

TOWN OF ELIOT, MAINE

PLANNING BOARD AGENDA

TYPE OF MEETING: IN PERSON WITH REMOTE OPTION
PLACE: TOWN HALL/ZOOM

DATE: Tuesday, June 28th, 2022
TIME: 6:00 P.M.

All in-person attendees are asked to wear face masks

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**
 - a) Quorum, Alternate Members, Conflicts of Interest
- 2) **PLEDGE OF ALLEGIANCE**
- 3) **MOMENT OF SILENCE**
- 4) **10-MINUTE PUBLIC INPUT SESSION**
- 5) **REVIEW AND APPROVE MINUTES**
 - a) May 3rd, 2022 ~ June 7th, 2022 – if available
- 6) **NOTICE OF DECISION**
- 7) **PUBLIC HEARING**
 - a) 771 Main Street (Map 6/Lot 43), PID # 006-043-000: Demolition permit to deconstruct barn structure and reconstruct part of it and reuse parts of it on another property in Eliot. [Ref. Town Code Section 45-136 – Demolition Delay for Historic Structures]
- 8) **NEW BUSINESS**
 - a) 768 Main Street (Map 6/Lot 74), PID # 006-074-000, PB22-11: Home Business Application – Professional office – Sketch Plan Review
 - b) 244 Pleasant Street (Map 3/Lot 41), PID # 003-041-000, PB22-12: Shoreland Zoning Permit Application – Permanent residential fixed pier and access stairway, seasonal gangway, and seasonal float – Sketch Plan Review
- 9) **OLD BUSINESS**
 - a) November 2022 Ordinance Amendment: Erosion and Sedimentation Control
- 10) **CORRESPONDENCE**
 - a) Town Planner update – written or verbal – if available
- 11) **SET AGENDA AND DATE FOR NEXT MEETING**
 - a) July 26th, 2022
- 12) **ADJOURN**

NOTE: All Planning Board Agenda Materials are available on the Planning Board/Planning Department webpages for viewing.

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

- a) Go to 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 up to a minute)

Instructions to join remote meeting:

- a) To participate please call into meeting 5 minutes in advance of meeting start time. Please note that Zoom does state that for some carriers this can be a toll call. You can verify by contacting your carrier.
- b) Please call **1-646-558-8656**
 1. When prompted enter meeting number: **827 7727 2960 #**
 2. When prompted to enter Attendee ID **press #**
 3. When prompted enter meeting password: **313342 #**
- 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


Carmela Braun – Chair

NOTE: All attendees are asked to wear facial protective masks. No more than 50 attendees in the meeting room at any one time. The meeting agenda and information on how to join the remote Zoom meeting will be posted on the web page at eliotmaine.org/planning-board. Town Hall is accessible for persons with disabilities.



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
 From: Jeff Brubaker, AICP, Town Planner
 Cc: Michele Duval, Applicant
 Mark McNally, Property Owner
 Mike Sudak, EIT, Attar Engineering, Applicant’s Representative for PB22-09
 Eliot Historical Society
 Maine State Historic Preservation Commission
 Kearsten Metz, Land Use Administrative Assistant
 Shelly Bishop, Code Enforcement Officer

Date: June 22, 2022 (report date)
 June 28, 2022 (meeting date)

Re: 771 Main St. (Map 6, Lot 43), PID # 006-043-000: Demolition permit subject to Section 45-136 – Demolition Delay for Historic Structures

| Application Details/Checklist Documentation | |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address: | 771 Main St. |
| Map/Lot: | 6/43 |
| Zoning District(s): | Village |
| Property Owner(s): | Mark McNally |
| Applicant Name(s): | Michele Duval |
| Proposed Activity: | From application: “Tagging and dismantling antique barn to be rebuilt at [170 Brixham Rd.]. Newer barn behind antique barn to supply additional salvage building material for project.” |
| Complete permit application submitted | June 15, 2022 |
| Public hearing fee | \$175 paid |

This is the Planning Board’s first review of a demolition permit application under new Town Code section 45-136 – Demolition Delay for Historic Structures. Applicant Michele Duval, 170 Brixham Rd., has submitted a demolition permit application for a barn located at 771 Main St. (Map 6, Lot 43; property owner: Mark McNally), a property that has historically been known as Clover Farm. The barn is subject to Section 45-136 due to its presumptive age of 100+ years.

In general, the applicant seeks to move the barn in pieces to be reconstructed, or parts reused, at 170 Brixham Rd. As described in the application, there are two parts: the “antique barn to be rebuilt” and the “Newer barn behind [the] antique barn to supply additional salvage”. Therefore, the end result would be the preservation of a portion of the barn in its current form, as well as the salvage of other parts, at the recipient property. A building permit will also need to be submitted to the Code Enforcement Officer to address the rebuilding of the barn’s parts at the recipient property. The applicant has informed the Town that they plan to use Custom Barns of Hooksett, NH, to conduct

the dismantling, moving, and rebuilding.

The permit review is now in the 90-day delay period. The Planning Board's role is to hold a public hearing and consider issuing an advisory opinion. As stated in 45-136(d)(2)-(3):

(2) Within 60 days of receipt of the complete application, the planning board shall hold a public hearing on the permit application for the purpose of discussing the historical and architectural significance of the building and inviting comment from abutting property owners, the public, and the applicant or property owner. Notice for a public hearing shall be given in compliance with section 33-130. Prior to the public hearing, the applicant shall pay the planning board public hearing fee specified in section 1-25.

(3) After the public hearing, the planning board, at its discretion, may issue an advisory opinion on the building's historical significance and possible alternatives to demolition.

Section 45-136 provides for the 90-day delay period to be lessened or waived by the Code Enforcement Officer after the receipt of the Board's advisory opinion and written opinions of either Eliot Historical Society (EHS) or the Maine Historic Preservation Commission (MHPC). The application has been shared with both of the latter entities, and the applicant, EHS, and Town staff have been in communication about the proposal.

Recommendation

In this case, an alternative to outright demolition has already been proposed. Based on the information available at the time of this report, I recommend the Planning Board:

- Hold the public hearing and receive public input
- Ask for more details about the proposal from the applicant, as you feel are needed
- Subject to that input and information, consider issuing an advisory opinion supporting the proposal to relocate, partially rebuild, and partially salvage the barn at 170 Brixham Rd., as proposed by Ms. Duval, and recommending that the 90-day delay period be waived if EHS and-or MHPC also concur.

Alternatives entertained in Section 45-136 include: preserving, rehabilitating, restoring, or moving the building. No proposal has been made to retain and restore the buildings at their present location.



Figure 1. Aerial view of 771 Main St. from Town GIS. Structures (in yellow box) to be dismantled and rebuilt/salvaged. Other structures shown have since been demolished.

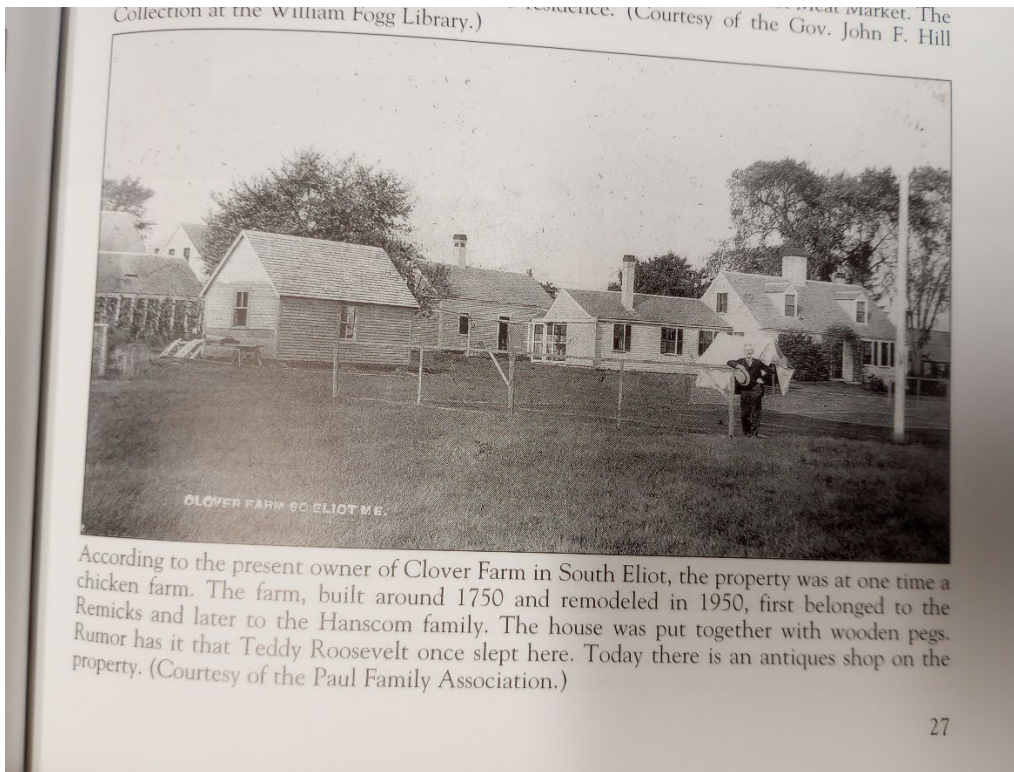


Figure 2. Clover Farm excerpt from Images of America: Eliot book (author: Margaret A. Elliott of the EHS)



TOWN OF ELIOT MAINE

PLANNING OFFICE
1333 State Road
Eliot ME, 03903

PUBLIC HEARING NOTICE

AUTHORITY: Eliot, Maine Planning Board
PLACE: 771 Main Street
DATE OF HEARING: Tuesday, June 28th, 2022
TIME: 6:00 pm

The Planning Board of the Town of Eliot, Maine, has scheduled a public hearing for the following application on the above-referenced date:

- **771 Main Street (Map 6/Lot 43), PID # 006-043-000:** Demolition permit to deconstruct barn structure and reconstruct part of it and reuse parts of it on another property in Eliot. Due to the structure's age, it is subject to Town Code Section 45-136 – Demolition Delay for Historic Structures.



500 foot Abutters List Report

Eliot, ME
June 23, 2022

Subject Properties:

Parcel Number: 006-043-000
CAMA Number: 006-043-000
Property Address: 771 MAIN ST

Mailing Address: MCNALLY, MARK
1381 ELWYN RD
PORTSMOUTH, NH 03801

Parcel Number: 006-044-000
CAMA Number: 006-044-000
Property Address: 787 MAIN ST

Mailing Address: JESSE REALTY LLC
2552 LONGBOAT DR
NAPLES, FL 34104

Abutters:

Parcel Number: 003-012-000
CAMA Number: 003-012-000
Property Address: 38 VARNEY LN

Mailing Address: HAMMEKEN, MARQUITA HAMMEKEN,
ELAINA
38 VARNEY LN
ELIOT, ME 03903

Parcel Number: 006-015-000
CAMA Number: 006-015-000
Property Address: MAIN ST

Mailing Address: DAVIS, RITA REVOCABLE TRUST RITA L
DAVIS TRUSTEE
17 ELIZABETH LN
KITTEERY POINT, ME 03905

Parcel Number: 006-016-000
CAMA Number: 006-016-000
Property Address: 34 VARNEY LN

Mailing Address: SHEMATEK, ELEANOR M
1200 STEWART ST UNIT 921
BALTIMORE, MD 21230

Parcel Number: 006-017-000
CAMA Number: 006-017-000
Property Address: 25 PARK ST

Mailing Address: FURBISH, CINDY W
25 PARK ST
ELIOT, ME 03903

Parcel Number: 006-018-000
CAMA Number: 006-018-000
Property Address: 6 FOURTH AVE

Mailing Address: FURBISH, JEFFREY H
6 FOURTH AVE
ELIOT, ME 03903

Parcel Number: 006-019-000
CAMA Number: 006-019-000
Property Address: FOURTH AVE

Mailing Address: SAKLAD, RICHARD J
1 MARJORIE WAY
ELIOT, ME 03903

Parcel Number: 006-020-000
CAMA Number: 006-020-000
Property Address: 1 MARJORIE WAY

Mailing Address: SAKLAD, CYNTHIA L
1 MARJORIE WAY
ELIOT, ME 03903

Parcel Number: 006-021-000
CAMA Number: 006-021-000
Property Address: 709 MAIN ST

Mailing Address: BOYD, DUNCAN L
709 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-022-000
CAMA Number: 006-022-000
Property Address: 717 MAIN ST

Mailing Address: FRISBEE FAMILY REVOCABLE TRUST
ROGER A & JEAN D FRISBEE TRUSTEES
717 MAIN ST
ELIOT, ME 03903



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500 foot Abutters List Report

Eliot, ME
June 23, 2022

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|-----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| Parcel Number: 006-023-000 CAMA Number: 006-023-000 Property Address: 725 MAIN ST | Mailing Address: LEPERE, PAUL R PO BOX 668 HAMPTON FALLS, NH 03844 |
| Parcel Number: 006-024-000 CAMA Number: 006-024-000 Property Address: 1 PARK ST | Mailing Address: MCKENNA, ROBERT/DOWNEY, ANNE M REV TRST ROBERT F MCKENNA/ANNE M DOWNEY TRUSTEES 1 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-025-000 CAMA Number: 006-025-000 Property Address: 7 PARK ST | Mailing Address: POIRIER, CHRISTOPHER ALLAN POIRIER, KELLY ANN 7 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-026-000 CAMA Number: 006-026-000 Property Address: 9 PARK ST | Mailing Address: ANDERSON, DOUGLAS A REVOCABLE TRUST DOUGLAS A ANDERSON TRUSTEE 224 PLEASANT ST ELIOT, ME 03903 |
| Parcel Number: 006-027-000 CAMA Number: 006-027-000 Property Address: 15 PARK ST | Mailing Address: JORDAN, HEIDE 15 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-028-000 CAMA Number: 006-028-000 Property Address: 19 PARK ST | Mailing Address: TALBOT, JOHN D 19 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-029-000 CAMA Number: 006-029-000 Property Address: 21 PARK ST | Mailing Address: HAMBLETT, BARBARA M HAMBLETT, JOHN C 21 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-030-000 CAMA Number: 006-030-000 Property Address: 23 PARK ST | Mailing Address: WITTRUCK, SUSAN P WITTRUCK, STEVEN P 214 EAST SPRING ST ALEXANDRIA, VA 22301 |
| Parcel Number: 006-031-000 CAMA Number: 006-031-000 Property Address: 24 PARK ST | Mailing Address: HINES, SUSAN N REVOCABLE TRUST SUSAN N HINES TRUSTEE 24 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-032-000 CAMA Number: 006-032-000 Property Address: 22 PARK ST | Mailing Address: SAURMAN, JANET A SAURMAN, BRYAN D & MCNEIL, EMILY L 22 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-033-000 CAMA Number: 006-033-000 Property Address: 20 PARK ST | Mailing Address: MARSTON, JOHN E MARSTON, SIGRED 20 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-034-000 CAMA Number: 006-034-000 Property Address: 18 PARK ST | Mailing Address: SIMPSON, ALLAN R SIMPSON, KATHY L 18 PARK ST ELIOT, ME 03903 |



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500 foot Abutters List Report

Eliot, ME
June 23, 2022

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|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parcel Number: 006-035-000 CAMA Number: 006-035-000 Property Address: 16 PARK ST | Mailing Address: POISSON, NICHOLE M POISSON, FREDERICK L 16 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-036-000 CAMA Number: 006-036-000 Property Address: 14 PARK ST | Mailing Address: NEWLAND, PAMELA M 14 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-037-000 CAMA Number: 006-037-000 Property Address: 12 PARK ST | Mailing Address: CROSBY, ANITA J 12 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-038-000 CAMA Number: 006-038-000 Property Address: 10 PARK ST | Mailing Address: FARNHAM, DEBRA A FARNHAM, STEVEN R 10 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-039-000 CAMA Number: 006-039-000 Property Address: 6 PARK ST | Mailing Address: REED, CAITLIN M REED, MICHAEL R 6 PARK ST ELIOT, ME 03903 |
| Parcel Number: 006-040-000 CAMA Number: 006-040-000 Property Address: 2 PARK ST | Mailing Address: BOCCIA, MICHAEL A & LUONG, VALENTINA LIV MICHAEL A BOCCIA & VALENTIN LUONG CO-TRU 16926 VISTA BRIAR DRIVE SAN ANTONIO, TX 78247 |
| Parcel Number: 006-041-000 CAMA Number: 006-041-000 Property Address: 751 MAIN ST | Mailing Address: GRANT, CRISPIN 751 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-042-000 CAMA Number: 006-042-000 Property Address: 767 MAIN ST | Mailing Address: RATCLIFF, WARDWELL 767 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-045-000 CAMA Number: 006-045-000 Property Address: 793 MAIN ST | Mailing Address: KINNETT, CHARLES P MCNAMARA, STEPHANIE 793 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-046-000 CAMA Number: 006-046-000 Property Address: 11 AQUA AVE | Mailing Address: HUTCHINSON FAMILY REVOCABLE TRUST FRANKLIN & CAROLYN B HUTCHINSON TRUSTEES 11 AQUA AVE ELIOT, ME 03903 |
| Parcel Number: 006-047-000 CAMA Number: 006-047-000 Property Address: 17 AQUA AVE | Mailing Address: SHEA, KATY 17 AQUA AVE ELIOT, ME 03903 |



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500 foot Abutters List Report

Eliot, ME
June 23, 2022

| | |
|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Parcel Number: 006-048-000 CAMA Number: 006-048-000 Property Address: 21 AQUA AVE | Mailing Address: CROSIER, DEBRA M & JOHN T REVOCABLE TRUS DEBRA M & JOHN T CROSIER TRUSTEES 21 AQUA AVE ELIOT, ME 03903 |
| Parcel Number: 006-050-000 CAMA Number: 006-050-000 Property Address: 24 SHEA DR | Mailing Address: SHEA, LEROY/KAREN REV TRUST LEROY/KAREN SHEA TRUSTEES 24 SHEA DR ELIOT, ME 03903 |
| Parcel Number: 006-051-000 CAMA Number: 006-051-000 Property Address: 18 SHEA DR | Mailing Address: SHEA, LEROY/KAREN REVOCABLE TRUST LEROY W/KAREN A SHEA TRUSTEES 24 SHEA DR ELIOT, ME 03903 |
| Parcel Number: 006-052-000 CAMA Number: 006-052-000 Property Address: 23 AQUA AVE | Mailing Address: MANERO, ANTHONY T MANERO, CANDACE S 31 ANTHONYS LANDING ELIOT, ME 03903 |
| Parcel Number: 006-053-000 CAMA Number: 006-053-000 Property Address: 31 ANTHONYS LNDG | Mailing Address: MANERO, ANTHONY T MANERO, CANDACE S 31 ANTHONYS LNDG ELIOT, ME 03903 |
| Parcel Number: 006-054-000 CAMA Number: 006-054-000 Property Address: 32 ANTHONYS LNDG | Mailing Address: MANERO, ANTHONY K MANERO, ELIZABETH T 32 ANTHONYS LNDG ELIOT, ME 03903 |
| Parcel Number: 006-056-000 CAMA Number: 006-056-000 Property Address: 12 ANTHONYS LNDG | Mailing Address: MANERO, STEPHEN M MANERO, BRITT F 12 ANTHONYS LNDG ELIOT, ME 03903-1705 |
| Parcel Number: 006-057-000 CAMA Number: 006-057-000 Property Address: 20 AQUA AVE | Mailing Address: HANNIGAN, ELINOR C 20 AQUA AVE ELIOT, ME 03903 |
| Parcel Number: 006-058-000 CAMA Number: 006-058-000 Property Address: 799 MAIN ST | Mailing Address: AMSDEN, NATHAN C AMSDEN, HEIDI P 799 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-059-000 CAMA Number: 006-059-000 Property Address: 803 MAIN ST | Mailing Address: WINTER, LOUIS G WINTER, ELIZABETH A 803 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-061-000 CAMA Number: 006-061-000 Property Address: 811 MAIN ST | Mailing Address: MANERO, STEPHEN M MANERO, BRITT F 12 ANTHONY'S LANDING ELIOT, ME 03903 |
| Parcel Number: 006-062-000 CAMA Number: 006-062-000 Property Address: 827 MAIN ST | Mailing Address: MANERO, STEPHEN M 12 ANTHONYS LANDING ELIOT, ME 03903 |



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500 foot Abutters List Report

Eliot, ME
June 23, 2022

Parcel Number: 006-068-000
CAMA Number: 006-068-000
Property Address: 816 MAIN ST

Mailing Address: DOHERTY, JAY MICHAEL
816 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000
Property Address: PATRIOTS LN

Mailing Address: PATRIOTS LANE MASTERCARD
PATRIOTS
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-001
Property Address: 11 PATRIOTS LN #1

Mailing Address: ORR, SHARON LYNNE
11 PATRIOTS LN UNIT 1
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-002
Property Address: 11 PATRIOTS LN #2

Mailing Address: BUZZELL, RICHARD L
11 PATRIOTS LN #2
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-003
Property Address: 11 PATRIOTS LN #3

Mailing Address: MORIN, STEPHANIE L MORIN, DANIEL
11 PATRIOTS LN 3
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-004
Property Address: 11 PATRIOTS LN #4

Mailing Address: STRANGE, MALLORY
11 PATRIOTS LN UNIT 4
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-005
Property Address: 12 PATRIOTS LN #5

Mailing Address: LAFORGE, ANDREW P
12 PATRIOTS LN 5
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-006
Property Address: 12 PATRIOTS LN #6

Mailing Address: VOLTAIRE, JOANNE
12 PATRIOTS LN UNIT 6
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-007
Property Address: 12 PATRIOTS LN

Mailing Address: HURLEY, LUCY A
12 PATRIOTS LN UNIT 7
ELIOT, ME 03903

Parcel Number: 006-070-000
CAMA Number: 006-070-000
Property Address: 806 MAIN ST

Mailing Address: DIXON, ROBERT A DIXON, LINDA E
806 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-071-000
CAMA Number: 006-071-000
Property Address: 794 MAIN ST

Mailing Address: BICKFORD, JONATHAN BICKFORD,
THOMAS L
794 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-071-002
CAMA Number: 006-071-002
Property Address: MAIN ST

Mailing Address: MACDONALD FAMILY REVOCABLE
TRUST CHARLES R & LUCIE F
MACDONALD TRUSTEES
1986 STATE RD
ELIOT, ME 03903



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500 foot Abutters List Report

Eliot, ME
June 23, 2022

| | |
|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Parcel Number: 006-071-003 CAMA Number: 006-071-003 Property Address: MAIN ST | Mailing Address: MACDONALD, CHARLES R MACDONALD, LUCIE F C/O DEGRAPPO BUILDERS LLC ELIOT, ME 03903 |
| Parcel Number: 006-072-000 CAMA Number: 006-072-000 Property Address: 790 MAIN ST | Mailing Address: BEAGEN, BRIDGETTE R 790 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-073-000 CAMA Number: 006-073-000 Property Address: 776 MAIN ST | Mailing Address: KELLY, DONNA L 776 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-074-000 CAMA Number: 006-074-000 Property Address: 768 MAIN ST | Mailing Address: KELSEY, KIM 768 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-075-000 CAMA Number: 006-075-000 Property Address: 756 MAIN ST | Mailing Address: TARR, STEPHANIE J TARR, JEFFREY T 756 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-076-000 CAMA Number: 006-076-000 Property Address: HIDDEN MEADOW LN | Mailing Address: ADAMS, RALPH ZIMMERMAN, B DIANE 10 STAPLES ST ELIOT, ME 03903 |
| Parcel Number: 006-076-001 CAMA Number: 006-076-001 Property Address: OFF MAIN ST | Mailing Address: FONTAINE, NANCY FONTAINE, ROBERT J 144 BOLT HILL RD ELIOT, ME 03903 |
| Parcel Number: 006-077-000 CAMA Number: 006-077-000 Property Address: 744 MAIN ST | Mailing Address: ROBINSON, MARK ROBINSON, LEIGH B 744 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-080-000 CAMA Number: 006-080-000 Property Address: 730 MAIN ST | Mailing Address: EMERY, JOYCE EMERY, CHRISTOPHER 730 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-081-000 CAMA Number: 006-081-000 Property Address: 722 MAIN ST | Mailing Address: LYTLE, NATHANIEL H 722 MAIN ST ELIOT, ME 03903 |
| Parcel Number: 006-154-000 CAMA Number: 006-154-000 Property Address: MAIN ST | Mailing Address: LJE PROPERTY DEVELOPMENT LLC 2 PUNKIN TOWN RD STE 340 SOUTH BERWICK, ME 03908 |
| Parcel Number: 010-074-000 CAMA Number: 010-074-000 Property Address: 826 MAIN ST | Mailing Address: PRATT, CHARLES JR 826 MAIN ST ELIOT, ME 03903 |



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500 foot Abutters List Report

Eliot, ME
June 23, 2022

Parcel Number: 010-075-000
CAMA Number: 010-075-000
Property Address: 834 MAIN ST

Mailing Address: MCKENNEY, RALPH A
834 MAIN ST
ELIOT, ME 03903



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6/23/2022

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Building Permit

Town of Eliot

1333 State Road

Eliot, ME 03903

(207) 439-1813 Extension 110

Permit Number: 2200199**Job Location:** 771 MAIN ST
City,State,Zip: ELIOT, ME 03903**APN:** 006-043-000**Owner:** MCNALLY, MARK**Address:** 1381 ELWYN RD**City,State,Zip:** PORTSMOUTH, NH 03801**Permit Type:** Building - Residential Demolition**Permit #:** 2200199**Permit Status:** Demo delay review - PB**Use Type:** [Use]**Res/Com:** Residential**Project Value:** 10000**Job Description:** Tagging and dismantling antique barn to be rebuilt at above address. Newer barn behind antique barn to supply additional salvage building material for project.**Applicant Name:** Michele Duval**Address:** 170 Brixham Rd.**City,State,Zip:** Eliot, ME 03903**Phone:** 207-251-3899**Email:** mduval105@yahoo.com**Contractor:****Address:****City,State,Zip:** ,**Phone:****Email:****INSPECTION INFORMATION****Pass/Fail****CONDITIONS**

Proposal is to demolish existing barn located at 771 Main Street. Request for reconstruction of the barn shall be applied for separately with a new application, referencing the property the structure is proposed to be

| Fee | Amount | Payment Date | Amount |
|-----|--------------------------|--------------|---------------------------|
| | Total Fee: \$0.00 | | Total Paid: \$0.00 |

This permit application is hereby approved based on the information submitted by the applicant/owner. Any changes to approved plans must be submitted to the Code Enforcement office for review and approval. As per the Municipal Code of Ordinances, start of construction, as defined in Chapter 1-2, must begin within 180 days of the date this permit is issued.

PB22-11: 768 Main St. (Map 6, Lot 74): Home Business Application – Professional Office – Sketch Plan Review



TOWN OF ELIOT MAINE

PLANNING OFFICE
1333 State Road
Eliot ME, 03903

To: Planning Board
 From: Jeff Brubaker, AICP, Town Planner
 Cc: Kim Kelsey, Applicant
 Date: June 22, 2022 (report date)
 June 28, 2022 (meeting date)
 Re: PB22-11: 768 Main St. (Map 6, Lot 74): Home Business Application – Professional Office – Sketch Plan Review

| Application Details/Checklist Documentation | |
|----------------------------------------------------|---------------------------------------------------------------------------|
| Address: | 768 Main St. |
| Map/Lot: | 6/74 |
| PB Case#: | 22-11 |
| Zoning District: | Village |
| Shoreland Zoning: | N/A |
| Owner Name: | Kim Kelsey |
| Applicant Name: | Kim Kelsey |
| Proposed Project: | Professional Office Home Business (Licensed Clinical Social Work/Therapy) |
| ✓ Application Received by Staff: | 5/26/22 |
| ✓ Application Fee Paid and Date: | \$200 (\$25 home business; \$175 public hearing) 5/26/22 |
| Application Sent to Staff Reviewers: | Not sent |
| Application Heard by PB | 6/28/22 (scheduled) |
| Found Complete by PB | TBD |
| Site Walk | TBD |
| Public Hearing | TBD |
| Public Hearing Publication | TBD |
| Deliberation | TBD |
| ✓ Reason for PB Review: | Home Business Application |

Overview: Applicant Kim Kelsey is seeking approval of a Home Business Application at 768 Main St. (Map 6, Lot 74) for a professional office for licensed clinical social work and therapy. The reported days and hours of operation would be Wednesday and Thursday, 9am to 5pm. The home

PB22-11: 768 Main St. (Map 6, Lot 74): Home Business Application – Professional Office – Sketch Plan Review

business would be located inside the existing home. The sketch plan shows a potential porch addition and the conversion of a window to a door in the part of the home to be used for the business. Only the applicant will be engaged in the home business; there will be no other employees.

Type of Review Needed: Sketch Plan Review; review for completeness/setting of a public hearing

Review notes on application and home business performance standards (45-456.1)

| Standard | Met? |
|-----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Home business owner home occupancy | Met – year round |
| Total home business area (1,500 sf max. allowed) | Met – up to 250 sf |
| Structure used as part of a home business meeting principal setbacks (30’ front and rear, 20’ side) | Appears to be met per sketch plan and GIS. |
| Sales of merchandise or products (up to 4 types of allowed sales) | N/A. No merchandise/product sales proposed. |
| Parking spaces for non-residents (max. 4) | Met – one (1) space proposed off of loop driveway, to serve one (1) car at a time. See sketch plan. |
| Parking spaces within front setback (max. 2) | Met – depending on exact location of proposed parking space, either 0 or 1 in the front setback. |
| Home business sign (max. 1 sign allowed up to 6 sf.) | N/A. No sign proposed. |
| External evidence of the home business and business-related vehicles | Met – No evidence except a car parking in the single parking space. |
| Use and storage of fluids, solids, and gases unique to the business | N/A. None proposed. |
| Sketch plan | Included with application. I have reviewed and believe it provides sufficient information applicable to the home business for the Board’s sketch plan review. |

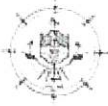
Other notes

- Deed downloaded from the York Co. Registry of Deeds’ online database included in packet
- Land use table reference (45-290): Professional office – “SPR 8” – allowable as a home business subject to conformance with home business requirements.

* * *

Respectfully submitted,

Jeff Brubaker, AICP
Town Planner



PAID
Received
MAY 26 2022
Seawater Met

HOME BUSINESS APPLICATION

- Date Submitted 5/26/22
- Applicant Name(s) Kim Kelsey
- Mailing Address 768 Main Street Eliot Phone 207-439-8609
- If you prefer to receive meeting notices and other communications via email please provide your email below:
Email address kkelsey28@gmail.com

- Property Owner(s) Kim Kelsey
- Mailing Address same Phone same

Property Location/Address "

Map 6 Lot 74 Size (acres) 1.09

Zoning District? (circle all that apply) Village Rural Suburban

Is any portion of the property in a Shoreland zoning district? YES NO

- If yes, which Shoreland zoning district? (check all that apply)
 - Limited Commercial
 - Limited Residential
 - Stream Protection
 - General Development
 - Resource Protection

Non-conforming lot? YES NO

Home business located in a non-conforming structure? YES NO

Establish your legal interest in the property by attaching a copy of the deed, purchase and sales agreement, tax records, or signed lease.

Describe the business and its operation (nature of business, hours of operation, etc.))
Licensed Clinical Social Work
Therapy with 9-5

What permitted use as listed in the Table of Land Use (Sec. 45-290) are you applying for? (note: cannot be "home business" or "home occupation") If your proposed use is not listed, which one is it most similar to?
Professional Office

Complete the attached checklist to see if your application complies with the ordinance and return to the Planning Assistant with ten (10) copies of application and plans plus a fee of \$200.00 (\$25 application fee + \$175 for advertising and public hearing expenses).

Applicant Signature Kim Kelsey Date 5/26/22

Property owner Signature (if different) _____ Date _____

Application received by PA _____ Date _____



TOWN OF ELIOT, MAINE

Eliot Planning Board Home Business Checklist

Please explain how your proposed Home Business meets the ordinance requirements by filling in the blocks below.

Sec. 45-456. Home Businesses.

Home Businesses are uses that provide space for commercial activity that is in scale and character with neighborhoods and areas that are primarily residential. Home Businesses must comply with the following requirements:

| Item | Section 45-456 Requirement | Explain how your proposal meets this requirement |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | <p>a. The Home Business must be clearly secondary to the residential use of the property. This means that there must be a dwelling unit on the property, and the dwelling unit must be occupied by an owner of the Home Business during the months of the year that the business is in operation. (As used in this paragraph, the term owner includes a principal of a corporation, limited liability company or other legal entity that owns a business.)</p> | <p>Provide a statement concerning your relationship (owner, renter) to the dwelling unit on the property. Provide the months of the year that you occupy the dwelling unit on the property.</p> <p><i>I own the home and live here year round.</i></p> |
| 2. | <p>b. The Home Business cannot exceed 1500 square feet in total area. The total area includes all portions of all structures used to support or conduct the Home Business.</p> | <p>How many square feet are you planning to use?</p> <p><i>Up to 250 square feet.</i></p> |
| 3. | <p>c. All structures used as part of a Home Business must meet minimum yard and setback requirements for principal structures.</p> | <p>Provide a sketch showing the outline of the property and of all structures on the property, dimensions of the property and of all structures, and dimensions from all structures to the lot lines.</p> |



TOWN OF ELIOT, MAINE

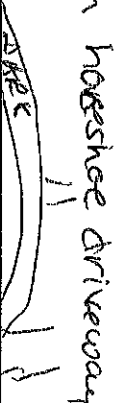
Case# _____

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <p>4. d. Any use that is not listed in the Table of Land Uses, Section 45-290 may be permitted as a Home Business provided the following requirements are met:</p> <p>(1) The applicant must provide a rationale, acceptable to the Planning Board, substantiating that the proposed use is similar to a permitted use as allowed in the applicable zoning district.</p> <p>AND</p> <p>(2) The application must be approved by a concurring vote of at least three members of the Planning Board as being similar to a use listed in the Table of Land Uses as allowed in the applicable zoning district.</p> | <p>Is your proposed use in the land use table? If not, why do think it is similar to a use that is listed?</p> <p><i>Yes</i></p> |
| <p>5. e. At least one person engaged in the Home Business use must occupy the dwelling unit.</p> | <p>Provide a list of the occupants of the dwelling unit who will be engaged in the Home Business?</p> <p><i>Kim Keisey, USSW</i></p> |
| <p>6. f. No more than two persons not occupying the dwelling unit shall be employed on site in the Home Business.</p> | <p>In addition to persons dwelling on the site, how many others will be employed in the Home Business?</p> <p><i>0</i></p> |



TOWN OF ELIOT, MAINE

Case# _____

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>7.</p> <p>g. A Home Business may engage in selling of merchandise and products as follows:</p> <p>(1) On-site sales of merchandise and products that are created, grown, built, or substantially altered as part of the Home Business.</p> <p>(2) On-site sales of merchandise and products that are customarily incidental to the services or products provided by a Home Business.</p> <p>(3) Off-site, phone, mail, and internet, or similar sales of merchandise and products.</p> <p>(4) On-site wholesale distribution of merchandise and products to dealer/sales representatives who sell the merchandise and products off site.</p> | <p>Will you be selling merchandise or products as part of the Home Business? If so, describe the merchandise and products and how they will be sold.</p> <p style="text-align: center;">N/A</p> |
| <p>8.</p> <p>h. Parking shall not exceed four spaces in addition to the spaces required for parking by occupants of the dwelling unit. Parking must meet setback requirements with the exception of two spaces that may be allowed within the front setback only.</p> | <p>How many parking places will you have in addition to those needed by persons residing at the dwelling unit? (Show it on the sketch)</p> <p style="text-align: center;">One - on horsehoe driveway</p>  |



TOWN OF ELIOT, MAINE

Case# _____

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>9. i. Sign dimensions must meet Sec. 45-405 residential (non-commercial) requirement and shall be a maximum of 6 sq. ft. in area.</p> | <p>Are you going to have a sign? If so, how big will it be?</p> <p style="text-align: center;">No</p> |
| <p>10. j. Storage of material associated with the Home Business use and any other external evidence of the business, must be located or screened such that it is not visible from the street or neighboring residences. Signage, lobster traps, boat storage (in accordance with Home Businesses, Water Dependent) and one business related van, pickup truck, or passenger car shall be exempt from screening requirements.</p> | <p>Describe how all external (outside) evidence of the business will be screened from the street and neighboring residences. Describe all business-related vehicles.</p> <p style="text-align: center;"><i>The only evidence will be one car parked in horse shoe driveway</i></p> |
| <p>11. k. Application must identify how all fluids, solids, and gases unique to the business are going to be used and stored. Location and quantity of highly flammable or explosive liquids, solids, or gases shall be identified on the application and referred to the Eliot Fire Chief for review and comment. Material Safety Data Sheets (MSDS) shall be provided by the applicant as required by the Planning Board.</p> | <p>Provide a list of all fluids, solids, and gases that will be used in conducting your business. Describe how these materials will be used, where they will be stored, and the expected quantity.</p> <p style="text-align: center;"><i>Ø</i></p> |

766 - St.
Main
E104

1st Floor office for therapy (mental health) services

Shed

54ft to
Neighbors
Property line
←

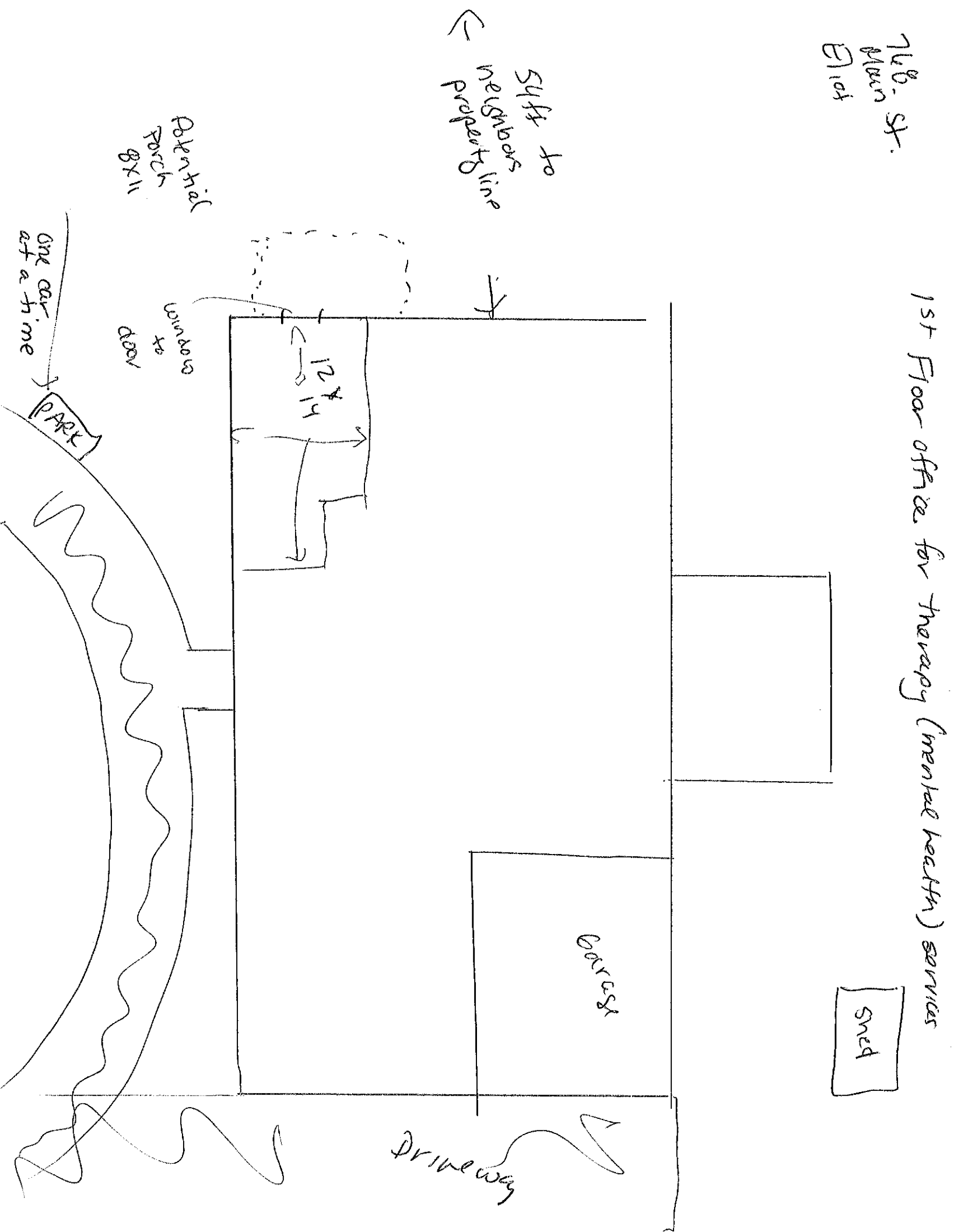
Potential
Porch
8x11

Window
to
door

one car
at a time

PARK

Driveway

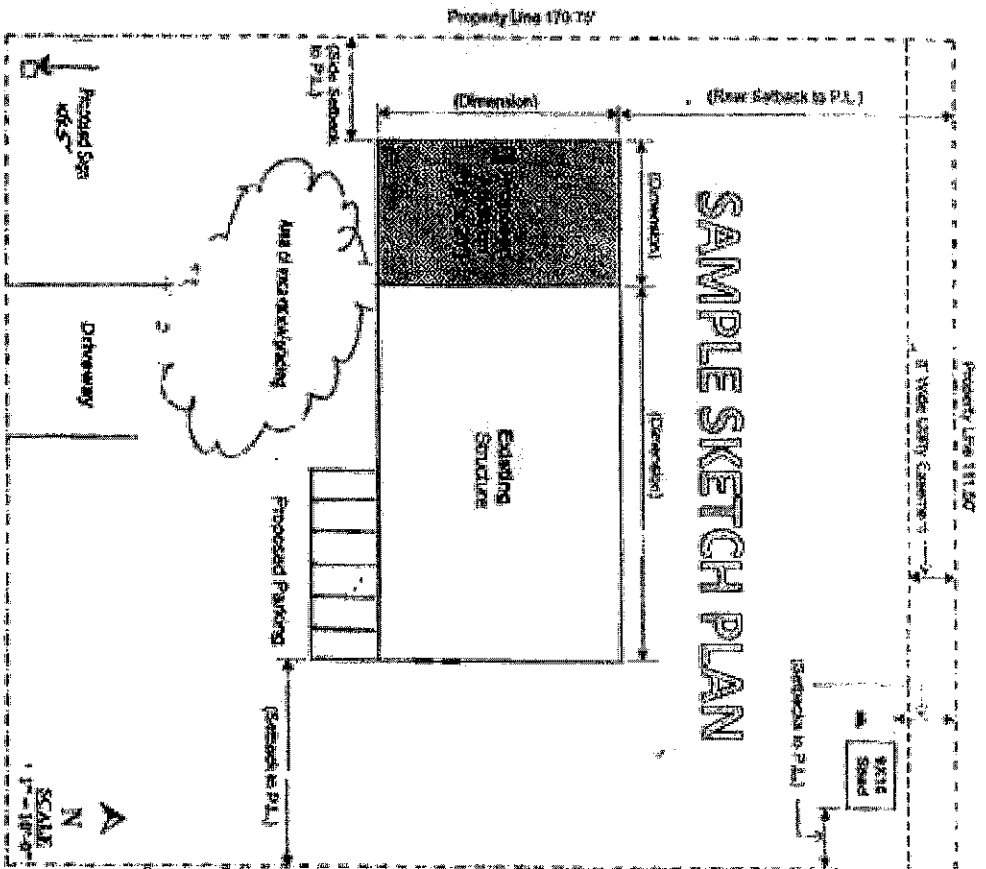




TOWN OF ELIOT, MAINE

Case# _____

- SKETCH PLAN REQUIREMENTS
- Approximate dimensions of all zoning districts
- Existing and proposed structures
- Existing and proposed land uses
- Existing and proposed parking areas
- Existing and proposed streets and entrances
- Existing and proposed setbacks
- Proposed lot divisions
- Proposed open space to be preserved
- Common areas
- Public improvements/facilities
- Areas of excavation and grading



SITE PLAN
(Sample Only)

Property Owner's Name
Property Address and Phone No.
Assessor Name/Number
Zoning District

PB22-12: 244 Pleasant St. (Map 3, Lot 41): Shoreland Zoning Permit Application – Permanent residential fixed pier and access stairway, seasonal gangway, and seasonal float



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
 From: Jeff Brubaker, AICP, Town Planner
 Cc: Steven D. Riker, CWS, Ambit Engineering, Inc., Applicant’s Representative
 Shelly Bishop, Code Enforcement Officer
 Kearsten Metz, Land Use Administrative Assistant
 Date: June 23, 2022 (report date)
 June 28, 2022 (meeting date)
 Re: PB22-12: 244 Pleasant St. (Map 3, Lot 41): Shoreland Zoning Permit Application – Permanent residential fixed pier and access stairway, seasonal gangway, and seasonal float

| Application Details/Checklist Documentation | |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| ✓ Address: | 244 Pleasant St. |
| ✓ Map/Lot: | 3/41 |
| ✓ PB Case#: | 22-12 |
| ✓ Zoning: | Village |
| ✓ Shoreland Zoning: | Resource Protection, Limited Residential |
| ✓ Owner Name: | Kevin J. and Wendy D. McCoolle |
| ✓ Applicant Name: | Kevin J. and Wendy D. McCoolle |
| ✓ Proposed Project: | Permanent residential fixed pier and access stairway, seasonal gangway, and seasonal float |
| ✓ Application Received by Staff: | June 1, 2022 |
| ✓ Application Fee Paid and Date: | \$325 (Shoreland Zoning Permit Application, Residential Pier – \$50; Public Hearing – \$175; confirming – may be due \$100 refund) June 1, 2022 |
| Application Sent to Staff Reviewers: | In process of receiving feedback from staff |
| Application Heard by PB | June 28, 2022 (scheduled) |
| Found Complete by PB | TBD |
| Site Walk | TBD |
| Site Walk Notice Publication | TBD |
| Public Hearing | TBD |
| Public Hearing Publication | TBD |
| ✓ Reason for PB Review: | Shoreland Zoning Permit Application, Permanent Residential Pier (SPR use) |

Overview

Applicants Kevin J. and Wendy D. McCoolle (agent: Ambit Engineering, Inc.) are seeking review and approval of a proposed tidal docking structure/residential pier system at 244 Pleasant St. (Map 3, Lot 41), which would consist of a permanent fixed pier and access stairway, seasonal gangway, and seasonal floats. The application notes that “The float will be secured by 4 (four) 4’ x 4’ concrete block moorings and chains.”

PB22-12: 244 Pleasant St. (Map 3, Lot 41): Shoreland Zoning Permit Application – Permanent residential fixed pier and access stairway, seasonal gangway, and seasonal float

The lot (approximately 0.75 acres) is bisected by Pleasant St. with a single-family residence on the inland side of the street and deeded shore access on the other side. A number of other lots along Pleasant St. have this configuration along with their own pier systems. The existing conditions on this lot's shore frontage include an existing stairway and small float above the mean high water line.

Application package contents

- Shoreland Zoning Permit Application dated 5/28/22
- Site plan set with most recent revision date 5/31/22:
 - Sheet C1 – Existing Conditions Plan
 - Sheet C3 – Shoreland Development Application Plan (site plan)
 - Sheet D1 – Dock Details
- Appendix D – NRPA application project description worksheet
- Appendix D – NRPA application project description worksheet
- Alternatives analysis
- Construction details/sequence
- Wetland functions and values assessment
- Impact assessment
- State agency review request letters:
 - Historic Preservation Commission – Section 106
 - Bureau of Parks & Lands
 - Five Tribes

NRPA Individual Permit Application package

- Cover letter dated 5/19/22
- Agent authorization letter to DEP and the Town for Ambit Engineering, Inc. and Riverside & Pickering Marine Contractors, Inc.
- DEP fee payment receipt
- NRPA Individual Permit Application dated 5/19/22
- Notice of Intent to File
- Public Notice Filing and Certification
- Appendix A – DEP visual evaluation field survey checklist
- Appendix B – DEP coastal wetland characterization intertidal & shallow subtidal field survey checklist
- Location maps
- Abutter list, letters, and mail receipts
- Site photos
- Warranty deed
- US Fish & Wildlife Service verification letter
 - Federal threatened and endangered species and critical habitats list

Dimensions of proposed docking structure components

- Access stairway: 4' x 12'
- Permanent fixed pier: 6' x 80'
- Seasonal gangway: 3' x 40'
- Seasonal float: 10' x 30'

Zoning

Village; Resource Protection (RP), Limited Residential (LR)

PB22-12: 244 Pleasant St. (Map 3, Lot 41): Shoreland Zoning Permit Application – Permanent residential fixed pier and access stairway, seasonal gangway, and seasonal float

Uses

Permanent residential piers and other structures and uses extending over or below the normal high-water line or within a wetland are SPR uses in the shoreland zone.

Type of review needed by Planning Board

Initial review: ask questions of the applicant, seek more info if needed, consider completeness motion

Status of other agency reviews

The applicant submitted a NRPA Individual Permit Application to DEP, dated May 19, 2022 (see packet). As of this report, DEP is reviewing the application. The applicant requests concurrent PB/DEP review.

US Army Corps of Engineers (ACOE) review status to be confirmed.

Section 44-35(c) review considerations

This section has the land use standards for piers, docks, wharves, bridges and other structures and uses extending over or below the normal high-water line of a water body or within a wetland. The Planning Board may wish to review the application with regard to applicable provisions of this section. Some notes as follows (paragraph numbers under 44-35(c) are in parentheses; some sections are not exact wording in the Code):

| 44-35(c) para. # | Summary of paragraph | Evaluation of application |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) | No more than one pier/dock/wharf/similar structure per lot given the amount of shoreline frontage (100 ft. is the standard for the Village district) | Only one is proposed. This lot has ~93 ft. of shoreline, per the site plan and alternatives analysis. A minimum of 100 ft. is ordinarily needed in the Village zoning district, but 44-32(e)(1) allows nonconforming lots (not contiguous with any other lot in the same ownership) – with respect shore frontage, lot area, and lot width – to be built upon, without a variance. Standard appears to be met. |

PB22-12: 244 Pleasant St. (Map 3, Lot 41): Shoreland Zoning Permit Application – Permanent residential fixed pier and access stairway, seasonal gangway, and seasonal float

| | | |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (2) | Developed on appropriate soils so as to control erosion | <p>Standard appears to be met. Alternatives analysis: “The shoreline [associated] with the site consists of a bluff that peaks at approximate elevation 21’, with a very steep slope leading to the tidal resource area with an average approximate grade of 70% that extends to the [highest annual tide] H.A.T. located at elevation 10.2. The substrate below the H.A.T. is characterized as a combination of boulder/cobble beach and mixed coarse & fines which is occasionally vegetated with rockweed (<i>Ascophyllum</i> spp. and <i>Fucus</i> spp.). The slope and the top of the bluff is well vegetated, however [vegetation] is dominated by invasive species...”</p> <p>Construction details-sequence: “There is nothing in regards to the proposed modification that would provide an opportunity for erosion. Work on the portion of the structure located over the wetland resource will be performed utilizing a crane barge at low tide eliminating erosion and potential for sedimentation.”</p> <p>See also Sheet D1 notes.</p> <p>Slope is unstable per ME Geo Survey Bluff Map.</p> |
| (3) | N/A – pertains to beach areas | |
| (4) | Minimize adverse effects on fisheries | <p>Alternatives analysis: “...minimizing impacts to the adjacent tidal resource to the greatest extent practicable...the use of piles to support the fixed pier represents the least impacting alternative. The length of the structure is necessary to achieve sufficient use during the entire tidal cycle and the float will not require bottom protection avoiding direct impact to the tidal resource.”</p> <p>No (or minimal) adverse effects are apparent.</p> |
| (5) | N/A – pertains to nontidal waters | |
| (6) | No new structure on/over/abutting a pier/wharf/dock/etc. unless it requires direct access to the water | No such structure proposed |
| (7) | N/A – pertains to nontidal waters | |
| (8) | No existing structure on/over/abutting a pier/wharf/dock/etc. may be converted to a residential dwelling unit | N/A |
| (9) | Structures built on on/over/abutting a pier/wharf/dock/etc. may not exceed 20 ft. in height above pier/wharf/dock/etc. | N/A |
| (10a) | Residential piers shall not extend beyond the mean low water mark and are limited to a maximum width of 6 ft. | Proposed pier is 6 ft. in width and does not extend beyond the mean low water mark. Standard appears to be met. |
| (10b) | Pier (+ temporary float) length restricted to 200 ft. (measured from NHWL), or a length that will provide 6 ft. of water depth for outermost float at mean low water, whichever is shorter; shall not extend more than halfway to mean low water deep channel centerline | The total length from the start of the pier to the end of the float is 150’. (80’ pier + 40’ gangway + 30’ landing float). Standard appears to be met. |
| (10c) | N/A – pertains to LC and GD districts | |
| (11) | No structure (including temporary ramps/floats and pilings) shall extend more than halfway to the deep channel centerline at mean low water | Visually, this appears to be met. |

PB22-12: 244 Pleasant St. (Map 3, Lot 41): Shoreland Zoning Permit Application – Permanent residential fixed pier and access stairway, seasonal gangway, and seasonal float

| | | |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (12) | 25 ft. setbacks from riparian lines for neighboring properties (with lesser setback allowed with mutual agreement with neighbor) | Appears to be met. Riparian lines are shown on the plan (Sheet C3) and, while 25 ft. setback lines aren't shown, the plan shows the pier system relatively centered on the shore frontage and, when measured at scale, not within 25 ft. of riparian lines. |
| (13) | Temporary/seasonal floats which sit on the bottom at low tide must be built per DEP guidelines to minimize harm to marsh grass/marine life living in the mud | Appears to be N/A as the float appears on Sheets C3 and D1 to avoid bottom contact at mean lower low water. |
| (14) | Required reflectors on piers and floats: 3+ in. diameter, not more than 12 in. from each corner. At least 1 per 20 ft. on each side of piers >40 ft. | Appears to be met. See note 11 of Sheet C3. |

Stairways

The stairways and landings are proposed to be located on a bluff indicated as unstable by the Maine Geological Survey (<https://www.maine.gov/dacf/mgs/pubs/digital/bluffs.htm>).

44-35(b)(6) check for stairways to access the shoreline in areas of steep slopes or unstable soils

| 44-35(b)(6) standard | Evaluation of application |
|---------------------------------------------------------------------------------------------|---------------------------------------------|
| Max. 4 ft. in width | Met. Stairway proposed to be 4 ft. wide. |
| Structure does not extend below or over the normal high-water line, unless permitted by DEP | Stairway is shown as above the HAT line. |
| Applicant demonstrates that no reasonable access alternative exists on the property | See NRPA application alternatives analysis. |

Motion templates

Complete application

Motion to accept the shoreland zoning permit application for PB22-12 (244 Pleasant St.) as complete. A public hearing is set for:

- July 26
- [or other] _____

[If needed] A site walk is set for: _____

Incomplete application

Motion to consider the shoreland zoning permit application for PB22-12 (244 Pleasant St.) incomplete. The following information and materials are needed to make the application complete:

- _____
- _____
- _____ ...

Respectfully submitted,
Jeff Brubaker, AICP, Town Planner