We have noted the 6” loam and seed on  
169 the back and along the sides and the front that would replace the existing gravel that is  
170 out there today. Additionally, we have a small screened area ‘here’ with landscaping  
171 planting consisting of some arborvitaes, dogwoods, junipers, some daylilies, just  
172 something to beautify the entrance of the development so you aren’t just looking at a 6-  
173 foot tall chain-link fence. We’ve also provided a truck turn plan that shows we will be  
174 utilizing the existing driveway curb-cut; that the tanker truck will come into the site,  
175 navigate between the existing building and proposed fencing, take a left into the site, drop  
176 fuel in ‘this’ general location ‘here’, and then exit the site to be on its way on Route 236.  
177 We did reach out to ME DOT and, based on the number of anticipated trips per day,  
178 which should be 4 bobtails and up to one of the fuel-tanker trucks per week, the  
179 anticipated daily traffic doesn’t really exceed the 100 trips/day requiring a traffic  
180 movement permit. In addition to the site improvements, we are showing lighting  
181 throughout the site. There are five light poles that are all dark sky compliant, down-  
182 facing, with minimal diffusion on any of the surrounding areas. They are basically there  
183 as a security measure for the development. From a site plan point of view, it’s a pretty

184 self-explanatory development. There is very limited land disturbance. We are maintaining  
185 the existing gravel for the propane tanks. We would be happy to answer any engineering  
186 questions and Ms. Ameden is here to discuss the propane design.

187  
188 Mr. Olsen said that at the top of the site plan it looks like a driveway or easement going  
189 north towards Hanscom Lane.

190  
191 Mr. Lentz said that that is for Mr. Seeley's property.

192  
193 Mr. Tymula agreed, saying that was an existing gravel path that goes to the Seeley's  
194 property and we are not altering that whatsoever. There is an existing ROW that goes  
195 from Mr. Seeley's property down to Route 236 and that is there today.

196  
197 Mr. Lentz added that the address for the Seeley's was actually Route 236, not Hanscom  
198 Road, so I am assuming that is how they get out of their property.

199  
200 Ms. Seeley said that we also have a driveway that goes out to Hanscom Road. We have  
201 two accesses. 106 Harold Dow Highway is our formal address.

202  
203 Ms. Bennett said that I am curious about the wetland buffer area that you are proposing to  
204 return to a more natural state, wondering what the slope is on that. She asked if he could  
205 describe the contours on where you want to end the fencing and where you want to  
206 actually convert the gravel to loam and seed.

207  
208 Mr. Tymula said that the site is pretty flat, probably between 1% to 3% in grade in the  
209 gravel area. Where the existing tanks are, the elevation is at around 22, sloping down  
210 towards the wetlands, with 'this' elevation being 21. So, the area between the wetland  
211 line and the fence line is probably between 1% to 2% in slope. We are basically pulling  
212 back the existing gravel up to the fence line 'here' and replacing it with 6" of loam and  
213 seed. It's a pretty flat area and we are just trying to re-vegetate it.

214  
215 Ms. Bennet said that you have a High Intensity Soils Report waiver request and, because  
216 this property has already been disturbed, I'm wondering if in that wetland survey if  
217 anyone was able to discern, or have an opinion about, where the original wetland  
218 boundary was before it was filled with gravel.

219  
220 Mr. Tymula said that that was an up-in-the-air question. I believe that, in speaking with  
221 the property owner, there was some permitting of the wetland and some filling in the  
222 past. I couldn't find any documentation of it. DEP made no comments on it when we  
223 submitted to them. The rationale for removing the gravel and re-vegetating was based on  
224 some initial discussion we had with Town staff earlier on in the process and we figured it  
225 would make sense to get rid of some of the gravel that's out there and just replace it and  
226 naturally vegetate.

227  
228 Ms. Bennett agreed that that was a great idea. And I appreciate what the contours are on  
229 the property; that, in fact, at some point the wetlands were filled prior or during the time

230 when the State was permitting, or overseeing, these sort of improvements to the land. She  
231 asked what the applicant was planning to seed with and where are you going to get the  
232 loam. If you are going to be trying to establish some wetland to this property, you need to  
233 be cautious about what you put in that system.

234  
235 Mr. Tymula said that we are up in the air and up to any suggestions about what the Town  
236 is looking for in a wetland seed mix; that I don't think our applicant would be opposed to  
237 that. What is outside the fence line is not going to be used so we can vegetate it with  
238 whatever is needed.

239  
240 Ms. Bennett thanked Mr. Tymula for his answer and said that I will hold the rest of my  
241 comments for later.

242  
243 Mr. Lentz invited Ms. Ameden to speak at this time.

244  
245 Ms. Ameden, Crown Energy Solutions (CES), said that I perform fire safety analysis and  
246 safety compliance for CES. I have worked with the Fire Chief on this project and  
247 discussed his capabilities. He looked over the design down to every valve that we are  
248 projecting. I have had quite a bit of information given to me from the Fire Chief and vice-  
249 versa. I think I can answer a lot of the questions from the different letters just by going  
250 over the operation further in a little more detail. When the trucks come in, it is a locked  
251 facility, it is crash protected and, when no one is at the facility, everything is turned off  
252 and all the valves closed. The only people coming on to this facility are trained,  
253 authorized personnel. You have to be licensed to be in this industry – bobtail drivers,  
254 transport drivers – no one else is coming in here. The only people they are allowing in as  
255 carriers would be authorized by them and trained by them. Those drivers are coming in  
256 and have to physically turn the valves on using a pneumatic system, which are nitrogen-  
257 charged lines opening up the valves in order for them to load or offload, whether it's a  
258 transport or a bobtail. The reason I make this point is because there have been a lot of  
259 questions about fire. The pneumatic lines are in a very thin plastic line with melt-able,  
260 fusible links that melt at somewhere between 212 and 220. So, if you have a fire, it will  
261 shut down the whole facility automatically. Or, there are a number of shut-down valves  
262 within the piping but any fire eliminates the source of ignition. So, I thought that was an  
263 important point to make. Another point was about truck traffic and backing up. As Mr.  
264 Tymula explained, all the traffic is one way going in and going out. The only time they  
265 might back up would be at the end of the day when they put their bobtails in the assigned  
266 parking and drive out with their own vehicles. Regarding noise, the only noise from a  
267 pump or transport – the noise from a transport is 90 decibels and that's the same as a  
268 diesel bus; the pump is 76 decibels. We've done sound tests and the sound dissipates at  
269 50 feet, 100 feet. It's really minimal and because you would have a transport coming in  
270 once a day, and bobtails possibly in twice a day, it would only be for brief times during  
271 the day. Other than that, there would be no sound on the site.

272  
273 Mr. Lentz said that I think part of the noise issue, which we've had in other areas, is  
274 back-up alarms on the trucks.

275

276 Ms. Ameden clarified that that is why I pointed out that the whole layout is designed  
277 where you drive in, drive around, and drive out. The only back-up there would be would  
278 be at the end of the day when they park the bobtails and go home. Just those two trucks  
279 are going to park and, other than that, it is designed, and we try to design whenever  
280 possible, so that there is no backing. Regarding the wetlands, propane is not like gasoline,  
281 oil. It does not leak or seep into the land, into the water table. When it's released, it's in a  
282 gaseous form. It dissipates so it's non-polluting as far as water goes. I would also like to  
283 point out that on Route 236, there are two other propane facilities in existence and I'm  
284 not sure people are aware of the other one that is at 525 Dow Highway. That is owned by  
285 the natural gas company and has 30,000-gallon propane tanks, too.  
286

287 Mr. Lentz asked if there was any kind of 'steri' confinement in case there is a leak.  
288

289 Ms. Ameden said no, that you don't want to treat propane like oil. In oil or gasoline, you  
290 would dike. With propane, you want it to dissipate. Regarding the supervisor, there is an  
291 office right next door. I'm not sure the Fire Chief would like to address this or if he wants  
292 me to address the foam and volunteer fire department and those kinds of things. I can  
293 answer it but I think people would be more comfortable if he answered.  
294

295 Mr. Muzeroll said that the fire suppression tactics for propane emergencies is a little bit  
296 different than what would be handled for a liquid hazardous material such as oil or  
297 gasoline. Ms. Ameden is correct in the sense that we do not use foam to control any  
298 propane fire. You may want to cool the area until certain tactics are taken to stop  
299 whatever leak there may be that may be on fire but we do not use foam. There is a  
300 hydrant within visible distance of the property that meets the safety and flow  
301 requirements of what would be required if there was an actual fire at the property. Let's  
302 just kind of disregard the fact that we are an all-volunteer fire department. There is  
303 nothing we can do about that and we do have certain time constraints, or time issues,  
304 when it comes to responding to an emergency. There's not much I can do about that  
305 unless someone wants to have a full-time department here. However, we do have an  
306 extensive mutual aid agreement with our area mutual aid partners and, if needed for any  
307 sort of suppression tactics or emergency control tactics, if needed, we would call upon  
308 whoever we need to to supplement and/or man our equipment. There are two other  
309 propane facilities, not as large as this proposal, on Route 236 and I have been here since  
310 both those two facilities were designed and installed and we have not had any  
311 catastrophes or emergencies as part of those facilities. And don't confuse those tank  
312 facilities with anything else that's going on, either in the adjacent property or whatever  
313 else we may respond to.  
314

315 Mr. Lentz said that one of the points that the Fire Chief had on his memo back to the PB  
316 about this application said, "...however the Eliot CEO may impose restrictions relating  
317 to zoning...". What does that mean.  
318

319 Mr. Muzeroll said that what it means to me is that the CEO may have some sort of  
320 control...I'm not a land use person so it probably would have been better phrased if I had  
321 said Planning Board and CEO may have land use issues that I have no say in.

322 Ms. Ameden said that I think, at this point, I'm happy to take questions.  
323  
324  
325 Ms. Seeley said that I've learned a lot from Ms. Ameden. She gave a very clear explanation  
326 and I pictured what she was saying very clearly. It sounds like she is doing a very good  
327 job. The thing that I was concerned about was whether there was an alarm system in the  
328 facility where, when nobody was there, if something was going wrong there would be some  
329 kind of notice to somebody else so they could do something about it. Do you have anything  
330 like that.  
331  
332 Ms. Ameden said that we haven't proposed anything like that.  
333  
334 Ms. Seeley asked if it was a possibility that you could make something like that.  
335  
336 Ms. Ameden said the only time you are going to have a release, or incident, is when you  
337 have somebody on-site.  
338  
339 Ms. Seeley said that I was thinking about if somebody does something wrong with a valve.  
340 I have researched propane fires and there was one where the person didn't do something  
341 right with the valve and that caused a big problem. So, when you say that the guys that are  
342 coming in and putting gas in their trucks are going to be working with the valves, that  
343 seems to be a time where there might be a chance of an accident than any other. That's why  
344 I'm asking about an alarm system. I'm not a technological genius about this stuff but I just  
345 would like to be safe and I would like all my neighbors to be safe, which is why I did all  
346 the writing of the letters and all, because it's a little frightening to be around 120,000  
347 gallons of propane. Ms. Ameden could probably live right next to it and not bother her  
348 because she's so technologically knowledgeable about it but us common folk don't know  
349 too much about it.  
350  
351 Ms. Ameden said that we could do video surveillance. We could put in a couple more extra  
352 shut-offs for redundancy. If we monitor the facility, would that make you feel better.  
353  
354 Ms. Seeley said that it would make me feel better if the facility was monitored.  
355  
356 Ms. Ameden suggested we work on that, saying it's good for our security system to have  
357 it monitored, too. I think that's very doable.  
358  
359 Ms. Seeley said okay, that's good. Are there minutes of this meeting I could share with  
360 other people who didn't have a chance to come to the meetings.  
361  
362 Mr. Lentz said that there will be very detailed minutes. There always are and will probably  
363 take a week or two until we get those finalized, approved, and updated.  
364  
365 Ms. Seeley said okay. Adding that I'm still not happy with 120,000 gallons of propane. I  
366 will never be happy with it but I think you've done a very good job of explaining  
367 everything.

368  
369 Mr. Lentz thanked Ms. Seeley for her interest and taking the time for the questions and the  
370 letters. It's always good to have the input.

371  
372 Ms. Ameden thanked Ms. Seeley for her comments and said that if she had additional  
373 questions that come up, reach out through the PB to me and I will address them.

374  
375 Ms. Seeley said that that would be great. I really appreciate that. I'll talk with the other  
376 people about this and, if they have any questions, I will share them with you. Additionally,  
377 Ms. Goodwin did a great job helping me and giving me access to material that I could  
378 understand. She was very good at her job and I appreciate that.

379  
380 **8:01 PM Public Hearing closed.**

381  
382 Ms. Horner asked if this business needed to go to the State of Maine Fuel Board.

383  
384 Ms. Ameden said yes, that it needs to be inspected and approved by the State. There will  
385 be a physical inspection before it goes online.

386  
387 Ms. Horner asked, regarding the ME DOT Permit, because it has less than 100 trips/day,  
388 if it triggered anything. Was it disclosed to them that there are two other businesses on  
389 the same driveway.

390  
391 Mr. Tymula said that it is based on new trips/day and, based on that, it would not trigger  
392 any permitting.

393  
394 Ms. Horner said that I don't want to over-step as a Planning Board member but I know  
395 we can make requests like this and then it's up to the applicant whether they want to  
396 adhere to it, I guess. I understand that the noise is going to be minimal but I also see the  
397 point of the residents who are there, as well. Is there room, or an openness, from the  
398 applicant to possibly put up some kind of privacy fencing and then landscaping on the  
399 inside to help with the sights and sounds of the leased land if there is room on the site. To  
400 the residential abutters in the back.

401  
402 Mr. Tymula said that from the location of where the propane tanks are located and to the  
403 first residential house (Seeley's) it is 400 feet away and it's 400 through a very dense,  
404 thick, woodland area.

405  
406 Ms. Horner said okay, that I didn't know that.

407  
408 Mr. Tymula said that it starts about 20 feet off the back of the fence that we show on the  
409 site plan. So, there's probably 300 feet of wooded area to the back yard of her house. I  
410 just don't think that would be necessary.

411  
412 Ms. Horner said that that's fine. I didn't realize how far away everything was so that  
413 makes sense.

414  
415 Mr. Lentz said that I took a ride by there and you can't see his facility from Hanscom  
416 Road. There's an awful lot of trees there.

417  
418 Mr. Olsen said that Ms. Seeley brought up a great question relative to security and  
419 surveillance. If in the event a driver, for whatever reason, maybe a valve failed in some  
420 way, does that automatically if there is gas escaping trigger any type of alarm or  
421 notification to anyone. If that person was, say, rendered unconscious because of the  
422 event, would anything happen or would it just be residents noticing that there was strong  
423 propane.

424  
425 Ms. Ameden said, as an example, a transport driver off-loading had a problem and his  
426 hose ruptured on his transport. Or, and I can't figure out how this would happen, if the  
427 line was severed, there are excess **globes (or flow valves?)** within our piping that will  
428 close if the flow is too great and it changes, it closes. But, also, in every one of the driver  
429 workstations there is something that is a little unique and over-and-above code, they have  
430 an emergency cut-off for the driver right there at their workstation so they don't have to  
431 go find the remote one onsite. So, if anything happens right there within arm's length,  
432 they can turn the facility off, power and all.

433  
434 Mr. Olsen said that my understanding is that they are coming through the gate as  
435 cardholders or some type of code.

436  
437 Ms. Ameden said it was only authorized personnel.

438  
439 Mr. Olsen asked, if I were to break in or there was a vandal, that would trigger some kind  
440 of security event.

441  
442 Ms. Ameden said that that is where surveillance would come in. You would have to  
443 know how to turn the facility on. As I stated before, it's pneumatically protected so you  
444 have to turn on the pneumatic system to be able to open a valve. It's not like a gas grill  
445 where you can just turn the spicket and release gas. But, I do get people that ask if there  
446 is a way to do that and there isn't.

447  
448 Mr. Olsen said that I understand. I kind of asked a couple questions that I know she is  
449 concerned about with explosions. I understand that there's great technology. I understand  
450 that the tanks are very, very well-designed in trying to limit any possibility of  
451 catastrophe. I'm just trying to ease the abutters by understanding a little bit more on how  
452 sensitive it can be or how it can be even better controlled. It sounds like you have done a  
453 great job.

454  
455 Mr. Lentz asked about hours of operation.

456  
457 Ms. Ameden said that daytime operating hours would be from 7AM to 5PM, Monday  
458 through Friday. In the wintertime they might experience an emergency delivery where

459 they would have to send a driver in to get a truck. But that's during the winter and not  
460 normal operation. Nobody wants to pay overtime.

461  
462 Mr. Lentz asked, regarding parking of vehicles, how many at any given time – an  
463 estimate.

464  
465 Mr. Tymula said that we are showing 6 bobtail parking spaces in the rear of the site so no  
466 more than 6.

467  
468 Mr. Lentz said that, on the plan, the setbacks are not very clear. Ad best as I can  
469 calculate, you've got 140 feet in the back and I don't know what the side is.

470  
471 Mr. Tymula said that the chart on the site plan in the upper right shows 134.8 feet to the  
472 tanks from the side setback, 146 feet to the rear, and 76 feet from the front.

473  
474 Mr. Lentz said that it doesn't show that on the drawing itself.

475  
476 Mr. Tymula said that I can add those dimensions so that it is shown visibly on the plan,  
477 itself.

478  
479 Mr. Lentz agreed that we should have that on there. Thank you.

480  
481 Ms. Braun said that I know that they said it was one transport per day and I thought I  
482 heard only two bobtails per day. Why are there six parking spaces if there are only 2  
483 bobtails there.

484  
485 Mr. Tymula said that we are showing six parking spaces, which will account for spaces  
486 bobtails as well as employee parking vehicles; and for future expansion if there is need  
487 for additional bobtails sometime down the road.

488  
489 Ms. Braun said that, at this point, there are only two bobtails and the additional parking is  
490 for the drivers. So, the back-up would only be two trucks a night.

491  
492 Mr. Tymula said correct to both questions.

493  
494 Ms. Braun said that the primary tanker comes in once a day, empties, and goes right out  
495 again.

496  
497 Mr. Tymula said that would be once a week.

498  
499 Ms. Bennett said that we had a question from Mr. Fortunato about leak detection.

500  
501 Mr. Muzeroll asked Ms. Ameden if she was talking a leak detection system or an  
502 atmospheric monitoring system.

503  
504 Ms. Ameden said that I was talking video cameras- surveillance.

505  
506 Mr. Muzeroll said that that is no leak detection other than security system video cameras.

507  
508 Ms. Ameden said yes.

509  
510 Mr. Muzeroll said that that was what I was looking for for clarification, which may tie  
511 into Mr. Fortunato's question. No one on the corridor has any kind of a leak detection for  
512 the same operation.

513  
514 Ms. Ameden said that, also, for a facility this small, you will get a lot of false positives.

515  
516 Attorney Guay clarified, so that there are no questions, initially there will be possibly 1-2  
517 transport trucks/day coming in while the facility gets filled and gets operational. After  
518 that it will likely slow down to maybe one a week.

519  
520 Mr. Kropp, ENI, said I just want to address so there is no confusion on truck traffic,  
521 transports, how we're going to operate the facility. Exactly to Attorney Guay's point, as  
522 we fill the facility, it will take about 12 truckloads to get it full. Once it's full, if it's peak  
523 summer months, you might see us there once a week, twice a week maybe. In the winter  
524 months when it gets colder about once a day, worst-case scenario, transports a day.  
525 Currently, we don't have the business to be in there more than once a day in the winter. I  
526 just wanted to make sure that nobody was upset if they saw trucks at the beginning and  
527 thought that they were misled.

528  
529 Mr. Lentz asked for Mr. Galbraith's recommendation.

530  
531 Mr. Galbraith said that the recommendation would be to approve the applicant's  
532 application. My biggest concern was that the Fire Chief was satisfied with the proposal,  
533 that it was safe. We would recommend approval.

534  
535 Mr. Lentz said that I think everyone did a great job. The applicant did fantastic. It was  
536 great working with you. Sorry that we held you up with the unfortunate circumstances we  
537 are going through. He thanked the Fire Chief for his comments and for coming tonight.  
538 The Chair will accept a proposal.

539  
540 Ms. Horner asked if we are asking the applicant to do the security system or have they  
541 volunteered to do that on their own.

542  
543 Mr. Lentz said that we should ask the applicants.

544  
545 Attorney Guay said that my understanding is that we have volunteered to do that. It  
546 sounds like it's going to be video-monitored. I don't have specifics on it to give you right  
547 now but certainly it will be in the record that the applicant is saying that they will do that.

548  
549 Mr. Lentz said that we can make that a condition of approval.

550

551 Ms. Horner said that I was thinking I didn't want to do that. That's why I was trying to  
552 verify where that would lie.

553  
554 Mr. Lentz said that, then, we can trust the applicant to put it in.  
555

556 **Ms. Horner moved, second by Mr. Olsen, that the Planning Board approve PB20-2**  
557 **with the following conditions of approval:**

- 558 **1. The property may be developed and used only in accordance with the plans,**  
559 **documents, material submitted, and representations of the applicant made**  
560 **to the Planning Board. All elements and features of the use as presented to**  
561 **the Planning Board are conditions of approval and no changes in any of**  
562 **those elements or features are permitted unless such changes are first**  
563 **submitted to and approved by the Eliot Planning Board. Copies of approved**  
564 **permits from Maine DEP, Army Corps of Engineers, if applicable, and State**  
565 **shall be provided to the CEO before construction on this project may begin.**
- 566 **2. The permit is approved on the basis of information provided by the**  
567 **applicant in the record regarding the ownership of the property and**  
568 **boundary location. The applicant has the burden of ensuring that they have**  
569 **the legal right to use the property and that they are measuring required**  
570 **setbacks from the legal boundary lines of the lot. The approval of this**  
571 **permit in no way relieves the applicant of this burden. Nor does this permit**  
572 **approval constitute a resolution in favor of the applicant of any issues**  
573 **regarding the property boundaries, ownership, or similar title issues. The**  
574 **permit holder would be well-advised to resolve any such title problems**  
575 **before expending money in reliance on this permit.**
- 576 **3. The applicant authorizes inspection of premises by the Code Enforcement**  
577 **Officer during the term of the permit for the purposes of permit**  
578 **compliance.**

579  
580 DISCUSSION

581  
582 Ms. Bennett said that I had a question because I wasn't present for the March meeting.  
583 Did we take an action on the waivers.

584  
585 Mr. Lentz said that we haven't.

586  
587 Some Board members thought that action had already been taken.

588  
589 Attorney Guay said that I think you took action on one of the two. The second one came  
590 up afterward per discussion with the staff. The high intensity soils you did talk about. The  
591 second was stormwater run-off. That had to do with the discussion about how the gravel  
592 was going to be removed and it was going to be vegetated so that actually the conditions  
593 were going to be improved. So, that had to do with the stormwater run-off report that  
594 doesn't appear necessary for this project.

595  
596 Ms. Bennett said that we need to take action on the request on the stormwater plan.

597  
598 Ms. Horner apologized, I thought that was done.  
599

600 Mr. Olsen said that I actually thought the second one wasn't necessary. I thought that was  
601 what we were told.  
602

603 Mr. Lentz said that I thought that was what was said, also. What is the PB's desire.  
604

605 Mr. Olsen said that I have to address this for clarification. He asked the Planner if we  
606 need to do a waiver or was this granted.  
607

608 Mr. Galbraith said that I don't recall if it was granted but I would act on it. If we have it  
609 in the record twice, I don't think it hurts anything. That would be Chapter 33§4.1 and  
610 4.15 Stormwater Runoff §45-411.  
611

612 **Mr. Olsen moved, second by Ms. Horner, that the Planning Board make a waiver,**  
613 **based on the Planner's recommendation due to that they are improving the site.**  
614

615 DISCUSSION  
616

617 Ms. Bennett added that I think the waiver is justified because the proposed use is actually  
618 not having an impact on stormwater because of the nature of the business and they are  
619 making an improvement to mitigate stormwater run-off from the property. I think those  
620 are good justifications for waiving.  
621

622 DISCUSSION ENDED

623 **VOTE**  
624 **5-0**  
625 **Motion approved**  
626

627 Mr. Lentz said that we had a motion and a second to approve the application. Is there any  
628 more discussion. There was none.  
629

630 ALL DISCUSSION ENDED

631 **VOTE**  
632 **5-0**  
633 **Motion approved**  
634

635  
636 Mr. Lentz said that the application stands approved and there is a 30-day period from  
637 which the PB decision can be appealed by an aggrieved person or parties – move forward  
638 but move forward cautiously.  
639

640  
641  
642 **ITEM 7 – OLD BUSINESS**

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**A. 0 Harold L. Dow Highway (Map 29/Lot31) PB19-23: Sketch Plan Application for nine new commercial buildings with allowable commercial uses and four 30,000-gallon propane tanks.**

**Received: December 3, 2019**  
**1<sup>st</sup> Heard: February 18, 2020**  
**Public Hearing: \_\_\_\_\_**  
**2<sup>nd</sup> Hearing: \_\_\_\_\_**  
**Site Walk: \_\_\_\_\_**  
**Approval: \_\_\_\_\_, 2020**

Lewis Chamberlain, P.E., (Attar Engineering) and Mr. Mike Estes (owner) were present for this application.

Mr. Chamberlain said that we've been working on this project for a number of years, the first iteration that made it to the PB as Sketch, probably three years ago, was for Lady Slipper Properties and, unfortunately, the owner of that project passed away and Mr. Estes purchased the property after that. There was a similar design for this property that the PB saw as a sketch plan. It was actually submitted to and approved by the DEP so there is a valid Site Location of Development Act Permit on the property and Mr. Estes has made a change to include the propane storage use so we're revised the plan to include that. We were in front of the PB back in February with a sketch plan for the site that Mr. Estes wants to build. He summarized the project:

- The site is 11.6 acres in the Commercial/Industrial Zone
- Nine buildings are proposed
  - Building #1 is along Route 236
  - Existing current entrance will be improved, widened, and provide access to Building #1
- Remainder of site accessed off of Passamaquoddy Lane
  - Existing gravel road with paved apron
  - Improved for about 600 feet to get into site
  - Additional 600 feet to access propane storage
- Served by septic system/public water
- Working with KWD to extend main up from intersection of Beech Road to Passamaquoddy Lane to bring water into the site for water service/fire suppression

Mr. Chamberlain said that he would be glad to answer any questions. I believe our latest submittal (March) includes a number of items that the PB wanted to see before going forward with preliminary. We also have Ms. Ameden, who did a fire safety analysis for this similar propane storage use.

Mr. Lentz asked if all the same fire safety standards apply as the one down the road.

Ms. Ameden said that they do. The same standards, same permitting at the State level.

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Mr. Lentz said that the condominium documents, applications for DEP, DOT Entrance Permit, a proposed additional fire hydrant, buildings re-numbered 1-9, a revised lighting plan are included in the latest packet. We questioned the Shoreland setback.

Mr. Chamberlain said that we pointed out in the memo that we are showing a 250-foot Shoreland Zone on the plan. The setback within that zone is 75 feet for structures and we do not have structures other than about 10 feet of pavement in the actual 250-foot Shoreland Zone. So, we felt that met the requirements of the ordinance.

Mr. Lentz said that all of the questions that we would normally ask have been pretty much documented. It looks like the DEP people were in and did a very thorough overview.

Mr. Chamberlain said that he's not sure he understands the comment but we have submitted our applications to the DEP and they are currently reviewing them. They have found them complete but they have been a little delayed with the transition. We would probably have an update on that, or a permit in-hand, for the public hearing. Certainly prior to an approval.

Mr. Lentz clarified his comment to say that the DEP was in and they filed a wonderful document that talks about your project description. All the things you have done has passed their approval, listing all the items within the document.

Mr. Chamberlain clarified that the document Mr. Lentz was reading from was for the Lady Slipper development that I talked about at the beginning. So, basically the only change they have to look at is the propane. A lot of those things they have reviewed and will not change their findings.

Ms. Horner asked, regarding snow removal, who determines you will use just the sand mix or you will try to avoid the wetlands. Whose responsibility is that to make sure that's happening. Is it a Town thing or are we just going to hope for what you guys are going to do in the winter.

Mr. Lentz asked if the property is all condominiums and that includes the roads.

Mr. Estes said yes.

Mr. Lentz said that I think that would be the answer.

Mr. Estes said yes. We would abide by any local ordinance. If a sand and gravel mix was desired there that is what we would use.

Ms. Horner clarified that it says it in the application and I wondered if that was part of being a condo owner there.

735 Mr. Estes said that all those duties would come under the jurisdiction of the condo  
736 owners. It would be part of their assessment for snow removal and parking lot  
737 maintenance. The condo association would be responsible for all that.

738  
739 Ms. Horner explained that we don't have an ordinance for that but it is in your  
740 application and something you can be held to; that I just wanted to ask who was  
741 responsible for that.

742  
743 Mr. Lentz said that the water was Kittery. Is that correct.

744  
745 Mr. Chamberlain said yes.

746  
747 Mr. Lentz asked if you are putting your own hydrants in there or \_\_\_\_.

748  
749 Mr. Estes said that we would be putting those in in coordination with them. There are  
750 also some hydrants be putting on the main line that would be KWD out on Route 236  
751 and then, anything within the condominium project, we'd be responsible for  
752 maintenance of the hydrants.

753  
754 Mr. Chamberlain said that right now there are two hydrants proposed on the extension at  
755 Route 236, about a 1,200-foot extension. Once we get into the property, there's two  
756 proposed hydrants within to serve the development. We've worked with the Fire Chief  
757 on this. We put the hydrants on the plan but I think he would like the ability to tweak  
758 locations, if need be.

759  
760 Mr. Muzeroll said that we had quite a discussion, initially, about the site plan about  
761 condominium locations for hydrants and the proposal or the applicant's desire to extend  
762 the water main up Route 236 is at his expense, not anybody else's. I applaud him for  
763 doing that. Certainly, it benefits his project but it also benefits the surrounding  
764 businesses and gets us 1,200 feet up Route 236 in a northerly direction. I think the last  
765 agreed to with KWD puts it on the north side of the church driveway. I'm happy with  
766 the hydrants. I worked with Ms. Ameden, Mr. Estes, and Mr. Chamberlain about the  
767 propane situation. We did come to a determination for access and egress for the property  
768 for fire suppression or emergency tactics. We did all through the location of the tanks  
769 that were originally proposed on the property and they also agreed to a permanent, gated  
770 access from the condominium side of the property. Other than that, it pretty much  
771 mirrors the safety requirements of what you just approved from the previous applicant.  
772 A kind of similar operation. And I think we agreed to remove one building, the  
773 maintenance building at the propane facilities so that we can incorporate a better access  
774 to the rest of the property.

775  
776 Mr. Chamberlain agreed that we did. I believe that was on the last plan for the lot. I  
777 think the original plan had an extra building and, after meeting with the Chief and Ms.  
778 Ameden, we removed that building.

779

780 Mr. Lentz said that it appears this is coming along quite well. He asked if the PB would  
781 like to have a site walk for this.

782  
783 Ms. Horner said that I would like a site walk and not be near anybody (social  
784 distancing).

785  
786 The PB members said that they were willing to do that.

787  
788 There was a brief discussion regarding Board members having to do site walks together,  
789 not individually.

790  
791 The PB determined that the site walk would be held at 10AM on June 2. It will be  
792 posted May 27, 2020. Everyone is working under extraordinary conditions.

793  
794 Mr. Lentz said that we anticipated a public hearing on June 16<sup>th</sup> and asked if we are still  
795 on track for that.

796  
797 After discussion, the PB agreed to have a June 2<sup>nd</sup> review of the application, summarize  
798 the site walk, and determine completeness.

799  
800 Mr. Chamberlain thanked the PB for their input. Regarding the site walk, it has become  
801 pretty overgrown but he will mark the major pieces/locations of the project.

802  
803 The PB agreed.

804  
805 **ITEM 8 – NEW BUSINESS**

806  
807 There was no new business.

808  
809 **ITEM 9 – CORRESPONDENCE**

810  
811 There was no correspondence.

812  
813 **ITEM 10 – SET AGENDA AND DATE FOR NEXT MEETING**

814  
815 Public Hearing for PB20-6 Shoreland Application  
816 Two Notices of Decision for PB19-15 and PB19-17  
817 Completeness review for PB19-23

818  
819 Mr. Lentz said that everybody has done a good job. Mr. Olsen brought an administrative  
820 meeting, which we thought we should probably go through. The subject will be retail  
821 marijuana scheduled for June 23<sup>rd</sup>. Mr. Galbraith, Ms. Goodwin, and I have a meeting  
822 Thursday morning to talk about getting back to our regular, twice-a-month meetings. I  
823 know this has been a pull on everyone meeting every week and you've done a great job. I  
824 appreciate that. You saw the resignation of Mr. Cielezsko. Mr. Olsen has agreed to stay  
825 on for a year with us and thanked Mr. Olsen.

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Mr. Cielezsko’s resignation has to go to the Select Board for acceptance.

Mr. Olsen asked if I get moved to a regular member.

Mr. Lentz said yes, but it’s one of those rules that you have to sign up as a regular member. We can’t just elevate you.

Ms. Horner discussed her sadness regarding the resignation. I was bummed because I felt we could have worked together getting a phone call in like we do with applicants who can’t get to a computer.

Mr. Olsen said that I think we all have to recognize that these types of challenging times bring out these types of events. Stress can be shown in many different ways and all you need is something to change that triggers. Good for him that he’s doing what he feels is good for him. And I’ll stick around for another year and see how it goes.

Mr. Galbraith said that you know that Ms. Goodwin always goes above and beyond and we had a bit of a miracle. We had a couple that was interested in one of the cases today and she set up a Zoom meeting, like...”Are you available in 5 minutes?” and they appreciated that.

Mr. Lentz agreed that everybody goes out of their way and it shows. I appreciate you all. Hopefully, we can get back on a regular schedule

The next regular Planning Board Meeting is scheduled for June 2, 2020 at 7PM.

**ITEM 11 – ADJOURN**

There was a motion and a second to adjourn the meeting at 8:53 PM.

\_\_\_\_\_  
**Dennis Lentz, Chair**  
Date approved: \_\_\_\_\_

**Respectfully submitted,**  
**Ellen Lemire, Recording Secretary**

# TOWN OF ELIOT, MAINE

## PLANNING BOARD NOTICE OF DECISION

CASE #: **PB19-15 – SHORELAND ZONING**

**PERMIT APPLICATION/RESIDENTIAL PIER,  
GANGWAY, ACCESSWAY & TWO FLOATS**

MAP/LOT: **6/44**

DATE OF DECISION: **05-19-2020**

\_\_\_\_\_, 2020

Riverside & Pickering Marine  
Kuerstin Fordham  
Doug Anderson  
34 Patterson Lane  
Newington, NH 03801

Ambit Engineering, Inc.  
c/o Steve Riker, CWS  
200 Griffin Road, Unit 3  
Portsmouth, NH 03801

Jesse Realty, LLC  
Kris Glidden  
2 Punkin Town Road, Suite 340  
South Berwick, ME 03908

To: Kuerstin Fordham  
Doug. Anderson  
Steve Riker  
Kris Glidden

This is to inform you that the Planning Board has acted on your Shoreland Zoning application for a **residential pier, landing, gangway, accessway, and floats and riprap stabilization** as follows:

### APPLICATION DOCUMENTS AND SUPPORTING MATERIAL SUBMITTED BY THE APPLICANT AND/OR THEIR REPRESENTATIVES:

Submitted for October 29, 2019:

1. Shoreland Zoning Permit Application received September 3, 2019, with the following documentation:
  - a. Application for a Natural Resources Protection Act Permit, dated July 22, 2019.
  - b. Cover letter from Ambit Engineering, Inc. to Maine DEP, US ACE, Eliot Town Clerk, Maine Historic Preservation Commission, and the Five Tribes, dated July 22, 2019.
  - c. Construction Plan Description/ Alternative Analysis
  - d. Existing Site Conditions on Sheet C1, dated May 2019.
  - e. Maine Department of Environmental Protection Notice of Project Review and Approval, dated October 10, 2019.
  - f. Wetland Functions and Values Assessment
  - g. Letter from Fish & Wildlife Service regarding Biological Assessment requirement, dated July 22, 2019.
  - h. Appendix A – Visual Evaluation Field Survey Checklist, dated June 7, 2019.
  - i. Appendix B – MDEP Intertidal & Shallow Subtidal Field Survey Checklist, dated June 7, 2019.
  - j. Appendix D – Dock Project Description Checklist

- k. Letter from Kris Glidden (Jesse Realty, LLC Managing Member/Owner) authorizing Riverside & Pickering Marine Contractors, Inc. and Ambit Engineering, Inc. as their representatives for this project, dated January 16, 2019.
  - l. Public Notice: Notice of Intent to File, dated July 22, 2019.
  - m. Notice of Intent to File to the Five Tribes, dated July 22, 2019
  - n. Letters to Maine Bureau of Parks and Lands and Maine Historic Preservation Commission requesting review of NRPA Application, dated July 22, 2019.
  - o. Site plan prepared by Ambit Engineering, Inc., titled "*Glidden Residence*" ME DEP Permit Plan, dated May 2019:
    - Sheet C1 – Existing Conditions Plan
    - Sheet C2 – ME DEP Permit Plan
    - Sheet D1 - Proposed Dock Profile
    - Sheet D2 – Revetment Details
  - p. USGS Topographical Site Location Map.
  - q. CAI Technologies Tax Map showing abutters.
  - r. Abutter List/Abutter Notification Letters/Certified Mailings, dated July 19, 2019.
  - s. Warranty Deed, Book 17849, Page 563, registered at the York County Registry of Deeds, dated November 26, 2018.
  - t. Site Condition photos, dated June 2019.
2. Memo from Mr. Sanderson, Interim Planner, dated October 24, 2019.

Submitted for November 19, 2019:

1. Revised Shoreland Zoning Application, received November 7, 2019.
2. Copy of Public Hearing Notice to Board of Appeals, Select Board, and Town Manager, dated November 1, 2019.
3. Abutters List Report, dated November 1, 2019.
4. Revised Sheet C1 – Existing Conditions Plan, dated November 1, 2019
5. Revised Sheet C2 – Town of Eliot Permit Plan, dated November 1, 2019
6. Revised Sheet D1 – Dock Details Plan, dated November 1, 2019.
7. Revised Sheet D1 – Details Plan, dated November 1, 2019.
8. Memo from David Galbraith, Interim Planner, dated November 14, 2019.
9. Revised Memo from David Galbraith, Interim Planner, dated November 19, 2019.

Submitted for May 5, 2020:

1. Memo from David Galbraith, Interim Planner, dated March 25, 2020.
2. Email correspondence from Mr. Kalinich (MEDEP, Asst. Shoreland Zoning Coordinator) to Ms. Bishop (Eliot CEO) addressing tree-cutting complaint/vegetation removal regarding stabilization/pier project, dated March 12, 2020.
3. Revised Sheet C1 – Existing Conditions Plan.
4. Revised Sheet C2 – Town of Eliot Permit Plan.
5. Revised Sheet D1 – Dock Details.
6. Revised Sheet D2 – Revetment Details.
7. Sheet C3 – Tree Score Worksheet, dated October 2019.
8. Maine DEP permit approval letter, dated October 10, 2019.
9. Army Corps of Engineers required PGP Permit #NAE-2019-01985 dated December 16, 2019.
10. ACE General Permit Work-Start Notification Form.
11. ACE Compliance Certification Form.
12. ARC GIS Location Map, dated July 23, 2019.
13. Warranty Deed, Book 18181, Page 921, registered at the York County Registry of Deeds, dated February 27, 2020.
14. Sheet D4 – Proposed Lot Reconfiguration of Land of Jesse Realty, LLC & CPN Realty, LLC, dated February 2, 2020.

Submitted for May 19, 2020:

1. ME DEP correspondence acknowledging payment of Compensation Fee, dated May 15, 2020.
2. Email correspondence from Ms. Saurman, abutter, in support of this project, dated May 11, 2020.
3. Email correspondence from Ms. Bishop (Eliot CEO) confirming meaning of "substantially complete", dated May 18, 2020.
4. Copy of Public Hearing Notice/newspaper advertisement, posted May 6, 2020.
5. Copy of Abutter List Report, dated May 6, 2020.

#### FINDINGS OF FACT:

1. The owners of the property are: Jesse Realty, LLC and Kris Glidden (mailing address: 2 Punkin Town Road, Suite 340, South Berwick, Maine, 03908).
2. The applicants are: Jesse Realty, LLC and Kris Glidden (mailing address: 2 Punkin Town Road, Suite 340, South Berwick, Maine, 03908).
3. The owner was represented by Mr. Steve Riker, CWS, Ambit Engineering, Inc. (mailing address: 200 Griffin Road, Unit 3, Portsmouth, NH 03801) and Ms. Kuerstin Fordham and Mr. Doug Anderson, Riverside & Pickering Marine Contractors, Inc. (mailing address: 34 Patterson Lane, Newington, NH 03801).
4. The property is located at 787 Main Street in the Village Zoning District and Limited Residential Resource Protection Zoning District (shoreland overlay) Shoreland Zone, identified as Assessor's Map 6, Lot 44, and containing 4.82 acres.
5. The applicant proposes to construct a 4'X30' accessway, 6'X100' fixed residential pier, a 3'X45' gangway (seasonal), 6'X35' landing float (seasonal), a 4'X4' landing, and an 8'X30' main' float (seasonal) to provide access to the Piscataqua River. The Project also proposes 1,386 sq. ft. of direct impact to tidal wetland /1,528 sq. ft. to adjacent upland for stone riprap stabilization.
6. The use of the proposed structure will be "*Permanent, residential pier*", as listed in the Table of Land Uses (Sec. 44-34(35) b.).
7. This lot is a legal, non-conforming lot of record with a current residence on it.
8. The applicant submitted the proposal to the ME DEP, ACE, Maine Historic Preservation Commission, Maine Bureau of Parks and Lands, and the Five Indian Tribes.
9. Applicant has filed for a full NRPA.
10. Applicant will comply with §44-35 (c)(14), which requires reflectors on the pier structure.
11. Copies of the application and supporting materials were provided to the Harbor Master. The Harbor Master had no comments.
12. The Planning Board reviewed the application at the following regular meeting(s):
  - October 29, 2019
  - November 19, 2019
  - May 5, 2020
  - May 19, 2020.
13. The Planning Board accepted the application as complete, with recommendations, on October 29, 2019.
  - Tree removal point score addressed.
  - Corrective deed to retain legal, non-conforming standard.
  - Lot frontage dimensions.
  - Rename PB19-17 0 Main Street for clarity.
14. A site walk was not held.
15. Copy of Army Corps of Engineers required PGP Permit #NAE-2019-01985, dated December 16, 2019.
16. Applicant submitted a copy of the approval from the ME DEP to the Planning Department.
17. Maine DEP Compensation Fee has been paid.
18. The applicant agrees to any required tree re-planting and vegetation plantings, per the ME DEP and/or Eliot Code Enforcement.
19. Abutters List Report, dated November 1, 2019.

20. In accordance with Sec. 33-128 & 129, a public hearing was advertised in the Portsmouth Herald on November 5, 2019 and held on November 19, 2019. One member of the public spoke in favor of the project.
  - At the end of the Public Hearing, the Planning Board agreed by consensus to table this application until conditions are met, per the discussion regarding street frontage, private accessway, and corrective deeds.
21. In accordance with Sec. 33-128 & 129, a public hearing was advertised in the Portsmouth Herald on May 8, 2020 and held on May 19, 2020.
  - One member of the public spoke in support of the project. Another member spoke to concerns regarding time-of-year in-water work, cumulative impact to future development, and tree removal. All comments were satisfactorily addressed.
22. Abutters List Report submitted, dated May 6, 2020.
23. A corrected warranty deed (returning 75' frontage to this lot) and entrance permit were submitted for the May 5, 2020 meeting.
24. The Planner clarified, regarding Condition of Approval #5, that a primary structure must remain on the lot, which could include an addition or demo/rebuild.
25. The following application fee(s) have been paid by the applicant, in accordance with §1-25:
  - Site Plan Review Application Fee (Shoreland - Pier): \$50 (Check dated 09/03/2019).
  - Public Hearing Fee: \$175 (Check dated 09/03/2019).

#### **CONCLUSIONS:**

1. All applicable sections of the Shoreland Zoning Ordinance (Chapter 44) and Shoreland Zoning Permit Application have or will be met.
2. Applicant has met §44-32 Nonconforming Lots of Record.
3. Based on the information presented by the applicant and in accordance with Sec. 44-44, the Planning Board finds that the proposed use:
  - a. Will maintain safe and healthful conditions;
  - b. Will not result in water pollution, erosion, or sedimentation to surface waters;
  - c. Will adequately provide for the disposal of all wastewater;
  - d. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat;
  - e. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;
  - f. Will protect archaeological and historic resources as designated in the comprehensive plan;
  - g. Will avoid problems associated with floodplain development and use; and
  - h. Is in conformance with the provisions of section 44-35, land use standards.

#### **DECISION:**

Based on the above facts and conclusions, on May 19, 2020 the Planning Board voted to approve your application to construct a permanent 4'X30' accessway, 6' x 100' fixed residential pier, a 3' x 45' gangway (seasonal), one 6' x 35' landing float (seasonal), 4'X4' landing, and an 8'X30' main float (seasonal) and rip rap stabilization, as detailed in the plans and materials submitted.

#### **CONDITIONS OF APPROVAL:**

The applicant must comply with all requirements of the Town of Eliot Land Use Ordinances. In addition, to further promote the purposes of the Eliot Zoning Ordinance, the Planning Board has voted to impose the following conditions on the approval of this application:

1. The property may be developed and used only in accordance with the plans, documents, material submitted, and representations of the applicant made to the Planning Board. All elements and features of the use as presented to the Planning Board are conditions of approval and no changes in any of those elements or features are permitted unless such changes are first submitted to and approved by the Eliot Planning Board. Copies of approved permits from Maine DEP, Army Corps of Engineers, if applicable, and State shall be provided to the CEO before construction on this project may begin.

2. The permit is approved on the basis of information provided by the applicant in the record regarding the ownership of the property and boundary location. The applicant has the burden of ensuring that they have the legal right to use the property and that they are measuring required setbacks from the legal boundary lines of the lot. The approval of this permit in no way relieves the applicant of this burden. Nor does this permit approval constitute a resolution in favor of the applicant of any issues regarding the property boundaries, ownership, or similar title issues. The permit holder would be well-advised to resolve any such title problems before expending money in reliance on this permit.
3. The applicant authorizes inspection of premises by the Code Enforcement Officer during the term of the permit for the purposes of permit compliance.
4. No additional tree-cutting is permitted on the site unless approval is granted, in writing, by the Town's Code Enforcement Officer and/or the Maine Department of Environmental Protection.
5. A dock permit may be issued for 787 Main Street providing the primary structure remains.
6. Any required tree replanting must be in accordance with the Maine Department of Environmental Protection.

**PERMITS:**

The Planning Board has approved your application and the Code Enforcement Officer is authorized to grant you the necessary Permits or Certificates of Occupancy, as appropriate. It is your responsibility to apply for these permits. In exercising this approval, you must remain in compliance with all the conditions of approval set forth by the Planning Board, as well as all other Eliot, State, and Federal regulations and laws. Be aware, however, that Site Plan approvals for Shoreland Zoning permits granted by the Eliot Planning Board have expiration provisions specified in Section 44-45 of the Town of Eliot Code of Ordinances, which states:

*Permits shall expire one year from the date of issuance if a substantial start is not made in construction or in the use of the property during that period. If a substantial start is made within one year of the issuance of the permit, the applicant shall have one additional year to complete the project, at which time the permit shall expire.*

The holder of an approved permit should take care to ensure that the approval granted on **May 19, 2020** does not expire prior to commencement of work or change.

**APPEALS:**

This decision can be appealed to the Board of Appeals within 30 days after **May 19, 2020** by an aggrieved person or party as defined in Sec. 1-2 and Sec. 45-50(b) of the Eliot Zoning Ordinance. Computation of time shall be in accordance with general provisions of the Town of Eliot Municipal Code of Ordinances, section 1-2.

Sincerely,

\_\_\_\_\_  
Dennis Lentz, Chairman  
Eliot Planning Board

*This letter reviewed and approved by the Planning Board on \_\_\_\_\_, 2020.*

CC: Richard Philbrick, Harbormaster  
Martine Painchaud, Assessor  
Shelly Bishop, Code Enforcement Officer  
Steve Robinson, Public Works Director  
Elliott Moya, Police Chief

Abutter email:

**Agenda Item 6a**

**Kristina Goodwin**

**From:** janet saurman <jasaurman@comcast.net>  
**Sent:** Monday, May 11, 2020 11:32 AM  
**To:** Kristina Goodwin  
**Subject:** May 19 planning Board meeting

From: Janet A. Saurman  
22 Park Street  
Eliot

To: Planning Board Members

RE: Public Hearing Comment for the May 19, 2020 meeting regarding the Shoreland Zoning Permit application for

787 Maine Street (Map 6 Lot 44)

As owner of abutting property at 22 Park Street, I have absolutely no concerns or objections to this project.

I wish the new owners well as they begin developing this beautiful piece of land.

Sincerely,  
Janet A. Saurman

# TOWN OF ELIOT, MAINE

## PLANNING BOARD NOTICE OF DECISION

CASE #: **PB19-17 – SHORELAND ZONING**

**PERMIT APPLICATION/RESIDENTIAL PIER,  
GANGWAY, ACCESSWAY & TWO FLOATS**

MAP/LOT: **6/154**

DATE OF DECISION: **05-19-2020**

\_\_\_\_\_, 2020

DRAFT

Riverside & Pickering Marine  
Kuerstin Fordham  
Doug Anderson  
34 Patterson Lane  
Newington, NH 03801

Ambit Engineering, Inc.  
Steve Riker, CWS  
200 Griffin Road, Unit 3  
Portsmouth, NH 03801

CPN Realty, LLC  
David Chase  
PO Box 657  
Eliot, Maine 03903

To: Riverside Pickering & Marine  
Ambit Engineering, Inc.  
CPN Realty, LLC/David Chase

This is to inform you that the Planning Board has acted on your Shoreland Zoning application for a **residential pier, ramp, gangway and floats** as follows:

### APPLICATION DOCUMENTS AND SUPPORTING MATERIAL SUBMITTED BY THE APPLICANT AND/OR THEIR REPRESENTATIVES:

Submitted for October 29, 2019:

1. Shoreland Zoning permit application received September 26, 2019, with the following documentation:
  - a. Letter of Transmittal from Ambit Engineering to Town of Eliot, dated September 24, 2019.
  - b. Application for a Natural Resources Protection Act Permit, dated September 19, 2019.
  - c. Cover letter from Ambit Engineering, Inc. to Maine DEP, US ACE, Eliot Town Clerk, Maine Historic Preservation Commission, and the Five Tribes, dated September 24, 2019.
  - d. Project narrative.
  - e. Construction Plan Description/ Alternative Analysis
  - f. Maine Department of Environmental Request for Project Review, dated October 18, 2019.
  - g. Functional Assessment and Compensation.
  - h. Letter from Fish & Wildlife Service regarding Biological Assessment requirement, dated September 24, 2019.
  - i. Appendix A – Visual Evaluation Field Survey Checklist, dated June 7, 2019.
  - j. Appendix B – MDEP Intertidal & Shallow Subtidal Field Survey Checklist, dated June 7, 2019.
  - k. Appendix D – Dock Project Description Checklist
  - l. Letter from David Chase/CPN Realty, LLC authorizing Riverside & Pickering Marine and Ambit Engineering, Inc. as his representatives for this project, dated February 5, 2019.

- m. Public Notice: Notice of Intent to File, dated September 24, 2019
- n. Site plan prepared by Ambit Engineering, Inc., titled "Chase Residence", dated May, 2019:
  - Sheet C1 – Existing Conditions
  - Sheet C2 – MEDEP Permit Plan
  - Sheet D1 - Proposed Dock Profile Details
  - Sheet D2 – Revetment Details
- o. ARC GIS Site Location Map, dated September 24, 2019.
- p. CAI Technologies Tax Map showing abutters, dated September 19, 2019.
- q. Abutter List/Abutter Notification Letters, dated September 13, 2019.
- r. Warranty Deed, Book 17849, Page 559, registered at the York County Registry of Deeds, dated November 26, 2018.
- s. Site Condition photos, dated June 2019.
- t. Memo from Mr. Sanderson, Interim Planner, dated October 24, 2019.

Submitted for November 19, 2019:

1. Copy of Shoreland Zoning Application, received November 7, 2019.
2. Copy of Public Hearing Notice to Board of Appeals, Select Board, and Town Manager, dated November 1, 2019.
3. Abutters List Report, dated November 1, 2019.
4. CAI Technologies Tax Map.
5. Revised Sheet C1 – Existing Conditions Plan, dated November 1, 2019
6. Revised Sheet C2 – Town of Eliot Permit Plan, dated November 1, 2019.
7. Revised Sheet D1 –Dock Details Plan, dated November 1, 2019.
8. Revised Sheet D2 – Details, dated November 1, 2019.
9. Memo from David Galbraith, Interim Planner, dated November 14, 2019.
10. Memo from David Galbraith, Interim Planner, re: corrective deeds/frontage/accessway, dated November 19, 2019.

Submitted for May 5, 2020:

1. Memo from David Galbraith, Interim Planner, dated March 25, 2020.
2. Warranty Deed, Book 18181, Page 913, including Exhibit A, registered at the York County Registry of Deeds, dated February 27, 2020.
3. Sheet D4 – Proposed Lot Reconfiguration of Land of Jesse Realty, LLC and CPN Realty, LLC, dated February 2, 2020.

Submitted for May 19, 2020:

1. Email correspondence from Ms. Bishop (CEO) regarding interpretation of "substantially complete", dated May 18, 2020.
2. Copy of Public Hearing Notice to the public, Board of Appeals, Select Board, and Town Manager, posted May 6, 2020.
3. Copy of Public Hearing Notice advertisement, dated May 8, 2020.
4. Revised Abutters List Report, dated May 6, 2020.

**FINDINGS OF FACT:**

1. The owner of the property is: CPN Realty, LLC/David Chase (mailing address: PO Box 657, Eliot, Maine, 03903).
2. The applicant is: CPN Realty, LLC/David Chase (mailing address: PO Box 657, Eliot, Maine, 03903).
3. The owner was represented by Mr. Steve Riker, CWS, and Mr. Shawn Moriarty (Project Manager) of Ambit Engineering, Inc. (mailing address: 200 Griffin Road, Unit 3, Portsmouth, NH 03801).
4. Contractor is Riverside Pickering & Marine – Kuerstin Fordham and Doug Anderson (mailing address: 34 Patterson Lane, Newington, NH 03801).

5. The property is located at 0 Main Street in the Village Zoning District and Limited Residential Resource Protection Zoning District (shoreland overlay) Shoreland Zone, identified as Assessor's Map 6, Lot 154, and containing 4.45 acres.
6. The applicant proposes to construct a 4'X24' accessway, 6'X100' fixed residential pier, a 3'X45' gangway (seasonal), 6'X35' landing float (seasonal), and an 8'X30' main float (seasonal) to provide access to the Piscataqua River. The Project also proposes 714 sq. ft. of direct impact to tidal wetland /472 sq. ft. to adjacent upland for stone riprap stabilization.
7. The use of the proposed structure will be "*Permanent, residential pier*", as listed in the Table of Land Uses (Sec. 44-34(35) b.).
8. The applicant submitted the proposal to the ME DEP, ACE, Eliot Town Clerk, Maine Historic Preservation Commission, and the Five Indian Tribes.
9. Applicant has filed for a full NRPA.
10. Applicant will comply with §44-35 (c)(14), which requires reflectors on the pier structure.
11. Copies of the application and supporting materials were provided to the Harbor Master. The Harbor Master had no comments.
12. The Planning Board reviewed the application at the following regular meeting(s):
  - October 29, 2019
  - November 19, 2019
  - May 5, 2020
  - May 19, 2020
13. The Planning Board accepted the application as complete, with recommendations, on October 29, 2019.
  - Back Lot reconfiguration
  - Rename PB19-17 to 0 Main Street for clarity.
  - Private accessway defined
  - Maintenance agreement created.
14. A site walk was not held.
15. Copy of required Army Corps of Engineers PGP Permit submitted.
16. Copy of required ME DEP Permit approval submitted.
17. In accordance with Sec. 33-128 & 129, a public hearing was advertised in the Portsmouth Herald on November 5, 2019 and held on November 19, 2019. There was no public comment as the public hearing was opened, the application tabled until conditions are met, per the discussion regarding street frontage, private accessway, and corrective deeds, then closed.
18. In accordance with Sec. 33-128 & 129, a public hearing was advertised in the Portsmouth Herald on May 8, 2020 and held on May 19, 2020.
  - One member of the public asked for clarification regarding accessory structure on a lot when no primary structure exists. Per tonight's discussion, the PB agreed that the approval for the dock project application could be granted and that a permit to build the dock was with the authority of the Code Enforcement Officer to grant or deny said permit, in accordance with §44-34 Table of Land Uses in the Shoreland Zone of the Town of Eliot Ordinance.
- 19.
20. Subject property has the required corrective warranty deed, conforms to the Town's Back Lot provision (§45-466), and will be accessed by a deeded easement, which includes a maintenance agreement, over the existing driveway (private accessway).
21. No primary structure is currently located on subject property. No dock permit (accessory structure §1-25) can be issued until a primary structure is substantially complete, per Eliot Code Enforcement.
22. The following application fee(s) have been paid by the applicant, in accordance with §1-25:
  - Site Plan Review Application Fee (Shoreland): \$50 (Check dated 09/23/2019).
  - Public Hearing Fee: \$175 (Check dated 09/23/2019).

## CONCLUSIONS:

1. All applicable sections of the Shoreland Zoning Ordinance (Chapter 44) and Shoreland Zoning Permit Application have or will be met.
2. Applicant has met the provisions of §45-466(b) Back Lots.
3. Per §44-34, the Planning Board concluded that approval of this application is within their authority to grant or deny and permit approval is wholly contained within the authority of the Code Enforcement Office to grant or deny.
4. The Code Enforcement Officer render an official decision regarding the meaning of “substantially complete”.
5. Based on the information presented by the applicant and in accordance with Sec. 44-44, the Planning Board finds that the proposed use:
  - a. Will maintain safe and healthful conditions;
  - b. Will not result in water pollution, erosion, or sedimentation to surface waters;
  - c. Will adequately provide for the disposal of all wastewater;
  - d. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat;
  - e. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;
  - f. Will protect archaeological and historic resources as designated in the comprehensive plan;
  - g. Will avoid problems associated with floodplain development and use; and
  - h. Is in conformance with the provisions of section 44-35, land use standards.

**DECISION:**

Based on the above facts and conclusions, on May 19, 2020 the Planning Board voted to approve your application to construct a permanent 4'X24' accessway, 6' x 100' fixed' residential pier, a 3' x 45' gangway (seasonal), one 6' x 36 landing' float (seasonal), and an 8'X30' main float (seasonal) and rip rap stabilization, as detailed in the plans and materials submitted.

**CONDITIONS OF APPROVAL:**

The applicant must comply with all requirements of the Town of Eliot Land Use Ordinances. In addition, to further promote the purposes of the Eliot Zoning Ordinance, the Planning Board has voted to impose the following conditions on the approval of this application:

1. The property may be developed and used only in accordance with the plans, documents, material submitted, and representations of the applicant made to the Planning Board. All elements and features of the use as presented to the Planning Board are conditions of approval and no changes in any of those elements or features are permitted unless such changes are first submitted to and approved by the Eliot Planning Board. Copies of approved permits from Maine DEP, Army Corps of Engineers, if applicable, and State shall be provided to the CEO before construction on this project may begin.
2. The permit is approved on the basis of information provided by the applicant in the record regarding the ownership of the property and boundary location. The applicant has the burden of ensuring that they have the legal right to use the property and that they are measuring required setbacks from the legal boundary lines of the lot. The approval of this permit in no way relieves the applicant of this burden. Nor does this permit approval constitute a resolution in favor of the applicant of any issues regarding the property boundaries, ownership, or similar title issues. The permit holder would be well-advised to resolve any such title problems before expending money in reliance on this permit.
3. The applicant authorizes inspection of premises by the Code Enforcement Officer during the term of the permit for the purposes of permit compliance.
4. No additional tree-cutting is permitted on the site unless approval is granted, in writing, by the Town's Code Enforcement Officer and/or the Maine Department of Environmental Protection.
5. No dock permit, which is considered an accessory structure, will be issued until a permit has been issued for a primary structure and has been substantially completed, as determined by the Town's Code Enforcement Officer.
6. Building permits are required for the proposed dock and structure, calling it a residential structure.
7. Any required tree replanting must be in accordance with the State of Maine Department of Environmental Protection.

**PERMITS:**

The Planning Board has approved your application and the Code Enforcement Officer is authorized to grant you the necessary Permits or Certificates of Occupancy, as appropriate. It is your responsibility to apply for these permits. In exercising this approval, you must remain in compliance with all the conditions of approval set forth by the Planning Board, as well as all other Eliot, State, and Federal regulations and laws. Be aware, however, that Site Plan approvals for Shoreland Zoning permits granted by the Eliot Planning Board have expiration provisions specified in Section 44-45 of the Town of Eliot Code of Ordinances, which states:

*Permits shall expire one year from the date of issuance if a substantial start is not made in construction or in the use of the property during that period. If a substantial start is made within one year of the issuance of the permit, the applicant shall have one additional year to complete the project, at which time the permit shall expire.*

The holder of an approved permit should take care to ensure that the approval granted on **May 19, 2020** does not expire prior to commencement of work or change.

**APPEALS:**

This decision can be appealed to the Board of Appeals within 30 days after **May 19, 2020** by an aggrieved person or party as defined in Sec. 1-2 and Sec. 45-50(b) of the Eliot Zoning Ordinance. Computation of time shall be in accordance with general provisions of the Town of Eliot Municipal Code of Ordinances, section 1-2.

Sincerely,

\_\_\_\_\_  
Dennis Lentz, Chairman  
Eliot Planning Board

*This letter reviewed and approved by the Planning Board on \_\_\_\_\_, 2020.*

CC: Richard Philbrick, Harbormaster  
Martine Painchaud, Assessor  
Shelly Bishop, Code Enforcement Officer  
Steve Robinson, Public Works Director  
Elliott Moya, Police Chief

Email correspondence from the CEO to applicant David Chase:

Agenda Item 6b

Kristina Goodwin

From: Kristina Goodwin  
Sent: Monday, May 18, 2020 1:52 PM  
To: davidchase@northpointmarine.com  
Cc: Kristina Goodwin; Shelly Bishop; David Galbraith  
Subject: Re: substantially complete

Importance: High

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Mr. Chase,

Please find below an email from our CEO Shelly Bishop regarding the interpretation of Substantially complete. This will be presented to the Planning Board at tomorrow's Planning Board Meeting (5/19/20).

Best,

*Kristina Goodwin*

Land Use Administrative  
Assistant Town of Eliot  
1333 State Road  
Eliot Maine 03903  
(207) 439-1813 x 109  
[kgoodwin@eliotme.org](mailto:kgoodwin@eliotme.org)

From: Shelly Bishop <[sbishop@eliotme.org](mailto:sbishop@eliotme.org)>  
Sent: Monday, May 18, 2020 10:39 AM  
To: David Galbraith <[dcmgalbraith@gmail.com](mailto:dcmgalbraith@gmail.com)>  
Cc: Kristina Goodwin  
<[kgoodwin@eliotme.org](mailto:kgoodwin@eliotme.org)> Subject:  
Substantially complete

Hi David,

Following up on our conversation regarding when a structure is considered substantially complete. A structure is considered substantially complete when a temporary occupancy can be granted.

Please let me know if you have any questions, or need further information.

Thank you and take care,  
Shelly

Shelly Bishop  
Code Enforcement  
Officer Town of  
Eliot, Maine  
207-439-1813 Ext. 110

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PB19-17

PB19-17



# TOWN OF ELIOT MAINE

PLANNING OFFICE  
1333 State Road  
Eliot ME, 03903

To: Planning Board

From: David C.M. Galbraith - Planning Consultant, Southern Maine Planning and Development Commission (SMPDC).

Cc: Tyler and Melisa Coutu, Property Owners  
Joseph D, LeBlanc, President LeBlanc Associates, Project Consultant  
Riverside Pickering and Marine, Project Contractor  
Kristina Goodwin, Land Use Administrative Assistant

Date: June 1, 2020

Re: 352 River Road (Map 025 / Lot 012) PB20-6 - Shoreland proposal for dock

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Application Details/Checklist Documentation	
✓ Address:	352 River Road
✓ Map/Lot:	Map 025 / Lot 12
✓ PB Case#:	PB20-06
✓ Zoning District:	Suburban District (SD)
✓ Shoreland Zoning:	Shoreland Zoning District
✓ Owner Name:	Tyler and Melisa Coutu
✓ Applicant Name:	Tyler and Melisa Coutu
✓ Proposed Project:	Shoreland zoning for proposal for a landing dock.
✓ Application Received by Staff:	January 22, 2020
✓ Application Fee Paid Date Paid:	\$225.00 February 6, 2020
✓ Application Sent to Staff Reviewers:	Date: February 6, 2020
Application Heard by PB	Date: May 12, 2020
Found Complete by PB	Date: May 12, 2020
Site Walk	Date: N/A
Public Hearing	Date: June 2, 2020
Public Hearing Publication	Date: N/A
Deliberation	Date: June 2, 2020
Notice of Decision	Date: June 16, 2020 (*anticipated)
✓ Reason for PB Review:	Shoreland Zoning – proposed residential dock

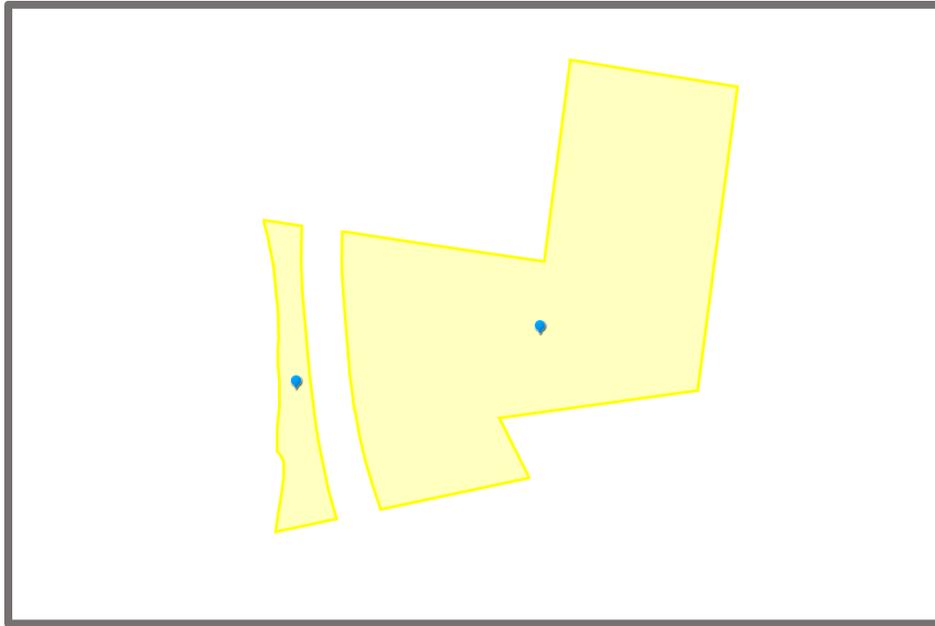
**Project Overview:**

This application is for a residential dock located at 352 River Road (Map 025 / Lot 012) which is situated on the Piscataqua River. The subject property is approximately 2.48 acres (when scaled from the Town's GIS). The property is bisected by River Road which basically creates two lots. The primary lot, located on the east side of River Road, is approximately 2.23 acres and features the Coutu residence (photo below). The second lot, located on the west side of River Road, is approximately .25 acres, is currently vacant (almost devoid of any trees and is primarily tall grass), and adjacent to the Piscataqua River and the location of the proposed dock.

The dock is proposed to be constructed of pressure treated wood 4' by 25' access ramp, 6' by 50' pier with batter pilings and an attached 10' by 15' float storage frame, a 3' by 40' aluminum ramp, and a 10' by 30' pressure treated wood float.



352 River Road (Map 025 / Lot 012)



352 River Road (Map 025 / Lot 012)

Staff has reviewed the detailed application including a signed copy of the required NRPA permit (# L-28518-4P-A-N/L-28518-TW-B-N) from the Bureau of Land Resources, Maine Department of Environmental Protection (MDEP). The applicants received a “determination of completeness” on May 12, 2020 and at the June 2, 2020 public hearing seeks approval of the proposal. If the Planning Board approves the proposal at the June 2, 2020 meeting it is anticipated that the proposal will be on the June 16, 2020 meeting for an official Notice of Decision.

In addition to the standard Conditions of Approval staff recommends that the following conditions be placed on the project (It should be noted that the applicants are aware of this requirement and have already applied for their permit, as part of this submittal, in anticipation of the project’s approval:

1. Once approved by the Planning Board the applicant’s shall apply for all necessary building permits. Once permits have been paid for and issued, by the Town’s Code Enforcement Officer, construction of the dock may commence.

Respectfully submitted,

***David C.M. Galbraith***

David C.M. Galbraith  
Eliot Town Planner

Planning Consultant - Southern Maine Planning and Development Commission (SMPDC).



# TOWN OF ELIOT MAINE

PLANNING OFFICE  
1333 State Road  
Eliot ME, 03903

## PUBLIC HEARING NOTICE

POSTED  
5/18/20

**AUTHORITY:** Eliot, Maine Planning Board  
**PLACE:** Zoom – Online Meeting Platform  
**DATE OF HEARING:** Tuesday, June 2, 2020  
**TIME:** 7:00 PM

*Notice is hereby given that the Planning Board of the Town of Eliot, Maine will hold a public hearing on Tuesday, June 2, 2020 at 7:00 PM for the following applications:*

- **352 River Road (Map 25 Lot 12) PB20-6: Shoreland Zoning**  
Application to construct a PT wood 4' x 25' access ramp, 6' x 50' pier with batter pilings & attached 10' x 15' float storage frame, 3' x 40' aluminum ramp and a 10' x 30' PT wood float.
  - Applicant: Leblanc Associates, INC
  - Owners: Tyler & Melissa Coutu

*Interested persons may be heard and written communication received regarding this application. Copies of the application may be requested by emailing [kgoodwin@eliotme.org](mailto:kgoodwin@eliotme.org).*

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  3. When prompted enter meeting password: 338948 #
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## OBITUARIES & NEWS

### Oreen Margaret Audette

NORTH FORT MYERS, Fla. — Oreen Margaret (Loukes) Audette, age 89, of North Fort Myers, Fla., passed away on Friday, May 15, 2020. She was born August 5, 1930 in Whitefield, N.H.



The devoted mother of son Michael M. Audette, Pinellas Park, Fla., and daughter Janice P. (Audette) Tinkham and her husband, Norman B. Tinkham of Millis, Mass. Her

Oreen graduated from Portsmouth High School with the class of 1948. She was the proprietor of The Wisteria Tree Antique and Estate Jewelry Shop Portsmouth, N.H., from 1982 to 1991. In 1995 she moved to North Fort Myers after living for years in Rye, N.H.

brothers, Cortes Loukes, Richard Loukes, Gerald Loukes, and sister, Anita (Loukes) Corbin, several nieces and nephews and great nieces and nephews, and a deeply bonded group of friends.

Oreen was a member of The Lady Niners and was a straight shooter on the golf course, loved nature, gardening, sewing and baking.

She was predeceased by her sisters, Elinor (Loukes) Heth and Cheryl (Loukes) LaValley, brothers, Robert, Gary and Daniel Loukes.

Adored wife of 58 years to the late William M. Audette; Bill and Oreen loved to dance and travel.

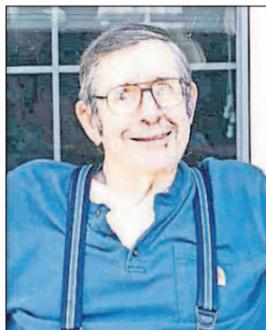
SERVICES: Her service will be private. Arrangements by National Cremation and Burial, 3453 Hancock Bridge Parkway, FL 33903.

### Philip B. Pelletier

KITTERY, Maine — Philip B. "Phil" Pelletier,

of York. Phil's hobbies included golf, fishing, and

his annual hunting trips to Aroostook County. Phil was predeceased by a sister Velma Casey in 2003. He is survived by two daughters, Kathryn Lee Howard of Toccoa, Ga., and Joan C. Pelletier of Eliot, Maine; his two grandsons, Seth Howard of Marietta,



and graduated from Ashland High School. Following his education, he enlisted in the U.S. Navy in 1951 and served in the Korean War. He served on the USS Cadmus (AR-14) and received the National Defense Service Medal.

Georgia and Aaron Howard of Anderson, South Carolina; son-in-law Philip Howard of Toccoa, Georgia; two great-grandchildren, Rynlee and Charlie.

Phil attended Portage schools and graduated from Memorial Chapel, and interment in Southern Maine Veterans Memorial Cemetery in Springvale will be delayed until it becomes safer to travel and gather.

Should friends choose, memorial donations in Phil's name may be made to: Shrine Hospitals for Children, Springfield Unit, 516 Carew Street, Springfield, MA 01104. To share a memory or leave a message of condolence, please visit Phil's Book of Memories Page at www.bibberfuneral.com. Arrangements are in care of Bibber Memorial Chapel, 67 Summer St., Kennebunk, Maine.

Phil was employed at the Portsmouth Naval Shipyard as a Machinist in Shop 31. He was a member of Naval Lodge #184, A.F. and A.M., in Kittery, Maine, and received his 50-year medal in April 2009. A member of all York Rite Bodies including St. Johns Chapter and St. Armand Commandry #20, Kora Shrine of Lewiston, Maine, a member and former director of the York County Shrine Club. For several years Philip transported children back and forth to the Shrine Hospital in Springfield, Mass. He was also a member of the American Legion Post 56

SERVICES: In view of COVID-19 concerns, a Masonic Service at Bibber Memorial Chapel, and interment in Southern Maine Veterans Memorial Cemetery in Springvale will be delayed until it becomes safer to travel and gather.

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### COVID-19

From Page A1

Shibinette reported 149 new confirmed cases of COVID-19, raising the state's total to 3,868. She said 51 of the new cases were at the Villa Crest Nursing and Retirement Center in Manchester.



Sununu

About 10% of the 3,868 people who have tested positive have been hospitalized. The state reports 52,830 residents have been tested to date.

Of the newly announced cases with complete information, there are three individuals under age 18. The new cases live in Hillsborough County other than Manchester and Nashua (25), Rockingham (21), Merrimack (8), Strafford (2), Belknap (1), and Grafton (1) counties and in the cities of Manchester (70) and Nashua (18). The county of residence is being determined for three new cases.

Rockingham County has now seen 1,159 cases while Strafford County's total is 242. Of the Strafford cases, 90 are in Dover and 50 are in Rochester.

#### Beaches update

Heading into Memorial Day weekend, with warm weather on the way, Gov. Chris Sununu is still holding firm Seacoast beaches will not open.

"We're asking people to have the discipline not to jump in the water just yet," he said, adding he "gets it" that beautiful weather makes it difficult.

He said he wants to observe how the opening of beaches goes in Maine and Massachusetts this weekend. He said it's possible Hampton Beach leaders may get their wish for a June 1 opening, but added he's making no promises. He said the state still has some issues to work out on the Seacoast surrounding traffic and parking and others logistics.

"Relief will be here soon," Sununu said. "It is only May. We want to make sure we get it right for June, July and August."

#### Testing expansion

New Hampshire is adding new coronavirus testing sites while taking away some of the eligibility restrictions.

The state will open testing facilities in Londonderry and Keene on Sunday, bringing the total number of state-operated sites to nine, Republican Gov. Chris

Sununu said Wednesday. Currently, anyone with at least one symptom can get tested, as can asymptomatic health care workers, those over age 60 and people with underlying health conditions. Starting next week, that group will be expanded to include child care workers and those living in the same household with members of the vulnerable populations, said Health and Human Services Commissioner Lori Shibinette.

Meanwhile, New Hampshire health clinics are getting nearly \$700,000 to expand testing in rural communities. Fourteen clinics in New Hampshire will receive the funding from the federal Department of Health and Human Services.

Sununu reminded anyone who is over 60, is a health care worker, has an underlying condition or has a single symptom, can register for a test at nh.gov/covid. Shibinette said the state has raised its average tests per day this week to about 2,000.

#### Movies with empty seats for safety?

Families could enjoy movies surrounded by a ring of empty seats under a proposal from the company that operates several Cinemagic theaters in New Hampshire, Maine and Massachusetts.

Patrick Collins, director of operations for Zycorp, told the Economic Reopening Task Force on Wednesday that theaters across the country are hoping to reopen in late June or early July, with extensive hygiene and personal distancing measures. That would include assigning seats using an algorithm that would create space around each small group of moviegoers, he said.

The task force also heard from Andrew Maderios, president New Hampshire Candlepin Bowling Association. He outlined a plan that includes having groups bowl in every other lane, with no more than five people at each lane.

#### Spending spat

The Executive Council on Wednesday approved all state spending for the next month after delaying the vote over concerns about the governor's response to the coronavirus pandemic.

The council voted 5-0 to approve a request from the state treasurer to spend money for all functions of state government for June. It typically does so without debate, but voted to table the request two weeks ago because members wanted more information about money being spent on responding to the pandemic.

Sununu had sent councilors 250-page packages with details of the spending proposal, and councilors questioned him Wednesday about money set aside for businesses, education, airports, child care and other groups.

Material from Associated Press writers Holly Ramer and Kathy McCormack is included in this report.

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#### MARKET WATCH

Dow	24,575.90	▲	369.04
Nasdaq	9,375.78	▲	190.67
S&P	2,971.61	▲	48.67
Russell	1,346.93	▲	39.21
NYSE	11,420.04	▲	171.06

#### COMMODITIES REVIEW

Gold	1,751.4	▲	5.8
Silver	18.065	▲	0.164
Platinum	935.4	▲	45.8
Copper	2.458	▲	0.04
Oil	33.52	▲	1.56

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**Larry Day Jr**  
2800 Lafayette Rd Unit 15  
603-430-9368

**Bob Smith, AAMS®**  
15 Rye Street Ste 105  
603-430-1099

**Dennie Foss**  
35 Vaughan Mall  
603-334-3489

**Ben Woodhouse**  
4 Greenleaf Woods Drive Suite 202  
603-436-0007

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# TOWN OF ELIOT MAINE

PLANNING OFFICE  
1333 State Road  
Eliot ME, 03903

To: Board of Appeals  
Select Board  
Cc: Town Manager Dana Lee  
From: Kristina Goodwin – Land Use Administrative Assistant  
Date: May 20, 2020  
Re: Public Hearing Notification: 352 River Road (Map 25 /Lot 12): PB20-6

You are receiving this notification in conformance with section 33-130 of the Town's ordinances.

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# TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

May 20, 2020

To:

Map 25 / Lot 11  
OGILBY MAINE TRUST  
ANNE P OGILBY f& ASA E PH  
88 TAYLOR RD  
BELMONT, MA 02475

Certified Mail # 7112 4369 4680 2177 4415  
Return Receipt Requested

Map 25 / Lot 12 -1  
GORDON, KATHY PELLEY  
346 RIVER RD  
ELIOT, ME 03903

Certified Mail # 7112 4369 4680 2177 4347  
Return Receipt Requested

Map 25 / Lot 12-2  
COUTU, RICHARD F  
COUTU, DIANE S  
344 RIVER RD  
ELIOT, ME 03903

Certified Mail # 7112 4369 4680 2177 4354  
Return Receipt Requested

Map 25 / Lot 12-3  
Map 25 / Lot 13  
JENKINS, THOMAS BRYAN  
JENKINS, ANN M.  
342 RIVER RD  
ELIOT, ME 03903

Certified Mail # 7112 4369 4680 2177 4361  
Return Receipt Requested

Map 25 / Lot 14  
GENTILE, MARK J  
GENTILE, ROSEMARY A  
338 RIVER RD  
ELIOT, ME 03903

Certified Mail # 7112 4369 4680 2177 4378  
Return Receipt Requested

You are receiving this notification in conformance with the Town of Eliot's Ordinances, section 33-130. You are listed as the owner of property that has been identified as an abutter to an application for proposed work that was submitted to the Town of Eliot Planning Board for review. The Planning Board has scheduled a public hearing on the application at the date and time listed below for the purpose of receiving comments on the application. If you are interested in the specific details of the application, you may request to review the application and supporting documentation that has been submitted to the Planning Office by emailing Kristina Goodwin Land Use Administrative Assistant at [kgoodwin@eliotme.org](mailto:kgoodwin@eliotme.org)

Although an overview of the application will be presented at the public hearing, it is your responsibility to inform yourself as to the specific content and details of the proposal under consideration. During the public hearing, you will be allowed to ask questions, speak in favor of, and/or express concerns. If you cannot attend the public hearing, you may submit written comments to the Planning Office via email sent to [kgoodwin@eliotme.org](mailto:kgoodwin@eliotme.org).

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- d) Press \*9 to raise your virtual hand.

**As an abutter you may request a link to attend the virtual meeting. Please email Kristina Goodwin at [kgoodwin@eliotme.org](mailto:kgoodwin@eliotme.org) to request an invite.**



# Abutters List Report

Eliot, ME  
May 19, 2020

## Subject Properties:

Parcel Number: 025-012-000  
CAMA Number: 025-012-000  
Property Address: 352 RIVER RD

Mailing Address: COUTU, TYLER R JENKINS, MELISSA  
352 RIVER RD  
ELIOT, ME 03903

---

## Abutters:

Parcel Number: 025-011-000  
CAMA Number: 025-011-000  
Property Address: 360 RIVER RD

Mailing Address: OGILBY MAINE TRUST ANNE P OGILBY  
f& ASA E PHILLIPS III TRTS  
88 TAYLOR RD  
BELMONT, MA 02475

Parcel Number: 025-012-001  
CAMA Number: 025-012-001  
Property Address: 346 RIVER RD

Mailing Address: GORDON, KATHY PELLEY  
346 RIVER RD  
ELIOT, ME 03903

Parcel Number: 025-012-002  
CAMA Number: 025-012-002  
Property Address: 344 RIVER RD

Mailing Address: COUTU, RICHARD F COUTU, DIANE S  
344 RIVER RD  
ELIOT, ME 03903

Parcel Number: 025-012-003  
CAMA Number: 025-012-003  
Property Address: RIVER RD

Mailing Address: JENKINS, THOMAS BRYAN JENKINS,  
ANN M  
342 RIVER RD  
ELIOT, ME 03903

Parcel Number: 025-013-000  
CAMA Number: 025-013-000  
Property Address: 342 RIVER RD

Mailing Address: JENKINS, THOMAS B JENKINS, ANN M  
342 RIVER RD  
ELIOT, ME 03903

Parcel Number: 025-014-000  
CAMA Number: 025-014-000  
Property Address: 338 RIVER RD

Mailing Address: GENTILE, MARK J GENTILE,  
ROSEMARY A  
338 RIVER RD  
ELIOT, ME 03903



www.cai-tech.com

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# TOWN OF ELIOT MAINE

PLANNING OFFICE  
1333 State Road  
Eliot ME, 03903

## SITE WALK MEETING NOTICE

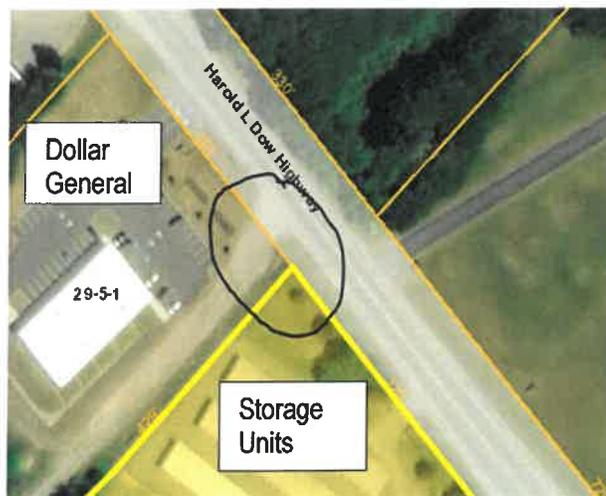
POSTED  
5/28/20

**AUTHORITY:** Eliot, Maine Planning Board  
**PLACE:** 0 Harold L Dow Highway  
**DATE OF HEARING:** Tuesday, June 2, 2020  
**TIME:** 10:00 am

The Planning Board of the Town of Eliot, ME has scheduled a site walk for the following application on the above-referenced date:

- a) **0 Harold L Dow Highway (Map 29 / Lot 31) PB19-23:** Application for nine new commercial condos with allowable commercial uses and four 30,000-gallon propane tanks
- Applicant: M & T Realty, LLC
  - Owner: M & T Realty, LLC

***The Site walk will commence from Passamaquoddy Lane. The entrance to Passamaquoddy Lane is a dirt road located in between the Dollar General and the Self-Storage units.***



1333 STATE ROAD, ELIOT, ME 03903  
PHONE: (207) 439-1813  
[WWW.ELIOTMAINE.ORG](http://WWW.ELIOTMAINE.ORG)  
May 27, 2020



# TOWN OF ELIOT MAINE

PLANNING OFFICE  
1333 State Road  
Eliot ME, 03903

To: Planning Board  
From: David C.M. Galbraith - Planning Consultant, Southern Maine Planning and Development Commission (SMPDC).  
Cc: M & T Reality, LLC / Michael Estes  
Attar Engineering  
Kristina Goodwin, Land Use Administrative Assistant  
Date: June 1, 2020  
Re: 0 Harold Dow Highway (Map 029 / Lot 031): PB19-23 Pine Tree Business Park

---

Application Details/Checklist Documentation	
✓ Address:	Harold Dow Highway
✓ Map/Lot:	Map 029 Lot 031
✓ PB Case#:	PB19-23
✓ Zoning District:	Commercial Industrial District (CID)
✓ Shoreland Zoning:	N/A
✓ Owner Name:	M & T Reality
✓ Applicant Name:	M & T Reality
✓ Proposed Project:	Site Plan Review for the construction of 6,000 square foot retail store that will be accessed via a new curb opening on Harold Dow Highway (Route 236) and 8 storage buildings which will be accessed via Passamaquoddy Lane.
✓ Application Received by Staff:	December 3 , 2019
✓ Application Fee Paid and Date:	\$400.00 Date Paid: December 3, 2019
✓ Application Sent to Staff Reviewers:	Date: December 6, 2019
Application Scheduled to be Heard by PB	Date: February 18, 2020 (Scheduled by Meeting Canceled due to CIVID19 – Town Office Temporarily Closed)
Application to be Heard by PB	Date: May 26, 2020
Found Complete by PB	Date: June 2, 2020 (anticipated)
Site Walk	Date: June 2, 2020
Public Hearing	Date: May 26, 2020
Public Hearing Publication	Date: TBD
Deliberation	Date: June 2, 2020
Notice of Decision	Date: June 16, 2020 (anticipated)
✓ Reason for PB Review:	Site Plan Review / Sketch Plan

## Overview:

This application is for Site Plan Review for the construction of 6,000 square foot retail store proposed to be accessed via a new curb opening on Harold Dow Highway (Route 236). The proposal also includes eight storage (8) buildings which would be accessed via Passamaquoddy Lane. The eight storage building range in size from 7,200 square feet to 4,800 Square feet. The proposal also includes the installation of four (4) 30,000 gallon propane tanks. Jay

Muzeroll, Eliot Fire Chief has reviewed the plans and has provided a memo dated February 13, 2020 outlying his conversation with the applicants and their engineering agents (Attar Engineering, Inc.). Since the initial submittal "building # 5" (3,000 square foot) has been removed from the plans so revised plans should renumber the buildings. The proposal is approximately 11.6 acres in area and the name of the project is Pine Tree Business Park (AKA Estes). The application provides an in-depth overview of the proposed project. The project was discussed at the May 26, 2020 Planning Board meeting and the Board voted to conduct a site walk which will be held on June 2, 2020. It is anticipated that the applicants will receive a project completeness determination at the evening scheduled Planning Board meeting on June 2, 2020.

Respectfully submitted,

***David C.M. Galbraith***

David C.M. Galbraith  
Eliot Town Planner  
Planning Consultant - Southern Maine Planning and Development Commission (SMPDC).

---

**PB Applications status / proposed schedule during COVID**  
**As of 05/28/20**

PB Application #	Meeting Date	Additional Meeting Date (if needed)	Public Hearing Date	NOD Date	Comments
<i>PB19-15 - Main St (Shoreland)</i>	5/5/2020	n/a	5/19/2020	6/2/2020	Awaiting NOD Approval
<i>PB19-17 - Main St. (Shoreland)</i>	5/5/2020	n/a	5/19/2020	6/2/2020	Awaiting NOD Approval
<i>PB19-23 - Estes</i>	5/26/2020	6/2/20 Site walk & Meeting	Proposed 6/16/2020	Proposed 6/23/2020	Business Condos
<i>PB19-24 - Main St (Subdivision)</i>	Sketch Plan reviewed	Awaiting input from Planner.	TBD	TBD	Awaiting DEP input MDOT received
<i>PB20-2 - 100 HL Dow</i>	Complete on 3/3/20	n/a	5/26/2020	6/16/2020	Awaiting NOD Approval
<i>PB20-3 - Shilo Farms</i>	Next date TBD Previously Heard on 3/3/20	Do not need to schedule until further information is	N/A	N/A	No new info submitted since 3/3/20
<i>PB20-4 - Surrey Lane</i>	5/12/2020	Proposed 7/7/2020	TBD	TBD	Sketch completed 5/12 Preliminary
<i>PB20-5 - 7 Maclellan</i>	5/12/2020	Awaiting further information	TBD	TBD	Mixed Use - Awaiting further Submissions
<i>PB20-6 - 352 River Rd.</i>	5/12/2020	n/a	6/2/2020	Proposed 6/16/2020	Shoreland
<del><i>PB20-7 - 213 Pleasant</i></del>	<del>6/2/2020</del>				Withdrawn - 5/20
<i>PB20-8 - 21 Foxbrush Drive</i>	New - proposed 7/7/2020	TBD	TBD	TBD	Shoreland / Non conforming expansion
<i>PB20-9 - 17 Levesque Drive</i>	New - proposed 7/21/2020	TBD	TBD	TBD	Adult Use Testing Facility