

TOWN OF ELIOT, MAINE

POSTED
12/09/20

PLANNING BOARD AGENDA

TYPE OF MEETING: REMOTE
PLACE: ZOOM ONLINE MEETING

DATE: Tuesday, December 15, 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

- 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) December 1, 2020 - if available

6) NOTICE OF DECISION

- a) 43 Buck Drive (Map 47/ Lot 10-1) – if available

7) PUBLIC HEARING

- a) 41 Rogers Point Drive (Map 32/Lot 2), PID # 032-002-000, PB20-19: Shoreland Zoning Application to replace an existing nonconforming residential structure with a new, larger residential structure and renovate an existing boathouse/garage

8) OLD BUSINESS

- a) 0 and 787 Main Street (Map 6/Lots 154 & 44), PID # 006-044-000, PB19-24: Land of LJE Property Development, LLC & Jesse Realty, LLC: Seven (7) Lot Residential Subdivision – Sketch Plan Review
- b) 7 MacLellan (Map 37/Lot 19), PID # 037-019-000, PB20-05: Site Plan Review for an 8,000 +/- sq. ft. expansion to an existing 2,000 sq. ft. structure and Change of Use to add retail sales to existing approved uses (also includes a Shoreland Zoning Application for a portion of the site)

9) NEW BUSINESS

- a) 114 Harold L Dow Highway (Map 23/Lot 11), PID # 023-011-000, PB20-25: Site Plan Amendment to add a 36 ft. by 70 ft. pole barn to the existing structure

10) CORRESPONDENCE

11) SET AGENDA AND DATE FOR NEXT MEETING

- a) January 5, 2021

12) ADJOURN

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: **919 9589 6399 #**
 - 2. When prompted to enter Attendee ID **press #**
 - 3. When prompted enter meeting password: **860410 #**
- 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 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


Denny Lentz – Chair

PB20-19: 41 Rogers Point Dr. (Map 32/Lot 2) Shoreland Zoning Application to replace and expand existing non-conforming residential structures – Public Hearing



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
 From: Jeff Brubaker, AICP, Town Planner
 Cc: Chris Wilber, Applicant
 Shelly Bishop, Code Enforcement Officer
 Kearsten Metz, Land Use Administrative Assistant
 Date: December 8, 2020 (report date)
 December 15, 2020 (meeting date)
 Re: PB20-19: 41 Rogers Point Drive (Map 32/Lot 2): Shoreland Zoning Application to replace and expand existing non-conforming residential structures – **Public Hearing**

Updated from previous staff reports for October 6 and November 10 meetings

| Application Details/Checklist Documentation | |
|--|---|
| ✓ Address: | 41 Rogers Point Drive |
| ✓ Map/Lot: | 32/2 |
| ✓ PB Case#: | PB20-19 |
| ✓ Zoning District: | Suburban |
| ✓ Shoreland Zoning: | Resource Protection, Limited Residential |
| ✓ Owner Name: | Chris and Jennifer Wilber |
| ✓ Applicant Name: | Chris Wilber |
| ✓ Proposed Project: | Shoreland Zoning Application – Residential use |
| ✓ Application Received by Staff: | Date: September 16, 2020 |
| Application Fee Paid and Date: | N/A – Sketch Plan Review stage |
| Application Fee Paid and Date: | |
| ✓ Application Sent to Staff Reviewers: | Date: September 21, 2020 |
| ✓ Application Heard by PB | Date: October 6, 2020; November 10, 2020 |
| Found Complete by PB | Date: November 10, 2020 |
| ✓ Site Walk | Date: November 9, 2020 |
| ✓ Site Walk Notice Publication | Date: October 24, 2020 |
| Public Hearing | Date: December 15, 2020 (scheduled) |
| ✓ Public Hearing Publication | Date: December 3, 2020 |
| Deliberation | Date: December 15, 2020 (anticipated) |
| Notice of Decision | Date: TBD |
| ✓ Reason for PB Review: | Shoreland Zoning Application / Site Plan Review |

PB20-19: 41 Rogers Point Dr. (Map 32/Lot 2) Shoreland Zoning Application to replace and expand existing non-conforming residential structures – Public Hearing

Overview

Applicant Chris Wilber has submitted a Shoreland Zoning application “to replace and expand an existing nonconforming residential structure located within 75 ft. of the Piscataqua River” at 41 Rogers Point Drive (Map 32, Lot 2). The existing residence would be completely demolished and replaced with a new year-round residence, which is described in the application as a cottage. The application “proposes to increase the overall distance [of the residence] from the river, to bring the structure in greater compliance with the ordinance.” The applicant also proposes to modify an existing boathouse/garage, while generally keeping its current footprint, as well as build new retaining walls. The boathouse/garage modification is proposed to create a living area with living/dining room, bedroom, and bathroom over the car storage area. In between the residence and retaining wall, the application proposes “semi-pervious pavers, stone or bricks and low growing grasses and shrubs”. The application states that there is an approved septic system in place.

The application includes both a Request for Planning Board Action and a Shoreland Zoning application; a warranty deed showing the applicant’s current ownership of the property; an abutters list; a site plan with building side elevations; and an expanded project narrative with proposed construction schedule.

***December 15 update:** Since the initial submittal, additional documents have been received including: DEP signed permit-by-rule (PBR) notification form and associated documentation; subsurface wastewater disposal system application (HHE-200) for a replacement system with permit issuance in 2001; and a 2000 letter of approval from the state for a variance for the replacement septic system’s distance to a major watercourse.*

Zoning

41 Rogers Point Drive is located entirely within the Resource Protection (RP) and Limited Residential (LR) Shoreland Zoning districts. The underlying base zoning is Suburban.

Type of review needed by Planning Board (December 15 update)

Planning Board review of the Shoreland Zoning Application and Site Plan Review is needed. One-family residential and accessory structures are SPR uses in the RP district in the Shoreland Zoning land use table (44-34), and Planning Board approval is needed per Section 44-32(c) – expansions of nonconforming structures.

Sketch plan review – October 6

The Planning Board held sketch plan review on October 6. At this meeting the Planning Board asked questions of the applicant, scheduled the November 9 site walk (inspection), and scheduled continued application review on November 10.

PB20-19: 41 Rogers Point Dr. (Map 32/Lot 2) Shoreland Zoning Application to replace and expand existing non-conforming residential structures – Public Hearing

Site walk – November 9

The Planning Board conducted a site walk with the applicant on November 9. Two Board members and the Town Planner joined the applicant on the walk. The approximate locations of various improvements were staked. Board members walked around the property and asked clarifying questions about the site's existing conditions and proposed improvements.

Application review – November 10

At this meeting, the Board recapped the site walk, and the applicant summarized his application and additional documentation. The Planning Board moved to find the application complete, and it was agreed to move forward with the public hearing.

Public hearing

At this meeting, the Planning Board should hold a public hearing and receive public comments, if any, on the application; then deliberate on the application.

Timelines for action (approve, approve with conditions, or deny, per Section 44-44):

- Within 35 days of public hearing

Existing conditions

The lot is on the east side of Rogers Point Drive, facing a tidal mud flat in a cove in the river. While the current address is 41 Rogers Point Drive, in older permits, the address, 15 Rogers Point Drive, is used. The lot currently has a house/camp and a two-story boathouse/garage (simplified to “house” and “boathouse” in this report). The project narrative indicates that the house was built in 1940 (which matches online property records) and the boathouse was built in the 1970s. (In the property file, there is a building permit application for the boathouse, dated February 1979. The permit appears to have been issued in March 1979, and there are notes in the application about DEP approval and Board of Appeals variance issuance.) The narrative states that the prior owners occupied the house sometimes year-round and sometimes seasonally. A 2001 Shoreland Zoning application by the previous owner for the pouring of a slab floor foundation for the boathouse lists the residence as year-round. The lot also has a dock, retaining wall, and septic system. The narrative states that “there is a shared drilled well on a neighboring property with deed rights”. The narrative describes the vegetation on the site as follows:

The property is vegetated with fully mature white pine, black oak, along with white birch, and several fruit bearing trees. Other areas are grassed and gravel parking, lawn, and blackberry/invasive bittersweet. Draining is essentially sheet flow across vegetated areas toward the tidal zone.

PB20-19: 41 Rogers Point Dr. (Map 32/Lot 2) Shoreland Zoning Application to replace and expand existing non-conforming residential structures – Public Hearing

Access to the lot is via Rogers Point Drive, a private gravel road with about a 20-25 ft. right-of-way, according to the Town's online GIS map.

Nonconformance

The lot (about 0.32 ac.) is a nonconforming lot of record in the Suburban district, and the existing structures are nonconforming. According to the application, the lot was created in 1937. The lot's shore frontage is about 320 ft. While this exceeds the minimum required shore frontage (44-35(a)(1); 150 ft. street frontage requirement in Section 45-405) the narrow shape of the lot, whose maximum depth from the right-of-way to the river is about 70 ft., makes it impossible to meet both a Rogers Point Drive lot line setback and the river normal high-water line setback. According to GIS, the existing house is both partially within 25 ft. of the river and within 10 ft. of the private right-of-way, and it is partially within the RP zone. The boathouse is less than 10 ft. of both the right-of-way and the river – entirely in the RP zone. Since the existing house and boathouse are within the 75 ft. river normal high-water line setback prescribed Section 44-35(b)(1), any modifications are subject to Section 44-32 – Nonconformance. Within this section:

- Subsection (c)(1)a prohibits expansion of any portion a structure within 25 ft. of the normal high-water line, or of an accessory structure that is located closer to the normal high-water line than the principal structure.
- Subsection (c)(1)c1 permits the expansion of the “combined total footprint for all [legally existing nonconforming principal and accessory] structures” less than 75 ft. from the normal high-water line up to “1,000 square feet or 30 percent larger than the footprint that existed on January 1, 1989, whichever is greater”, and it also limits the height of any structure to “20 feet or the height of the existing structure, whichever is greater”.

The application package includes conceptual sketches of the proposed house and renovated boathouse, and the expansion calculation is included in questions 24 and 25 of the Shoreland Zoning application. The calculation shows the current residence footprint at 742 sq. ft. and the proposed new residence footprint at 920 sq. ft. The proposed height of the new residence is 20 ft. The application notes that the overall footprint area of the boathouse will not change, although the gambrel roof would be modified to be a pitched shed roof, and a replacement of the existing wood deck on the westerly side of the structure with a new exterior stairway of the same square footage on the easterly side of the structure is proposed.

***November 10 update:** DEP has suggested that a greatest practical extent review of the boathouse may be necessary. The applicable section of the land use regulations is Section 44-32(c)(4) – also pasted at the end of this report. Further discussion is recommended.*

PB20-19: 41 Rogers Point Dr. (Map 32/Lot 2) Shoreland Zoning Application to replace and expand existing non-conforming residential structures – Public Hearing

Greatest practical extent review – boathouse (December 15 update)

Background on the Town Code provision

Regarding the aforementioned greatest practical extent review recommendation from DEP, this review is done by the Town and not DEP's PBR process. This type of review – addressed in Section 44-32(c)(4) – relates to reconstructing or replacing any nonconforming structure which is:

- located less than the required setback from a water body, tributary stream, or upland edge of a wetland, and
- removed, or damaged or destroyed, regardless of the cause, by more than 50 percent of the market value of the structure before such damage, destruction or removal

This subsection allows for such structures to be reconstructed or replaced provided that:

- a permit is obtained within 18 months of the date of said damage, destruction, or removal, and
- such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the planning board in accordance with the purposes of Ch. 44
- the reconstruction or replacement does not increase its nonconformity
- the reconstructed or replaced structure, if it cannot be fully located outside of the setback, complies with the “30% rule / 1,000 ft.” expansion limitations of 44-32(c)(1)
- replanting of vegetation occurs if replacing or reconstructing a structure involves vegetation removal

Section 44-32(c)(4) states: “In determining whether the building reconstruction or replacement meets the water setback to the greatest practical extent the planning board shall consider, in addition to the criteria in paragraph (c)(3) above, the physical condition and type of foundation present, if any.”

Review for this application

During the Planning Board's November 10 discussion, the applicant stated that the boathouse was not damaged by more than 50 percent of its value. The structure is still standing and able to be entered. From the site walk and photos, some wear-and-tear is visible. On the site walk, it was discussed that the boathouse roof sustained some damage from a falling tree limb. However, no evidence is available to indicate that the boathouse sustained damage from a discrete event equating to over 50% of its value. The boathouse has a foundation of concrete blocks and piles with a poured slab floor. The site walk participants were able to go inside the boathouse and view the structure inside and out.

PB20-19: 41 Rogers Point Dr. (Map 32/Lot 2) Shoreland Zoning Application to replace and expand existing non-conforming residential structures – Public Hearing

On December 7, the applicant provided the following description via email:

I can confirm that the damage to the structure caused by the falling limb was significantly less than 50% of the building value...before the damage. While there is damage to the roof structure, the temporary repairs have been sufficient so that there has been no water damage to the remaining structure. In fact, while the ground floor structure itself is in bad need of new siding, the base structure is a very solid building with a good foundation, poured slab with radiant heat, and timber framing. From a value standpoint, the majority of the value is in the ground floor level and only cosmetic improvements are necessary.

The applicant is planning to renovate the boathouse but not increase the overall footprint. Such repairs or renovations are allowed under 44-32(b)(2).

Recommendation

It is recommended that the Planning Board officially reflect this review in a motion. Recommended language:

Based on information presented during application review and the site walk, the Planning Board finds that there is no evidence of a discrete event damaging the boathouse by more than 50 percent of the market value of the structure before such damage, destruction or removal. Therefore, the boathouse is not subject to Section 44-32(c)(4). Normal upkeep and maintenance of nonconforming structures, including repairs or renovations which do not involve expansion of the nonconforming use or structure, are allowed under 44-32(b)(2).

Proposed lot coverage

The application proposes about 2,000 sq. ft. of lot coverage by non-vegetated surfaces, or about 15% of the lot area. This is less than the 20% maximum prescribed by Section 44-35(b)(4).

Accessory Dwelling Unit

The application proposes to create a new space on the second floor of the boathouse that would serve as an ADU, with living/dining space, a bedroom, and a bathroom. ADU provisions are in Section 45-459 of the Town Code. The Board may wish to discuss this proposed unit further with the applicant.

Setbacks

The proposed new house would be further back from the river than the current one. According to the site plan, a portion of the new structure would still be within the 25 ft. normal high-water line setback; however, a site plan inset/detail shows how the new residence's encroachment within that 25 ft. setback is 9 sq. ft., compared to the existing

PB20-19: 41 Rogers Point Dr. (Map 32/Lot 2) Shoreland Zoning Application to replace and expand existing non-conforming residential structures – Public Hearing

house's encroachment of 58 sq. ft. With regard to the Rogers Point Drive setback, the new residence would hold the same line as the current residence, and the nonconformity would not be increased. The new residence would also hold the same side extents as the current residence. As noted above, the footprint of the boathouse would generally stay the same except for the deck/stairway replacement and relocation.

Pier

No changes in the existing residential pier/dock are proposed on the site plan. The narrative describes it as in "poor condition".

Retaining wall

The site plan and narrative propose the replacement of the existing railroad tie retaining wall along the shore with a new retaining wall along the front of the residence for soil stability. This retaining wall is shown as partially within and partially outside of the 25 ft. normal high-water line setback. Per Section 44-35(b)(1) and (5), retaining walls that are necessary for erosion control are not subject to the normal high-water line setback, and neither are low retaining walls that meet certain conditions. Since some of these conditions for a non-erosion-control retaining wall are presumptively not met (e.g. needing to be more than 25 ft. from the normal high-water line and needing to be outside of the 100-year floodplain), the retaining wall does appear to have to meet the erosion control purpose, which is what the application describes its purpose as.

Septic system

The narrative notes that the existing (approved, functioning) septic system is located northeast of the existing structure, preventing further expansion on that side. An HHE-200 septic replacement application from 2001 is in the property file, and this is for 2 bedrooms and 180 gallons per day. A state-issued variance for setback reduction for the septic system, dated June 2000, is in the property file. The Board may wish to discuss the proposed 3 bedrooms (2 in the new residence and 1 in the boathouse) in relation to the septic system.

December 15 update: *Since the septic system application references that the system serves 2 bedrooms, if a motion to approve is made, a recommended condition is:*

Prior to installation of a third bathroom, the capacity of the subsurface wastewater disposal system to serve three bathrooms shall be documented through an approved HHE-200 form and permit, or by a signed letter from a state-licensed site evaluator or other qualified professional.

Tree removal

The site plan indicates a limited number of trees to be removed, as well as trees to be replanted.

PB20-19: 41 Rogers Point Dr. (Map 32/Lot 2) Shoreland Zoning Application to replace and expand existing non-conforming residential structures – Public Hearing

Erosion and sedimentation control

The site plan includes details about erosion control measures to be taken during construction, including silt fencing or hay bales, disturbed areas mulched and seeded, and jute matting.

DEP PBR (November 10 update)

The application has been reviewed by DEP. The PBR is included in the agenda packet.

Motion templates (December 15 update)

Related to approval, findings that should be voted on (does not include all findings of fact to be included in the NOD)

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 – Nonconformance. Without limiting the generality of this finding, the Planning Board also specifically finds:
 - a. The new residential structure and foundation will substantially reduce the area of encroachment in the river setback compared to the existing residential structure, from 58 square feet to 9 square feet, while continuing to meet the existing Rogers Point Drive setback. This nonconforming lot of record is narrow and creates a challenging building envelope. Therefore, working within a significantly constrained site, the applicant has met the river setback requirement for the residential structure and its foundation to the greatest practical extent.
 - b. Based on information presented during application review and the site walk, the Planning Board finds that there is no evidence of a discrete event damaging the boathouse by more than 50 percent of the market value of the structure before such damage, destruction or removal. Therefore, the boathouse is not subject to Section 44-32(c)(4). Normal upkeep and maintenance of nonconforming structures, including repairs or renovations which do not involve expansion of the nonconforming use or structure, are allowed under 44-32(b)(2).
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;

PB20-19: 41 Rogers Point Dr. (Map 32/Lot 2) Shoreland Zoning Application to replace and expand existing non-conforming residential structures – Public Hearing

- 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;
- h. Is in conformance with the provisions of section 44-35, land use standards.

Approval (with conditions)

That the Planning Board approves the shoreland zoning permit application for PB20-19, with the following conditions of approval:

1. [Standard conditions]
2. Prior to installation of a third bathroom, the capacity of the subsurface wastewater disposal system to serve three bathrooms shall be documented through an approved HHE-200 form and permit, or by a signed letter from a state-licensed site evaluator or other qualified professional.
3. Per §44-32(c)(1)(d), an approved plan for expansion of a nonconforming structure must be recorded by the applicant with the York County Registry of Deeds, within 90 days of approval. The recorded plan must show the existing and proposed footprint of the nonconforming structure, the existing and proposed structure height, the footprint of any other structures on the parcel, the shoreland zone boundary and evidence of approval by the Eliot Planning Board. The applicant may make minor informational or formatting changes to the site plan, relative to the plan presented for approval, to address the information required for the recorded plan. The Planning Board's approval authorizes (and the recorded plan must have) a signature from the Planning Board Chair.

Denial

That the Planning Board denies the shoreland zoning permit application for PB20-19, with the following reasons for denial:

1. _____
2. _____
3. _____

Respectfully submitted,

Jeff Brubaker, AICP
Town Planner

PB20-19: 41 Rogers Point Dr. (Map 32/Lot 2) Shoreland Zoning Application to replace and expand existing non-conforming residential structures – Public Hearing

Additional information

Section 44-32(c)(4):

Reconstruction or replacement. Any nonconforming structure which is located less than the required setback from a water body, tributary stream, or upland edge of a wetland and which is removed, or damaged or destroyed, regardless of the cause, by more than 50 percent of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced provided that a permit is obtained within 18 months of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the planning board in accordance with the purposes of this chapter. In no case shall a structure be reconstructed or replaced so as to increase its nonconformity. If the reconstructed or replacement structure is less than the required setback it shall not be any larger than the original structure, except as allowed pursuant to subsection [44-32\(c\)\(1\)](#) above, as determined by the nonconforming footprint of the reconstructed or replaced structure at its new location. If the total footprint of the original structure can be relocated or reconstructed beyond the required setback area, no portion of the relocated or reconstructed structure shall be replaced or constructed at less than the setback requirement for a new structure. When it is necessary to remove vegetation in order to replace or reconstruct a structure, vegetation shall be replanted in accordance with subsection [44-32\(c\)\(3\)](#) above.

Any nonconforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed by 50 percent or less of the market value, or damaged or destroyed by 50 percent or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place if a permit is obtained from the code enforcement officer within one year of such damage, destruction, or removal.

In determining whether the building reconstruction or replacement meets the water setback to the greatest practical extent the planning board shall consider, in addition to the criteria in paragraph (c)(3) above, the physical condition and type of foundation present, if any.



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

PUBLIC HEARING NOTICE

AUTHORITY: Eliot, Maine Planning Board
PLACE: Remote Zoom Meeting
DATE OF HEARING: Tuesday, December 15, 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, December 15th, 2020 at 7:00 PM for the following application:

- **41RogersPointDrive(Map32/Lot2),PB20-19:** Shoreland Zoning Application to replace an existing non-conforming residential structure with a new, larger residential structure and renovate an existing boathouse/garage, and associated site improvements. Property is located within the Suburban zoning district and Resource Protection and Limited Residential shoreland zoning districts.
 - Applicant: Chris Wilber
 - Property Owners: Chris and Jennifer Wilber

Interested persons may be heard and written communication received regarding this application at this hearing. The application is on file and available for review in the Planning Office at Eliot Town Hall, 1333 State Road, Eliot, ME 03903. The meeting agenda and information on how join the remote Zoom meeting will be posted on the web page at eliotmaine.org/planning-board.

OBITUARIES & NEWS

Florence A. Fitzgerald

HAMPTON – Florence A. Fitzgerald, 80, of Hampton and formerly of Portsmouth and North Hampton, passed away peacefully on Monday, November 30, 2020. She was born in the Queens borough of New York, N.Y., July 26, 1930 the daughter of the late Roy A. and Isabel G. Kehoe.



Mrs. Fitzgerald graduated from Bishop MacDonald High School in Queens and attended Queens College. She worked as a secretary for CBS and later for BBD & O Advertising Agency, both in New York. After moving to this area in 1962 and to North Hampton in 1964 she worked as a secretary for Chem-Tan in Exeter for several years.

She was predeceased by a daughter, Donna Fitzgerald Daigneau who died in 1991.

SERVICES: Visitation will be from 4-6 p.m., on Monday, December 7, 2020 in the Remick & Gendron Funeral Home-Crematory, 811 Lafayette Rd., Hampton. Services will be at 11 a.m., on Tuesday, in the funeral home with burial following in the Center Cemetery, North Hampton. Masks are required and social distancing must be maintained.

If desired, donations may be made in memory of her daughter, Donna Fitzgerald Daigneau to HAVEN, 20 International Drive, Suite 300 Portsmouth, NH 03801. Please visit www.RemickGendron.com to view Florence's memorial website, to sign her tribute wall and for additional information.

Linda McCool

RYE – Linda “Lynn” McCool passed away peacefully on Tuesday, December 1, 2020 in the loving home of her daughter.

Lynn is survived by her two daughters, six grandchildren and two great-grandchildren.

Mom, there are no good-byes, wherever you are, you will always be in our hearts. We love you. Tootles.

SERVICES: We will be having a “Celebration of Life” in the spring and will reach out to everyone with the details.

“If Roses Grow In Heaven”
If roses grow in heaven
please pick a bunch for me.
Place them in my mother's arms
and tell her they are from me.



Tell her I love her and miss her,
and when she turns to smile,
place a kiss upon her cheek,
and hold her for awhile.
Because remembering her is easy,
I do it every day.
but there is an ache within my heart
that will never go away.

EU looks forward to Biden resetting trans-Atlantic relations

By Raf Casert
The Associated Press

BRUSSELS – The European Union is grasping the imminent arrival of the incoming Biden administration as a key moment to reset relations with the United States after four years of acrimony under President Donald Trump.

With a series of initiatives, the 27-nation bloc is seeking to rekindle the decades-old spirit of trans-Atlantic cooperation that has long defined global diplomacy. But the EU also acknowledges that future relations will have to adapt to a multi-polar world where China is an

ever bigger player.
“It is time to reconnect,” European Commission President Ursula von der Leyen said Wednesday.

The EU is glad to be shedding the Trump years, when the U.S. president was intent on criticizing European allies for covering under the U.S. defense and security umbrella while seeking economic advantage through subsidies and other trade tactics.

“Let’s look forward, not back. Let’s rejuvenate our relationship,” EU foreign policy chief Josep Borrell said. Both sides face major challenges, including beating the coronavirus pandemic and containing climate change.



This artist's rendering provided to China's Xinhua News Agency in 2016, by the lunar probe and space project center of Chinese State Administration of Science, Technology and Industry for National Defense, shows a concept design for the Chinese Mars 2020 rover and lander. [CHINESE STATE ADMINISTRATION OF SCIENCE, TECHNOLOGY, AND INDUSTRY FOR NATIONAL DEFENSE VIA XINHUA VIA AP/FILE]

China's ambitions in space

A robot on Mars, a human on the moon part of the agenda

By Joe Medonald and Victoria Milko
The Associated Press

BEIJING – China's landing of its third probe on the moon is part of an increasingly ambitious space program that has a robot rover en route to Mars, is developing a reusable space plane and is planning to put humans back on the lunar surface.

The Chang'e 5, the first effort to bring lunar rocks to Earth since the 1970s, collected samples on Wednesday, the Chinese space agency announced. The probe landed Tuesday on the Sea of Storms on the moon's near side.

Space exploration is a political trophy for the ruling Communist Party, which wants global influence to match China's economic success.

China is a generation behind the United States and Russia, but its secretive, military-linked program is developing rapidly. It is creating distinctive missions that, if successful, could put Beijing on the leading edge of space flight.

The coming decade will be “quite critical” in space exploration, said Kathleen Campbell, an astrobiologist and geologist at The University of Auckland.

“This is where we're going to transform out of near Earth orbit and back into what people will call ‘deep space,’” Campbell said.

In 2003, China became the third nation to launch an astronaut into orbit on its own, four decades after the former Soviet Union and the United States. Its first

temporary orbiting laboratory was launched in 2011 and a second in 2016. Plans call for a permanent space station to be launched after 2022.

This week's landing is “a historic step in China's cooperation with the international community in the peaceful use of outer space,” said a foreign ministry spokeswoman, Hua Chunying.

“China will continue to promote international cooperation and the exploration and use of outer space in the spirit of working for the benefit of all mankind,” Hua said.

After astronaut Yang Liwei's 2003 flight, space officials expressed hope for a crewed lunar mission as early as this year. But they said that depended on budget and technology. They have pushed back that target to 2024 or later.

The space agency gave no reason for landing its latest probe on the Sea of Storms, far from where American and Soviet craft touched down. But the choice might help to shed light on possible sites being studied for a crewed mission.

Beijing's space plane would be China's version of the American Space Shuttle and the former Soviet Union's short-lived Buran.

China also has launched its own Beidou network of navigation satellites so the Communist Party's military wing, the People's Liberation Army, doesn't need to rely on the U.S.-run GPS or a rival Russian system.

Last year, China graduated from “me too” missions copying Soviet and American ventures to scoring its own firsts when it became the first nation to land a probe on the moon's little-explored far side.

Legal Notice
TOWN OF NEW CASTLE
ZONING BOARD ADJUSTMENT- LEGAL NOTICE

Notice is hereby given that there will be a public hearing with the New Castle Zoning Board of Adjustment at 7pm on Tuesday, December 15, 2020 at the Recreation Center, 301 Wentworth Road, New Castle. Applicant Mark Rettstatt, 21 Old Bay Road, Map 4, Lot 3, Sub 30 is seeking a variance from the table on Zone 18, side setbacks, of the Town of New Castle's Zoning Ordinances. Plans may be reviewed at the Town Hall during office hours by appointment only. Person(s) interested or affected by the plans may attend in person or by counsel or by writing.
Todd Baker, Chair
New Castle Zoning Board of Adjustment

PM-00507922

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PM-00508081

Legal Notice
NOTICE OF MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by F&T Realty Partnership to First Ipswich Bank dated August 14, 2014 and recorded with the Rockingham County Registry of Deeds at Book 5553, Page 1219, and assigned to Monterey Capital, LCC via Assignment of Mortgage and Other Recorded Collateral Documents dated February 28, 2019 and recorded with the Rockingham County Registry of Deeds at Book 5983, Page 509, Monterey Capital, LLC is the present holder of said mortgage and for breach of conditions of said mortgage and for the purpose of foreclosing, the same will be sold at:

Public Auction
on
January 7, 2021
11:00 am

Said sale being located at the mortgaged premises located at 145 Portsmouth Avenue, Stratham, Rockingham County, New Hampshire. The premises are more particularly described in the Mortgage. For mortgagors' title see deed recorded with Rockingham County Registry of Deeds in Book 3103, Page 1868.

NOTICE
PURSUANT TO NEW HAMPSHIRE RSA 479:25 YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREMISES ARE SITUATED WITH SERVICES UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

These premises will be sold and conveyed subject to and with the benefit of all rights, rights or way, restrictions, easements, covenants, liens or claims in the nature of liens, improvements, public assessments, any and all unpaid taxed, tax titles, tax liens, water and sewer liens and any other municipal assessments or liens or existing encumbrances of record which are in force and are applicable, having priority over said mortgage, whether or not reference to such restrictions, easements, improvements, liens, or encumbrances is made in the deed.

TERMS OF SALE
A deposit of TEN THOUSAND (\$10,000.00) DOLLARS by certified or bank check will be required to be paid by the purchaser at the time and place of sale. The balance is to be paid by certified or bank check at SHAHEEN & GORDON, P.A., P. O. Box 977, Dover, NH 03821, other terms and conditions will be provided at the place of sale. The description of the premises contained in said mortgage shall control in the event of an error in this publication. OTHER TERMS, IF ANY, TO BE ANNOUNCED AT THE SALE.

Dated at Dover, New Hampshire on December 1, 2020.
Monterey Capital, LLC,
By its Attorneys,
SHAHEEN & GORDON, P.A.
Sean T. O'Connell,
P. O. Box 977
Dover, NH 03821
(603) 749-5000

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PM-00507885

Legal Notice
PUBLIC HEARING NOTICE
Eliot, Maine Planning Board
Remote Zoom Meeting
Tuesday, December 15, 2020
7:00 PM

Notice is hereby given that the Planning Board of the Town of Eliot, Maine will hold a public hearing on Tuesday, December 15th, 2020 at 7:00 PM for the following application:

- 41 Rogers Point Drive (Map 32/ Lot 2), PB20-19: Shoreland Zoning Application to replace an existing non-conforming residential structure with a new, larger residential structure and renovate an existing bathroom/garage, and associated site improvements. Property is located within the Suburban zoning district and Resource Protection and Limited Residential shoreland zoning districts.
 - Applicant: Chris Wilber
 - Property Owners: Chris and Jennifer Wilber

Interested persons may be heard and written communication received regarding this application at this hearing. The application is on file and available for review in the Planning Office at Eliot Town Hall, 1333 State Road, Eliot, ME 03903. The meeting agenda and information on how join the remote Zoom meeting will be posted on the web page at eliotmaine.org/planning-board.

PM-00507885

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PM-00507761

LEGAL NOTICE
ELIOT BOARD OF APPEALS

TYPE OF MEETING: Zoom Meeting
DATE: December 17th, 2020
TIME 7:00 P.M.
LOCATION: Remote Zoom Meeting
PUBLIC HEARINGS:

1. Request for Administrative Appeal: By Katherine Holmes, 314 Beech Road, Eliot, ME of a decision of the Code Enforcement Officer regarding property located at 314 Beech Road, Tax Map 38, Lots 10 and 46 in the Suburban Zoning District.

Interested persons may be heard and written communication received regarding this application at this hearing. The application is on file and available for review in the Planning Office at Eliot Town Hall, 1333 State Road, Eliot, ME 03903. The meeting agenda and information on how join the remote Zoom meeting will be posted on the web page at eliotmaine.org/board-appeals.

PM-00507872

LEGAL NOTICE
Kensington, New Hampshire
PUBLIC HEARING

The Kensington Planning Board will hold a Public Hearing on Tuesday, DECEMBER 15, 2020 at 7:00 p.m. via Zoom Platform to hear the application of:

1. Kevin Rosencrantz Sr. with a physical location of 188 South Road, Kensington NH, further identified as Map 2 Lot 3 and Wesley R. and Bonnie B. Rosencrantz with physical location of 15 Highland Road, and further identified as Map 2 Lot 4, have submitted a Lot Line Adjustment application in accordance with Article III Section 3.2 G1 of the Kensington Subdivision Regulations. The intent is for the property owners to adjust the current property lines and lot acreage by reducing the area of Map 2 Lot 4 by 13.14 acres to result in 44.58 acres and enlarging Map 2 Lot 3 by 13.14 acres to result in 16.182 acres.

Copies of the applications and proposed changes are available at the town offices for you to view, or by emailing kensington@kensingtontown.com.

Join Zoom Meeting
Go to: www.zoom.us then select Join a meeting and enter the following Meeting ID: 830 0041 3157 Password: 860167
Dial in by phone option: 1-877-853-5257 US Toll-free. Dial this number and when prompted enter the Meeting ID and password as above.

PM-00507876

RECEIVED

SEP 16 2020



TOWN OF ELIOT

1333 STATE RD., ELIOT, ME 03903

RECEIVED

SEP 16 2020

BY

[Signature]

BY

REQUEST FOR PLANNING BOARD ACTION

(FOR MISCELLANEOUS USES OR CHANGES)

Applicant Chris Wilber
Mailing Address PO Box 90 City Eliot State ME Zip 03903
Telephone # 207-451-3940 Email address chriswilberpls@gmail.com
(TO RECEIVE MEETING NOTICES)

Property Owner Christen & Jennifer Wilber
Mailing Address PO Box 90 City Eliot State ME Zip 03903

Property address 41 Rogers Point Dr. Tax Map # 32 Lot # 2
Size (acres) 0.32 Zoning District Suburban Shoreland Overlay District? Yes

Conforming Lot? YES/NO Conforming Use? YES/NO Conforming Structure? YES/NO

- Legal interest in property identified by applicant by:
[X] Owner (copy of deed &/or tax records)
[] Pending Owner (copy of purchase & sale agreement)
[] Lease (copy of lease agreement with owners & applicants signature)
[] Corporate Officer (letter from corporation)
[] Other (identify:)

Nature of action requested:
(Example: Request to amend a previously approved site plan by adding a 10' x 20' addition)
Request for approval to replace and expand an existing non-conforming residential structure located within 75' of the Pistacaqua River. The replacement and expansion is subject to compliance with Sec. 44-42 of the Eliot Code of Ordinances. The applicant proposes to increase the overall distance from the river, to bring the structure in greater compliance with the ordinance. There is an approved septic system in place.

Attach ten (10) copies of sketch plan of property showing in approximate dimensions, all zoning districts, existing/proposed structures, parking areas, streets, entrances, existing and proposed setbacks, proposed lot divisions, proposed open space to be preserved, common areas, site & public improvements and facilities, any areas of excavation and grading, and any other criteria needed to evaluate request. Sketch plan is not required if so advised by the Planning Assistant.

Applicants signature [Signature] Date 9/15/20

Property owners signature [Signature] Date 9/15/20

TO BE COMPLETED BY PLANNING ASSISTANT

Date application received by PA PA signature

Sketch plan required? YES NO

FEE AMOUNT \$ DATE PAID: FORM OF PAYMENT:

WARRANTY DEED

Know all by these presents that We, **MICHAEL G. DYSART AND PETRA W. HESSE (A/K/A W. PETRA HESSE)** of Eliot, Maine, for consideration paid, grant to **CHRISTEN B. WILBER AND JENNIFER C. WILBER** both with a mailing address of P.O. Box 90, Eliot, Maine 03903, with **WARRANTY COVENANTS**, as **JOINT TENANTS**, the real property situated in the Town of Eliot, County of York and State of Maine, described as follows:

See Exhibit A Attached Hereto

The current property address is 41 Rogers Point Drive, Eliot Tax Map 32, Lot 2.

Witness my hand and seal this 4 day of September 2020.

[Signature]
Witness

[Signature]
Witness

[Signature]
MICHAEL G. DYSART
[Signature]
PETRA W. HESSE

STATE OF MAINE

County of York

September 4, 2020

Then personally appeared the above named Michael G. Dysart and Petra W. Hesse and severally acknowledged the foregoing instrument to be their free act and deed.

Before me,



[Signature]
Notary Public
Print Name:
Commission Expires:

EXHIBIT A

Property: 41 Rogers Point Drive, Eliot

A certain parcel of land, with the buildings thereon, situated in the Town of Eliot, County of York and State of Maine, described as follows: It being that plot of land known as Lot No. 22 as shown on a plan of "Rogers Point", made by George Hawes and filed at the York County Registry of Deeds in Alfred, Maine in Plan Book 12, Page 30.

Also conveying all water rights as contained in a certain easement between Albert Bernier et al and Harry E. Thompson and Mary A. Thompson dated September 1, 1956 and recorded at the York County Registry of Deeds in Book 2010, Page 512.

Also included within this conveyance is a right-of-way over the streets and roads as shown on the plan of "Rogers Point", said rights-of-way to be used in common with other lot owners.

Being the same premises conveyed from Michael G. Dysart to Michael G. Dysart and Petra W. Hesse (aka) W. Petra Hesse by deed dated January 3, 2017 and recorded at the York County Registry of Deeds at Book 17409, Page 180.

Application of Chris Wilber

Request for Planning Board Action: 41 Rogers Point Drive

Abutters List:

Map 32 Lot 1

Robert A. & Melinda M Longtin

25 Rogers Point Dr.

Eliot, ME 03903

Map 32 Lot 3

Dan Rawlings & Robert Vaccaro

46 Rogers Point Dr.

Eliot, ME 03903

Map 32 Lot 4

Mattheson Realty Trust

John & Tracy Mattheson, Trustees

42 Rogers Point Dr.

Eliot, ME 03903

Map 32 Lot 6

John & Tracy Mattheson, Trustees

42 Rogers Point Dr.

Eliot, ME 03903

Map 32 Lot 7

Stephen A Oeser

Lorrain P Oeser

38 Rogers Point Dr

Eliot, ME 03903

Map 32 Lot 8

Jeffrey D Henderson

36 Rogers Point Dr

Eliot, ME 03903

Application of Chris Wilber

Request for Planning Board Action: 41 Rogers Point Drive

Expanded Project Narrative:

The property consists of a 0.32 Ac. non-conforming lot of record with approximately 320 ft of frontage along the Piscataqua River. There exists 2 structures, a 1 story, 1 bedroom, 3/4 bath cottage and a 2 story boathouse/garage. The cottage was built around 1940 and has been occupied on both a year round and seasonal basis by the prior owners. The structure is heated with a combination of propane radiant heat and a woodstove. A portion of the structure falls within the 25 foot setback from the high tidal line, the remaining building with within the 75 foot setback. The boathouse/garage is within the 25 foot setback.

There is an existing dock and retaining wall in poor condition along the edge of the tidal zone. The septic system is an approved design and installation and there is a shared drilled well on a neighboring property with deed rights. Access to the lot is via a private gravel road. The building does not conform with the front or rear set-back.

The property is vegetated with fully mature white pine, black oak, along with white birch, and several fruit bearing trees. Other areas are grassed and gravel parking, lawn, and blackberry/invasive bittersweet. Drainage is essentially sheet flow across vegetated areas toward the tidal zone.

The proposed construction shall include:

Cottage- Complete demolition. Foundation & cellar to be filled in and a retaining wall constructed along water side. A 1/2 story, 2 bedroom 1 3/4 bath house, based on proposed 30% expansion shall be constructed in its place. The proposal shall increase, to as great extent possible, the setback to the tidal zone, while holding the existing setback to Rogers Point Drive. The house shall be built on a frost protected slab, 2 feet above the flood zone, base elevation 9. For soil stability, a retaining wall shall be built along the front of the new structure. The area between the structure and the wall shall be covered with semi-pervious pavers, stone or bricks and low growing grasses and shrubs. The existing wall along the tidal zone is to be rebuilt in place.

Boat House/Garage- The original structure was built as part of a prior owner's marine salvage business in the mid 1970's. The structure is built primarily on a concrete block foundation, with poured slab floor. The remainder is supported by sonatubes. The overall footprint area of the structure shall not change. The request is to change the "gambrel roof" to a modern shed roof line. There exists an attached wood deck along the westerly side of the structure. It is requested that this be removed and on the easterly side, an exterior stairway of the same square footage shall be constructed. The existing deck and the proposed stairway are not considered impervious cover.

Septic System- Immediately to the northeast of the existing structure, there exists an approved septic system which limits any further expansion on that side. The system is functioning as designed and there are no known issues.

Proposed Schedule:

The schedule is highly dependent on receipts of permits; Ideally the schedule would follow:

October 2020: Removal of trees endangering the existing structure and which will either need to be removed for the expanded footprint or for will create hazards during the construction.

November 2020: Install erosion and sediment control measures. Removal of existing cottage structure, fill in foundation using clean fill, compacted in lifts.

December: Pending receipt of permits, commence construction of frost protected slab foundation, to include subgrade plumbing and electric conduits. Upon completion, vertical construction shall commence, with weather tight shell complete in January.

February: Plumbing and Electric construction

April: Occupancy

Site work and landscaping continue throughout spring and summer. Erosion control and sediment control devices shall stay in place until site has stabilized and vegetation grown in.

FOR OFFICE USE ONLY:

PERMIT NO.: _____

ISSUE DATE: _____

FEE AMOUNT: _____

TOWN OF ELIOT
SHORELAND ZONING PERMIT APPLICATION

GENERAL INFORMATION

| | | |
|--|--|--|
| 1. APPLICANT Chris & Jennifer Wilber | 2. APPLICANT'S ADDRESS PO Box 90 Eliot, ME 03903 | 3. APPLICANT'S TEL. # 207-451-3940 |
| 4. PROPERTY OWNER Same | 5. OWNER'S ADDRESS | 6. OWNER'S TEL. # |
| 7. CONTRACTOR Chris Wilber | 8. CONTRACTOR'S ADDRESS PO Box 90 Eliot, ME 03903 | 9. CONTRACTOR'S TEL. # 207-451-3940 |
| 10. LOCATION/ADDRESS OF PROPERTY 41 Rogers Point Dr. | 11. TAX MAP/PAGE & LOT # AND DATE LOT WAS CREATED Map 32 Lot 2 Lot created 8/1937 (Shadow Land Company Plan) | 12. ZONING DISTRICT Suburban |
| <p>13. DESCRIPTION OF PROPERTY INCLUDING A DESCRIPTION OF ALL PROPOSED CONSTRUCTION, (E.G. LAND CLEARING, ROAD BUILDING, SEPTIC SYSTEMS, AND WELLS - PLEASE NOTE THAT A SITE PLAN SKETCH IS REQUIRED ON PAGE 3).</p> <p>The property consists of a 0.32 Ac. non-conforming lot of record with approximately 320 ft of frontage along the Piscataqua River. There exists 2 structures, a 1 story, 1 bedroom, 3/4 bath cottage and a 2 story boathouse/garage. There is an existing dock and retaining wall in poor condition along the tidal zone. The septic system is an approved design and installation and there is a shared drilled well on a neighboring property with deed rights.</p> <p>The proposed construction shall include:</p> <p>Cottage- Complete demolition. Foundation & cellar to be filled in and a retaining wall constructed along water side. A 1/2 story, 2 bedroom 1 3/4 bath house, based on proposed 30% expansion shall be constructed in its place, such that its footprint increases the setback to the tidal zone. The new house shall be built on a slab, above the flood zone. The wall along the tidal zone is to be rebuilt.</p> <p>Boat House/Garage- The overall footprint of the main structure shall not change. The request is to change the "gambrel roof" to a modern shed roof line. There exists an attached wood deck along the westerly side of the structure. It is requested that this be removed and on the easterly side of the structure, an open, exterior stairway be constructed, of the same square footage.</p> | | |

| | |
|--|---|
| 14. PROPOSED USE OF PROJECT Single Family Residence | 15. ESTIMATED COST OF CONSTRUCTION \$250,000 |
|--|---|

SHORELAND AND PROPERTY INFORMATION

| | |
|--|---|
| 16. LOT AREA (SQ. FT.) 14,000+/- SF | 17. FRONTAGE ON ROAD (FT.) 310 +/- Ft |
| 18. SO. FT. OF LOT TO BE COVERED BY NON-VEGETATED SURFACES 2000 +/- SF (15%) | 19. ELEVATION ABOVE 100 YR. FLOOD 2 Ft |
| 20. FRONTAGE ON WATERBODY (FT.) 320+/- Ft | 21. HEIGHT OF PROPOSED STRUCTURE 20 Ft |
| 22. EXISTING USE OF PROPERTY Single Family Cottage-some winter use | 23. PROPOSED USE OF PROPERTY Year round dwelling |

Note: Questions 24 & 25 apply only to expansions of portions of existing structures which are less than the required setback.

| | |
|---|---|
| 24. A) TOTAL FLOOR AREA OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK AS OF 1/1/89 <u>Foot Print-742</u> SQ. FT. | 25. A) TOTAL VOLUME OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK AS OF 1/1/89: <u>N/A 10,809</u> CUBIC FT. |
| B) FLOOR AREA OF EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK FROM 1/1/89 TO PRESENT: <u>0</u> SQ. FT. | B) VOLUME OF EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK FROM 1/1/89 TO PRESENT: <u>0</u> CUBIC FT. |
| C) FLOOR AREA OF PROPOSED EXPANSION OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK: <u>Foot Print-920</u> SQ. FT. | C) VOLUME OF PROPOSED EXPANSION OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK: <u>N/A 13,450</u> CUBIC FT. |
| D) % INCREASE OF FLOOR AREA OF ACTUAL AND PROPOSED EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK SINCE 1/1/89: | D) % INCREASE OF VOLUME OF ACTUAL AND PROPOSED EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK SINCE 1/1/89: |

SITE PLAN

PLEASE INCLUDE: LOT LINES; AREA TO BE CLEARED OF TREES AND OTHER VEGETATION; THE EXACT POSITION OF PROPOSED STRUCTURES, INCLUDING DECKS, PORCHES, AND OUT BUILDINGS WITH ACCURATE SETBACK DISTANCES FROM THE SHORELINE, SIDE AND REAR PROPERTY LINES; THE LOCATION OF PROPOSED WELLS, SEPTIC SYSTEMS, AND DRIVEWAYS; AND AREAS AND AMOUNTS TO BE FILLED OR GRADED. IF THE PROPOSAL IS FOR THE EXPANSION OF AN EXISTING STRUCTURE, PLEASE DISTINGUISH BETWEEN THE EXISTING STRUCTURE AND THE PROPOSED EXPANSION.

NOTE: FOR ALL PROJECTS INVOLVING FILLING, GRADING, OR OTHER SOIL DISTURBANCE YOU MUST PROVIDE A SOIL EROSION CONTROL PLAN DESCRIBING THE MEASURES TO BE TAKEN TO STABILIZE DISTURBED AREAS BEFORE, DURING AND AFTER CONSTRUCTION (See attached guidelines)

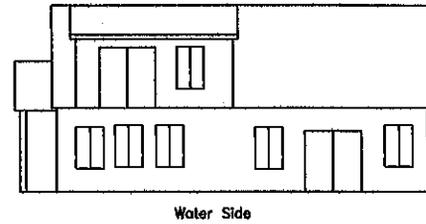
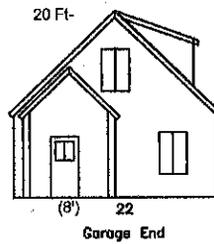
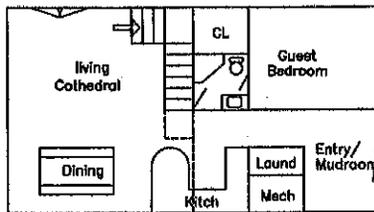
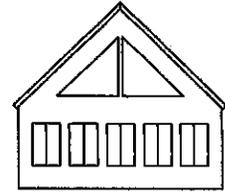
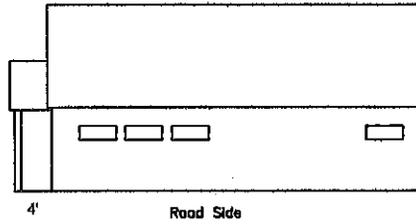
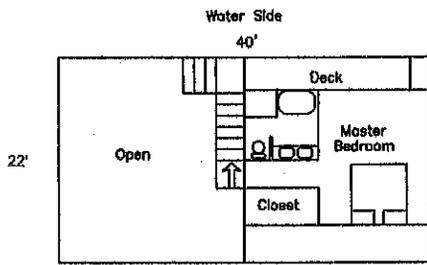
See Attached

SCALE: _____ = _____ FT.

FRONT OR REAR ELEVATION

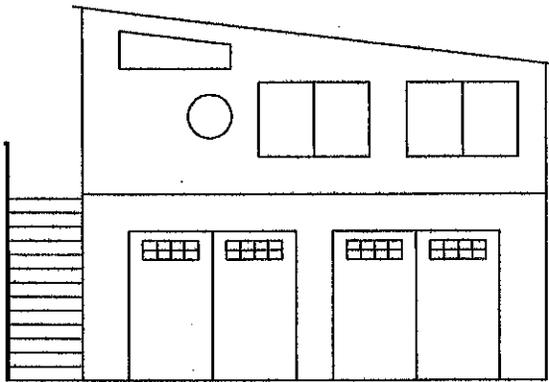
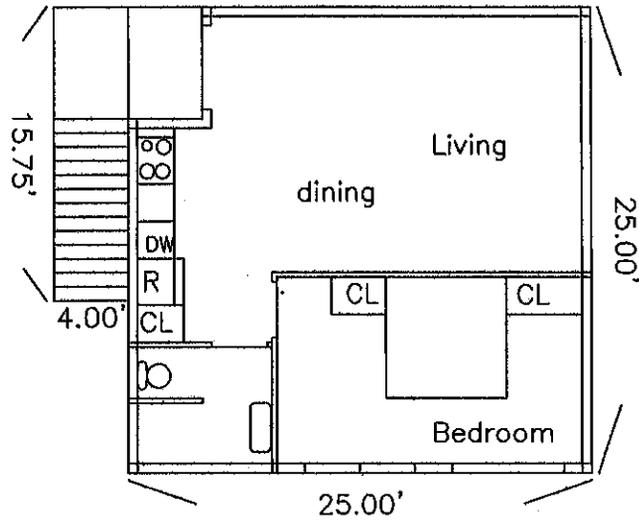
SIDE ELEVATION

**DRAW A SIMPLE SKETCH SHOWING BOTH THE EXISTING
AND PROPOSED STRUCTURES WITH DIMENSIONS**

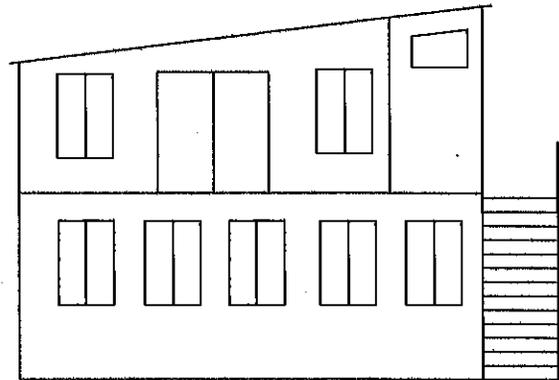


Proposed Cottage

| | | |
|--------------------------|-------------------------|---|
| DRAWN CBW | DATE 05/06/20 | 41 ROGERS POINT RD ELIOT, ME |
| APPROVED | DATE | <i>Work Sheet Only</i> <i>Revised 8/1/20</i> |
| SCALE 1" = 20' | SHEET | PROJECT NO. |



Road Side



Water Side

Proposed Boathouse

DRAWN
CBW

DATE
05/06/20

41 ROGERS POINT RD
ELIOT, ME

APPROVED

DATE

Work Sheet Only
Revised 8/01/20

SCALE

1" = 10'

SHEET

PROJECT NO.

ADDITIONAL PERMITS, APPROVALS, AND/OR REVIEWS REQUIRED

CHECK IF REQUIRED:

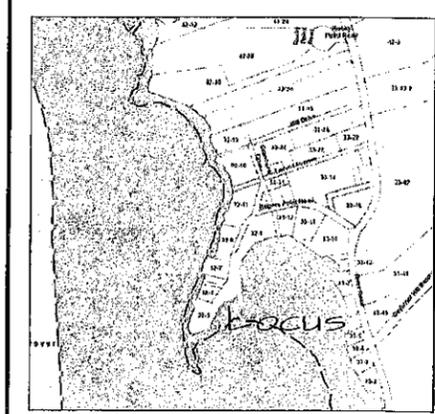
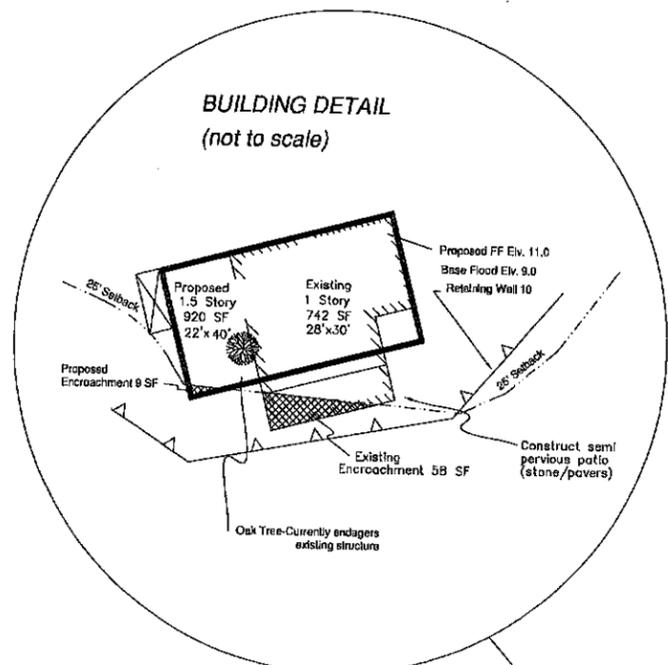
- PLANNING BOARD REVIEW APPROVAL
(e.g. Subdivision, Site Plan Review)
- BOARD OF APPEALS REVIEW APPROVAL
- FLOOD HAZARD DEVELOPMENT PERMIT
- EXTERIOR PLUMBING PERMIT
(Approved HHE 200 Application Form)
- INTERIOR PLUMBING PERMIT
- DEP PERMIT (Site Location,
Natural Resources Protection Act)
- ARMY CORPS OF ENGINEERS PERMIT
(e.g. Sec. 404 of Clean Waters Act)

OTHERS:

- Building Permit _____
- _____
- _____
- _____

NOTE: APPLICANT IS ADVISED TO CONSULT WITH THE CODE ENFORCEMENT OFFICER AND APPROPRIATE STATE AND FEDERAL AGENCIES TO DETERMINE WHETHER ADDITIONAL PERMITS, APPROVALS, AND REVIEWS ARE REQUIRED

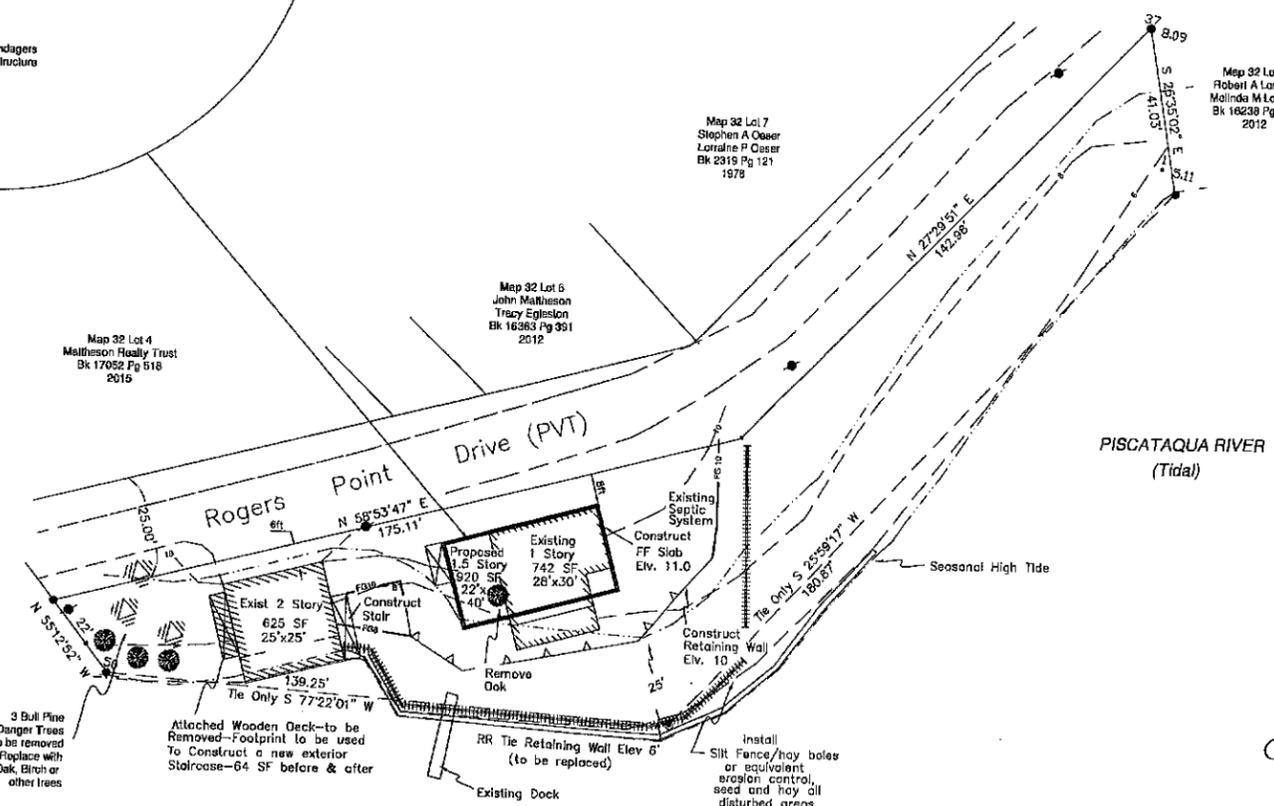
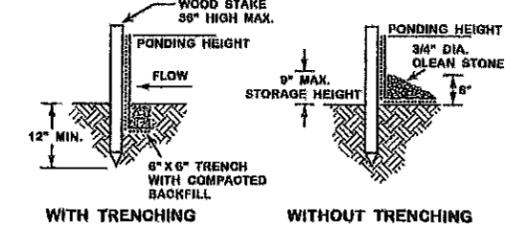
| | |
|---|---------------------------------|
| I CERTIFY THAT ALL INFORMATION GIVEN IN THIS APPLICATION IS ACCURATE. ALL PROPOSED USES SHALL BE IN CONFORMANCE WITH THIS APPLICATION AND THE <u>TOWN OF ELIOT</u> SHORELAND ZONING ORDINANCE. I AGREE TO FUTURE INSPECTIONS BY THE CODE ENFORCEMENT OFFICER AT REASONABLE HOURS. | |
|  _____ APPLICANT'S SIGNATURE | <u>9/15/20</u> _____ DATE |
|  _____ AGENT'S SIGNATURE (if applicable) | <u>9/15/20</u> _____ DATE |



LOCATION MAP
Not to Scale

Erosion Control:
Install and maintain silt fence and/or hay bales, per plan. Disturbed areas to be mulched and seeded. Jute matting to be used as needed to avoid erosion of slopes overwinter.

PREFABRICATED SILT FENCE MUST BE INSTALLED PER MANUFACTURER.



LEGEND



SURVEY NOTES

This plan is the result of field work by C. Wilber and horizontal information furnished by Plan No. 111 and 112. Field work by GPS was done on 09/11/2019. Error of closure was 1:100,000. Detail shown is 1:100. Plan by C. Wilber. Elevation was by GPS. MAP 1927-50C Engineering LLC. Field work and boundary research performed prior to purchase by C. B. Wilber.

PLAN REFERENCES

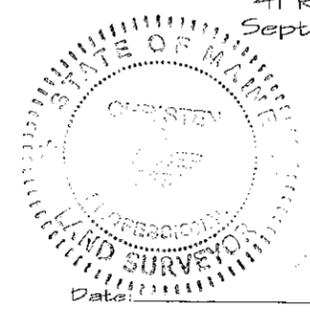
D: MEASUREMENT SURVEY FOR 180 WEL DMSR 111 Rogers Road Block 116 Parcel Annex 20 2001 by Anderson & Associates, Inc.
22 MEPS MAP 19-A AND 19-B ROGERS POINT in Eliot, Maine. Created by Sharon L. Co. Date: Jan 7 1997 by Group D Heas, C&G P&S 79,50

Zoning Information

| | | | | |
|----------|---------|------|-------|-------------------------------------|
| Size of | Shed | Less | Other | Details |
| Set Back | Front | 20' | | |
| Side | 20' | | | |
| Rear | 50' | Flow | Shed | 20' from Standard Zone Setback only |
| Lot Area | 150,000 | SF | | |
| Roof's | Area | 142 | SF | |
| Maximum | Area | 920 | SF | 2 1/2' overhang |
| Maximum | Area | 920 | SF | |
| Maximum | Area | 625 | SF | |
| Maximum | Area | 600 | SF | |

OWNER OF RECORD

Map 121 of 2
Christen B. & Jennifer C. Wilber
PO Box 90, Eliot, Maine
Eliot, ME 03903
To be recorded 09/11/2019



SITE PLAN
For
CHRISTEN B. & JENNIFER C. Wilber

41 Roger Point Drive, Eliot, Maine
Sept. 11, 2019 Scale: 1" = 20'



By: Chris Wilber, PLS
P.O. Box 90
Eliot, ME 03903
207-451-3940

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM**

(For use with DEP Regulation, Natural Resources Protection Act - Permit by Rule Standards, Chapter 305)

| APPLICANT INFORMATION (Owner) | | AGENT INFORMATION (If Applying on Behalf of Owner) | |
|--|---|--|--|
| Name: | Chris Wilber | Name: | |
| Mailing Address: | PO Box 90 | Mailing Address: | |
| Mailing Address: | | Mailing Address: | |
| Town/State/Zip: | Eliot, ME 03903 | Town/State/Zip: | |
| Daytime Phone #: | 451-3940 Ext: | Daytime Phone #: | Ext: |
| Email Address: | chriswilberpls@gmail.com | Email Address: | |
| PROJECT INFORMATION | | | |
| Part of a larger project? (check 1): | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | After the Fact? (check 1): | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Project Town: | Eliot | Town Email Address: | planner@eliotme.org |
| Brief Project Description: | Structure removal and rebuild w/30% expansion per Town of Eliot Shoreland Zoning regulations | | |
| Project Location & Brief Directions to Site: | 41 Rogers Point Drive. From Marshwood Middle School, take Depot Road to State Road, Right on State, next left onto Governor Hill Road to River Road, Right of River 0.1 mile, left onto Rogers Point Drive. | | |

PERMIT BY RULE (PBR) SECTIONS (Check at least one): I am filing notice of my intent to carry out work that meets the requirements for Permit-by-Rule (PBR) under DEP Rules, [Chapter 305](#). I and my agent(s), if any, have read and will comply with all of the standards in the Sections checked below.

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Sec. (2) Act. Adj. to Prot. Natural Res. | <input type="checkbox"/> Sec. (9) Utility Crossing | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (10) Stream Crossing | <input type="checkbox"/> Sec. (17) Transfer/Permit Extension |
| <input checked="" type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (11) State Transportation Facilities | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Veg. | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (19) Act. Near SVP Habitat |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (13) F&W Creat./Water Qual. Improv. | <input type="checkbox"/> Sec. (20) Act. Near Waterfowl/Bird Habitat |
| <input type="checkbox"/> Sec. (8) Shoreline Stabilization | <input type="checkbox"/> Sec. (15) Public Boat Ramps | |

NOTE: Municipal permits also *may* be required. Contact your local code enforcement office for information. Federal permits may be required for stream crossings and for projects involving wetland fill. Contact the Army Corps of Engineers at the Maine Project Office for information.

NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS AND FEE

- Attach** all required submissions for the PBR Section(s) checked above. The required submissions for each PBR Section are outlined in Chapter 305 and may differ depending on the Section you are submitting under.
- Attach** a location map that clearly identifies the site (U.S.G.S. topo map, Maine Atlas & Gazetteer, or similar).
- Attach** Proof of Legal Name if applicant is a corporation, LLC, or other legal entity. Provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>). Individuals and municipalities are not required to provide any proof of identity.

FEE: Pay by credit card at the [Payment Portal](#). The Permit-by-Rule fee may be found here <https://www.maine.gov/dep/feeschedule.pdf> and is currently \$250.

- Attach** payment confirmation from the Payment Portal when filing this notification form.

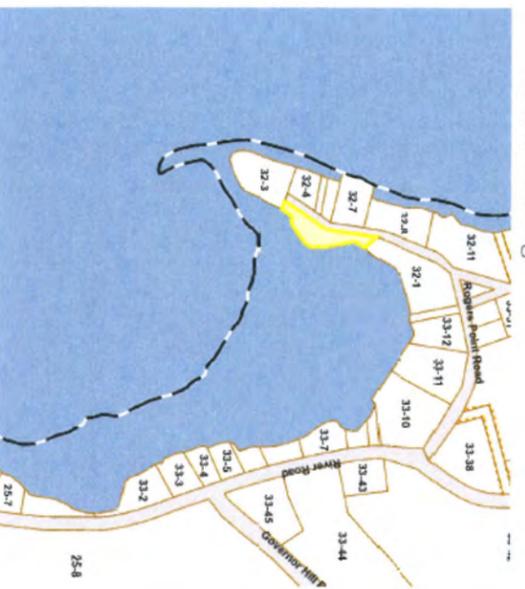
| Signature & Certification: | |
|--|---------------|
| <ul style="list-style-type: none"> • I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. • I understand that this PBR becomes effective 14 calendar days after receipt by the Department of this completed form, the required submissions, and fee, <i>unless the Department approves or denies the PBR prior to that date.</i> | |
| <p>By signing this Notification Form, I represent that the project meets all applicability requirements and standards in Chapter 305 rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.</p> | |
| Signature of Agent or Applicant (may be typed): | Date: 9/27/20 |

Keep a copy as a record of permit. Email this completed form with attachments to DEP at: DEP.PBRNotification@maine.gov. DEP will send a copy to the Town Office as evidence of DEP's receipt of notification. No further authorization will be issued by DEP after receipt of notice. A PBR is valid for two years, except Section 4, "Replacement of Structures," are valid for three years. **Work carried out in violation of the Natural Resources Protection Act or any provision in Chapter 305 is subject to enforcement.**

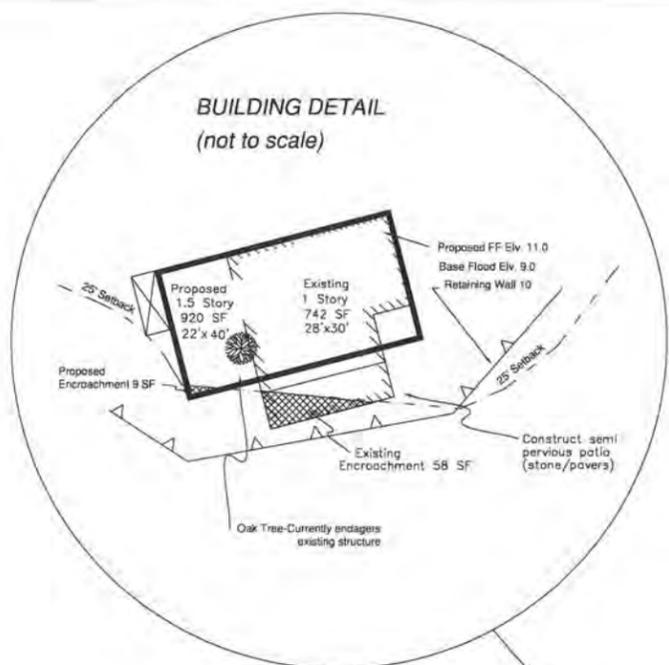
41 Rogers Point Drive, Eliot, Me

Fast Facts

- Tax Map 32 LOT 2
- Current Owner:
 - Michael Dysart & Petra Hesse
- Assessment -\$289,000 (2015)
- Purchase Price \$240,000
- Area-0.32 Acres
- Water Frontage-320' +/-
- Structures-
 - 1- Bedroom, 1 Bath Camp
 - 1-2 story boathouse/barn
 - Town Approved Septic System
 - Drilled Well (Shared)
 - Grandfathered Dock
 - 2 ton mooring



Note: This prospectus has been prepared for financing purposes using public data and is not the result of a comparable sales appraisal by a Maine Licensed Real Estate Appraiser



LOCATION MAP
Not to Scale

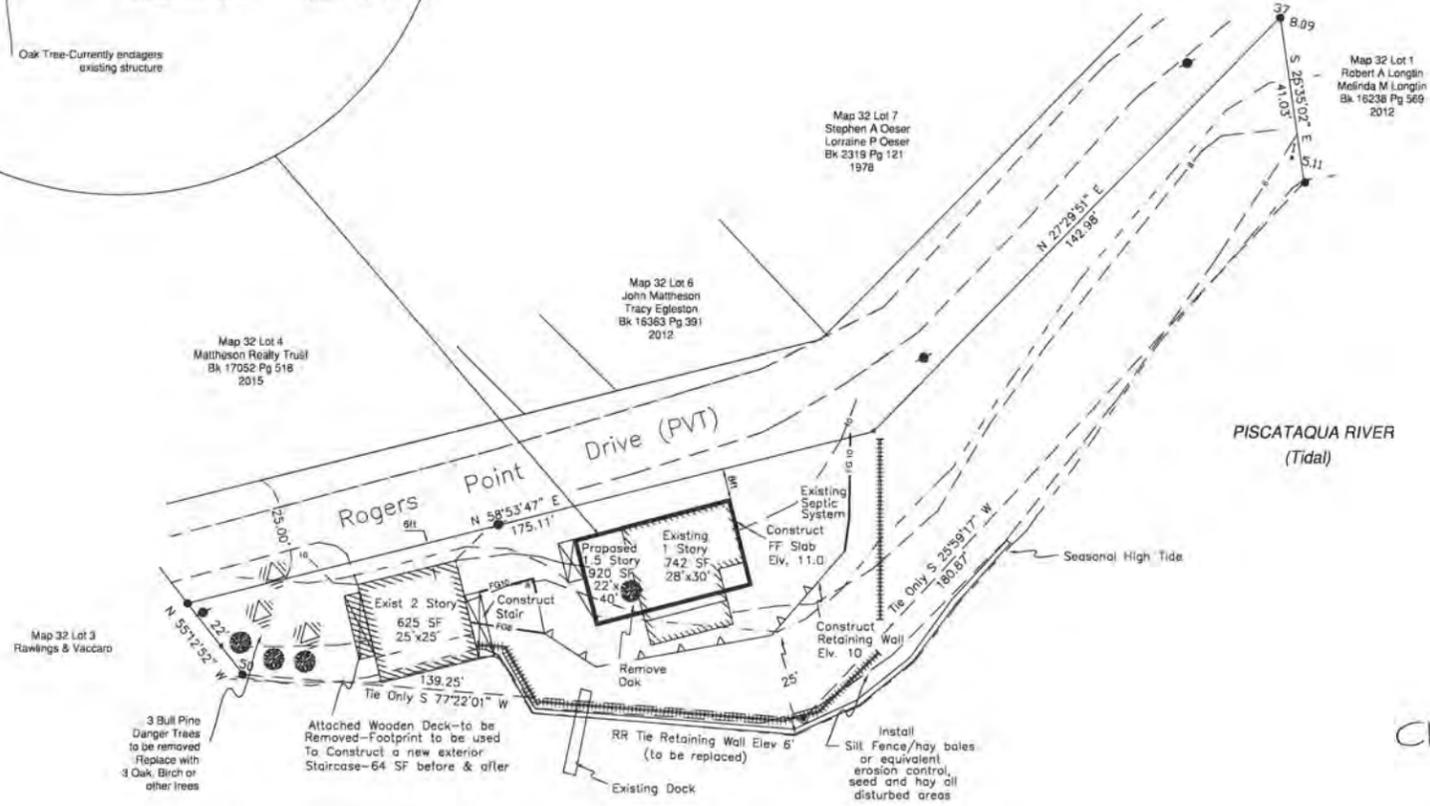


SURVEY NOTES

The data on this plan was obtained from a survey conducted on the 11th day of August, 2019. The survey was conducted by Chris Wilber, PLS, and the results are shown on this plan. The survey was conducted in accordance with the Maine Surveying Act, Chapter 11-A, Title 13, Section 111. The survey was conducted in accordance with the Maine Surveying Act, Chapter 11-A, Title 13, Section 111. The survey was conducted in accordance with the Maine Surveying Act, Chapter 11-A, Title 13, Section 111.

PLAN REFERENCES

1. 2019 MEASUREMENTS OF THE PISCATAQUA RIVER AND ADJACENT AREAS, CONDUCTED BY CHRIS WILBER, PLS, AND THE RESULTS ARE SHOWN ON THIS PLAN.



SITE PLAN
For
CHRISTEN B. & JENNIFER C. Wilber

41 Roger Point Drive, Eliot, Maine
Sept. 11, 2019 Scale: 1" = 20'



Zoning Information

| | |
|---------------|--------------------------------|
| Section | 300' x 300' |
| Area | 90,000 sq. ft. |
| Permitted Use | Residential Single-Family (RS) |
| Setback | 30' Front, 10' Side, 10' Rear |
| Height | 35' Maximum |
| Other | See Ordinance 11-01 |

OWNER OF RECORD

Chris Wilber, PLS
11-01-2019
11-01-2019

Date: _____

By: Chris Wilber, PLS
P.O. Box 90
Eliot, ME 03903
207-451-3940

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
Division of Health Engineering
(207) 287-5672 FAX (207) 287-4172

Town, City, Plantation
ELIOT

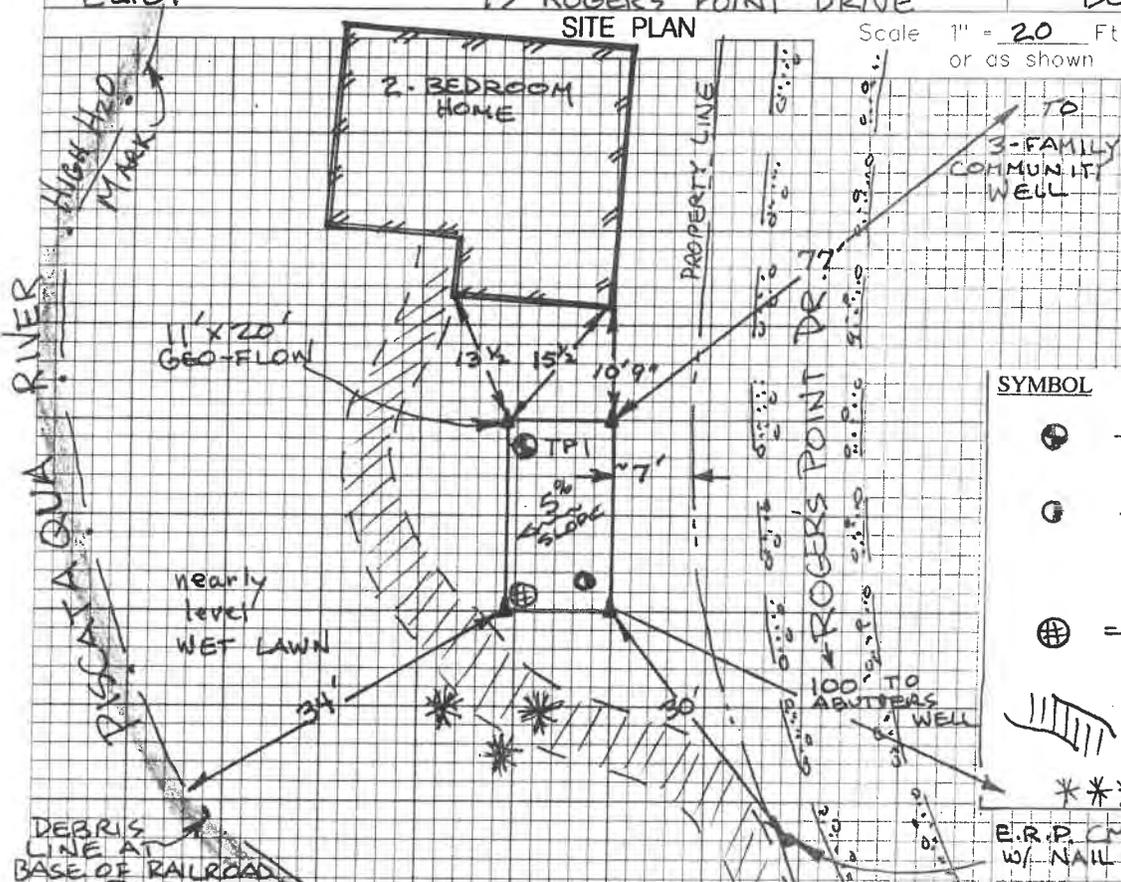
Street, Road Subdivision
15 ROGER'S POINT DRIVE

Owner's Name
BOROWSKI

SITE PLAN

Scale 1" = 20 Ft.
or as shown

SITE LOCATION PLAN



SYMBOL

NOTE

- = Test Pit (hand excavated)
- = Abandoned well filled with debris. To be dug out and filled with clean sand.
- = Existing tank - leach pit. To be dug out and replaced with clean backfill.
- = Short steep slope.
- = 24" diameter white pines.

E.R.P. CMP POLE 74
w/ NAIL 34" UP.

SOIL DESCRIPTION AND CLASSIFICATION

(Location of Observation Holes Shown Above)

Observation Hole TP Test Pit Boring
1" Depth of Organic Horizon Above Mineral Soil

Observation Hole _____ Test Pit Boring
_____ " Depth of Organic Horizon Above Mineral Soil

| Texture | Consistency | Color | Mottling |
|-------------------------------|-------------|-------------------|----------|
| SANDY LOAM | FRIABLE | DARK BROWN | NONE |
| SANDY LOAM TO LOAMY FINE SAND | | YELLOWISH BROWN | |
| LOAMY FINE SAND | | LIGHT OLIVE BROWN | |

Soil Classification: Profile 5 Condition C Slope 5% Limiting Factor 45"

Ground Water
 Restrictive Layer
 Bedrock
 Pit Depth

Information provided by the client or the client's representative concerning property lines, wells, existing underground utilities, zoning information, etc., is accepted in good faith as being correct by the site evaluator. The site evaluator accepts no responsibility for the veracity of such information.

| Texture | Consistency | Color | Mottling |
|---------|-------------|-------|----------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Soil Classification: Profile _____ Condition _____ Slope _____% Limiting Factor _____"

Ground Water
 Restrictive Layer
 Bedrock
 Pit Depth

Joseph W. Nail
Site Evaluator Signature

221

SE #

4/1/00
Date

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
Division of Health Engineering
(207) 287-5672 FAX (207) 287-4172

Town, City, Plantation
ELIOT

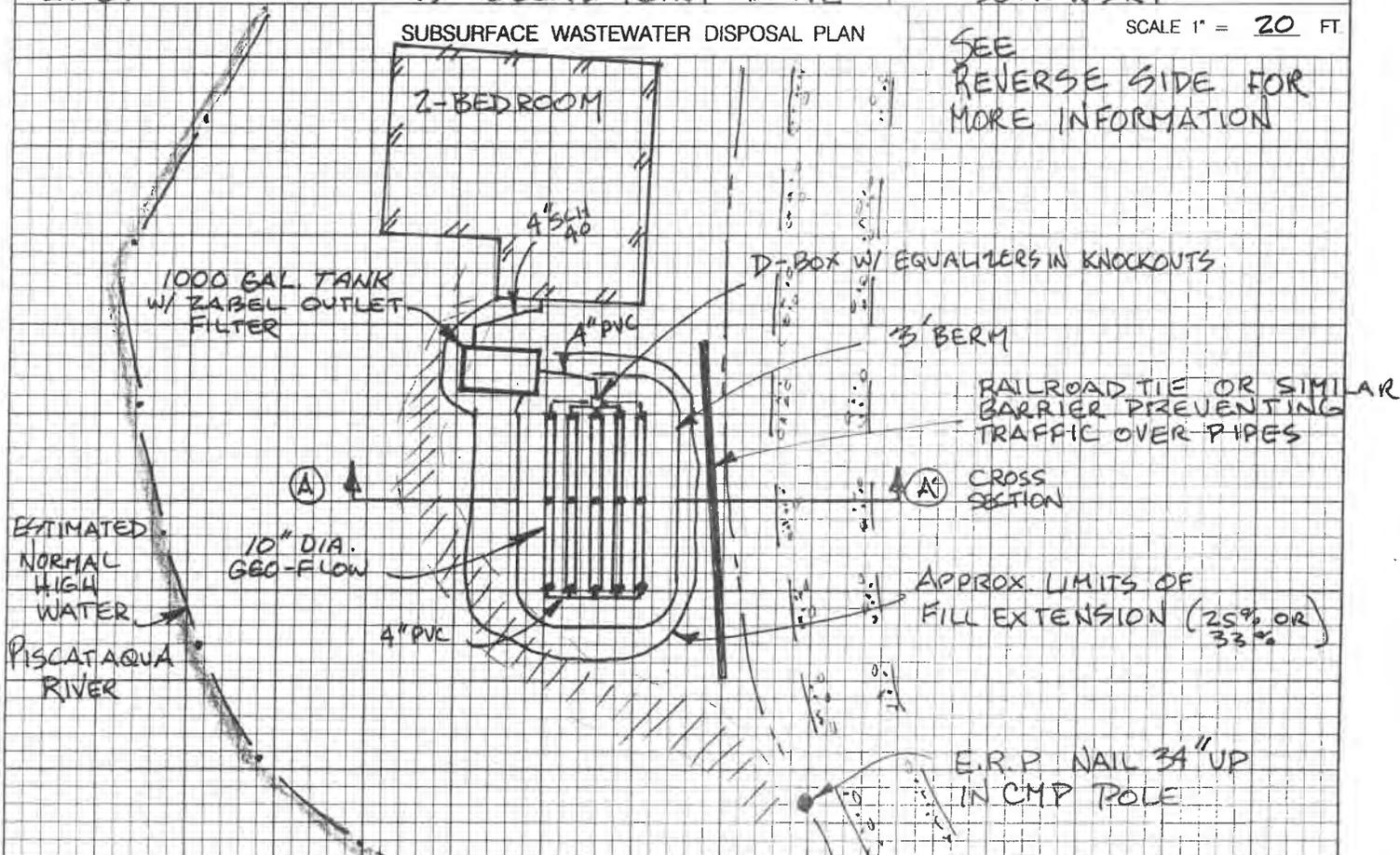
Street, Road, Subdivision
15 ROGERS POINT DRIVE

Owner's Name
BOROWSKI

SUBSURFACE WASTEWATER DISPOSAL PLAN

SCALE 1" = 20' FT

SEE REVERSE SIDE FOR MORE INFORMATION



FILL REQUIREMENTS

CONSTRUCTION ELEVATIONS

ELEVATION REFERENCE POINT

Depth of Fill (Upslope) ~4"
Depth of Fill (Downslope) ~10"

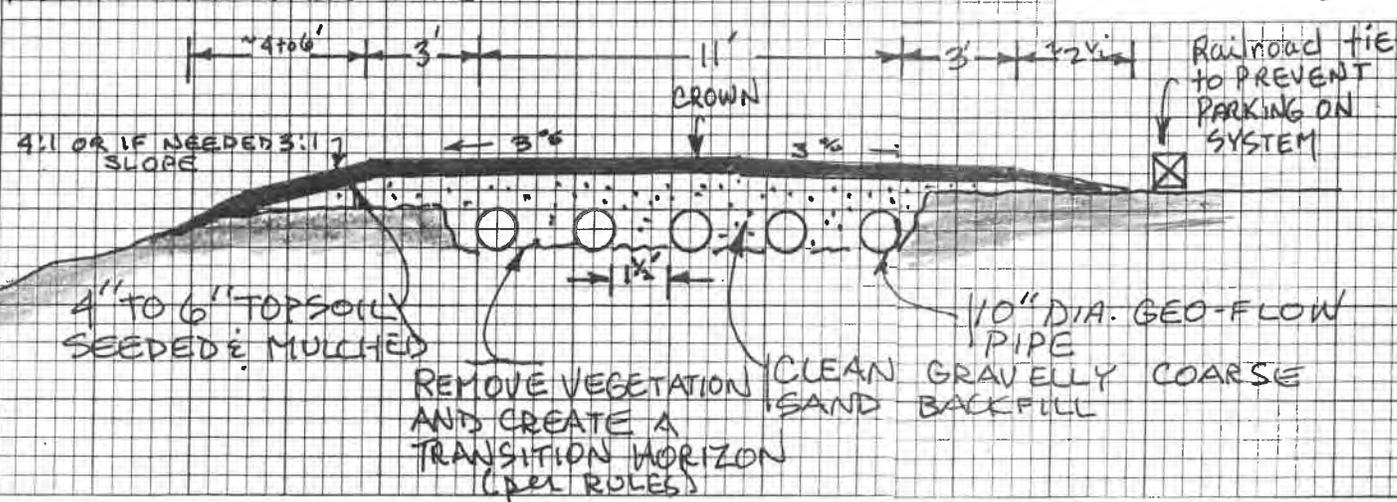
Finished Grade Elevation -52"
Top of Distribution Pipe or Proprietary Device -64"
Bottom of Disposal Area -76"

Location & Description SHOWN ABOVE
Reference Elevation NAIL=0"

DO NOT DRIVE OVER PIPING WHEN BACKFILLING

DISPOSAL AREA CROSS SECTION SECTION A-A'

SCALE:
VERTICAL: 1" = 5'
HORIZONTAL: 1" = 5'



Joseph W. Stiel
Site Evaluator Signature

221
SE *

4/1/00
Date

NOTES

The most recent revision of the Maine Subsurface Wastewater Disposal Rules ("Rules") is hereby made a part of this HHE-200 Form and shall be consulted by the disposal system installer for further construction details, material specifications, cautions and other related details pertinent to the installation of this disposal system.

As this application pertains only to the "rules" referenced above, the owner/applicant must check both local and state ordinances and regulations regarding other building regulations (i.e., zoning, wetlands, building codes, minimum lot size, etc.) before considering this an approved suitable site.

All information shown on this application relating to property lines and subsurface structures (such as but not limited to: water lines, septic tanks, cess pools, cellar drains, utility lines, etc.) are noted, plotted or left off as not affecting the system based on information provided by the owner or his agent. It is the responsibility of the owner or his agent to confirm BEFORE CONSTRUCTION BEGINS, the above and/or any other feature which may affect (or be adversely affected by) the installation of this system.

Construction details Chapter 8 of the "Rules" shall be consulted and include: (A) The vegetation in the proposed disposal area and fill extensions shall be removed and the ground surface scarified (rotor tilled with backfill material) to minimize glazing of the original soil. (B) The bottom of the disposal area and distribution line, shall be level with a maximum grade tolerance of 1 inch per 100 feet. (C) Fill shall be clean, gravelly, coarse sand, free of foreign material, placed in 8 inch lifts. (D) The finished grade of the backfill over the disposal areas shall extend 3 to 5 feet beyond the edge of the disposal area. At that point, the fill shall be sloped at a uniform grade of no greater than 25% (4:1) to the original ground. (E) The land adjacent to the disposal area shall be graded to prevent both the accumulation of surface water on the disposal area, and the flow of surface water across the disposal area. (F) The finished disposal areas and fill extensions shall be seeded to prevent erosion: (a) grass, clover, trefoil, vetch, perennial wildflowers, or other herbaceous perennials may be utilized for disposal area surfaces. Woody shrubs are unacceptable. (b) Woody shrubs in conjunction with hardy perennial ground clover, may be used on fill extensions only.

When a gravity system is proposed, BEFORE CONSTRUCTION BEGINS, the disposal system installer and building contractor shall review the relative elevation of all points given on this HHE-200 Form and the elevation of the existing or proposed building drain and septic tank openings for compatibility to the minimum code pitch requirements. Any questions that arise should be directed to the local plumbing inspector or myself. When a pump system is installed, provisions shall be made to keep the tank and lift station outlets above the high water table. An alarm device warning of pump failure is required. At present, venting of pumped systems is optional.

If the use of a laundry machine becomes excessive, a separate laundry bed should be designed and installed. A lint catching device should be installed for the washing machine (if it doesn't have one) and cleaned frequently. A distribution box has been shown in the design and is intended to offer an inspection port whereby the owner can check for excessive lint or grease build-up before damage to the system is done. Inspection should be frequent. This system has not been designed or sized to accommodate a garbage disposal. If one is to be used, you must first notify me so that I can increase the disposal size and septic tank capacity.

The actual water flow and/or number of bedrooms shall not exceed the design criteria indicated on this HHE-200 Form without a re-evaluation of the system.

The setback distance between a well and disposal system serving a single family residence is 100 feet. The location of a new well that is within 100 feet of the proposed system may void this design. For additional setback information and variances to these setbacks, see Chapter 7 of the "Rules".

All Construction shall be inspected by the local plumbing inspector (LPI) prior to backfilling. Backfill material shall comply with Chapter 8 of the "Rules".

THE SEPTIC TANK SHALL BE PUMPED WITHIN TWO YEARS OF INSTALLATION and subsequently as recommended by the pump service, but in no case shall the septic tank be pumped less often than once every three years (the tank should be pumped when the sludge or scum occupies one-third of the tank's liquid capacity - Chapter 9). Avoid introducing kitchen grease into the septic system. No septic tank degreasers or cleaners, chlorine, water softening system chemicals, paints, hazardous or controlled substances shall be disposed of in the system. No chemicals other than normal household cleaners shall be disposed of in the disposal field (Chapter 2 section 204.2).

If the owner or installer has any questions, please do not hesitate to call at 384-5587.

REPLACEMENT SYSTEM VARIANCE REQUEST

THE LIMITATIONS OF THE REPLACEMENT SYSTEM VARIANCE REQUEST

This form shall be attached to an application (HHE-200) for the proposed replacement system which requires a variance to the Rules. The LPI shall review the Replacement System Variance Request an HHE-200 and may approve the Request if all of the following requirements can be met, and the variance(s) requested fall within the limits of LPI's authority.

1. The proposed design meets the definition of a Replacement System as defined in the Rules (Sec. 1903)
2. There will be no change in use of the structure except as authorized for one-time exempted expansions outside the shoreland zone of major waterbodies/courses.
3. The replacement system is determined by the Site Evaluator and LPI to be the most practical method to treat and dispose of the wastewater.
4. The BOD₅ plus S.S. content of the wastewater is no greater than that of normal domestic effluent.

GENERAL INFORMATION

Town of ELIOT

Permit No. _____

Date Permit Issued _____

Property Owner's Name: CARL BOROWSKI

Tel. No.: (207) 439-2234

System's Location: 15 ROGER'S POINT DRIVE

Property Owner's Address: (same)

(if different from above) _____

SPECIFIC INSTRUCTIONS TO THE: LOCAL PLUMBING INSPECTOR (LPI):

If any of the variances exceed your approval authority and/or do not meet all of the requirements listed under the Limitations Section above, then you are to send this Replacement System Variance Request, along with the Application, to the Department for review and approval consideration before issuing a Permit. (See reverse side for Comments Section and your signature.)

SITE EVALUATOR:

If after completing the Application, you find that a variance for the proposed replacement system is needed, complete the Replacement Variance Request with your signature on reverse side of form.

PROPERTY OWNER:

If has been determined by the Site Evaluator that a variance to the Rules is required for the proposed replacement system. This variance request is due to physical limitations of the site and/or soil conditions. Both the Site Evaluator and the LPI have considered the site/soil restrictions and have concluded that a replacement system in total compliance with the Rules is not possible.

PROPERTY OWNER

I understand that the proposed system requires a variance to the Rules. Should the proposed system malfunction, I release all concerned provided they have performed their duties in a reasonable and proper manner, and I will promptly notify the Local Plumbing Inspector and make any corrections required by the Rules. By signing the variance request form, I acknowledge permission for representatives of the Department to enter onto the property to perform such duties as may be necessary to evaluate the variance request.

Carl Borowski
SIGNATURE OF OWNER

4 April 2000
DATE

LOCAL PLUMBING INSPECTOR

I, Richard Mabe, the undersigned, have visited the above property and have determined to the best of my knowledge that it cannot be installed in compliance with the Rules. As a result of my review of the Replacement Variance Request, the Application, and my on-site investigation, I (check and complete either a or b):

a. approve, disapprove) the variance request based on my authority to grant this variance. Note: If the LPI does not give his approval, he shall list his reasons for denial in Comments Section below and return to the applicant. —OR—

b. find that one or more of the requested Variances exceeds my approval authority as LPI. I (recommend, do not recommend) the Department's approval of the variances. Note: If the LPI does not recommend the Department's approval, she shall state his reasons in Comments Section below as to why the proposed replacement system is not being recommended.

Comments: _____

Jim Barkley
LPI SIGNATURE

5/9/00
DATE

Replacement System Variance Request

| VARIANCE CATEGORY | VARIANCE REQUESTED | | LIMIT OF LPI'S APPROVAL AUTHORITY | | VARIANCE REQUESTED TO: | |
|--|--------------------------------|---------------------------------|-----------------------------------|---------------------------------|------------------------|-----------------|
| SOILS | | | | | | |
| Soil Profile | Ground Water Table | | to 7" | | inches | |
| Soil Condition | Restrictive Layer | | to 7" | | inches | |
| from HHE-200 | Bedrock | | to 12" | | inches | |
| SETBACK DISTANCES (in feet) | | | Disposal Fields | | Septic Tanks | |
| From | Less than 1000 gpd | 1000 to 2000 gpd | Less Than 1000 gpd | 1000 to 2000 gpd | Disposal Fields To | Septic Tanks To |
| Wells with water usage of 2000 or more gpd | 300 ^a ft | 300 ft | 100 ^a ft | 100 ^a ft | | |
| Owner's wells | 100 down to 50 ft | 200 down to 100 ft | 100 ^b down to 50 ft | 100 down to 50 ft | 77' | ~ 85' |
| Neighbor's wells | 100 ^b down to 60 ft | 200 ^b down to 120 ft | 100 ^b down to 50 ft | 100 ^b down to 75 ft | | |
| Water supply line | 10 ft ^a | 20 ft ^a | 10 ft ^a | 10 ft ^a | | |
| Water course, major - for replacements only, see Table 400.4 for exempted expansions | 100 down to 60 ft | 200 down to 120 ft | 100 down to 50 ft | 100 down to 50 ft | 34' | ~ 34' |
| Water course, minor | 50 down to 25 ft | 100 down to 50 ft | 50 down to 25 ft | 50 down to 25 ft | | |
| Drainage ditches | 25 down to 12 ft | 50 down to 25 ft | 25 down to 12 ft | 25 down to 12 ft | | |
| Coastal wetlands, special freshwater wetlands, great ponds, rivers, streams (edge of fill extension) | 25 ft ^d | 25 ft ^d | 25 ft ^d | 25 ft ^d | | |
| Slopes greater than 3:1 | 10 ft | 18 ft | N/A | N/A | | |
| No full basement [e.g. slab, frost wall, columns] | 15 down to 7 ft | 30 down to 15 ft | 8 down to 5 ft | 14 down to 7 ft | | |
| Full basement [below grade foundation] | 20 down to 10 ft | 30 down to 15 ft | 8 down to 5 ft | 14 down to 7 ft | 10' | ~ 5' |
| Property lines | 10 down to 5 ^c ft | 18 ft down to 9 ^c ft | 10 ft down to 4 ^c ft | 15 ft down to 7 ^c ft | ~ 7' | |
| Burial sites or graveyards, measured from the down toe of the fill extension | 25 ft | 25 ft | 25 ft | 25 ft | | |

OTHER

1. Fill extension Grade - to 3:1 (WHERE NEEDED)

2.

3.

Footnotes:

- a. This setback distance cannot be reduced by the LPI, but may be considered for reduction by State variance.
- b. Written Permission from the owner of a well is required when a replacement system will be located less than 100 (or 200 ft. for 1000-2000 gpd) feet and closer to that well than the system it is replacing.
- c. Sufficient distance shall be maintained to assure that the toe of the fill does not extend to the 3:1 slope or property line.
- d. Natural Resources Protection Act requires a 25 foot setback on slopes with less than 20% from the edge of disturbance and 100 feet on slopes greater than 20% except for the repair or installation of a replacement system when no practical alternative exists.

Joseph W. Nail

 SITE EVALUATOR'S SIGNATURE

4/1/00

 DATE

FOR USE BY THE DEPARTMENT ONLY

The Department has reviewed the variance(s) and (does does not) give its approval. Any additional requirements, recommendations, or reasons for the Variance denial, are given in the attached letter.

 SIGNATURE OF THE DEPARTMENT

 DATE



STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
DIVISION OF HEALTH ENGINEERING
10 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0010

ANGUS S. KING, JR.
GOVERNOR

KEVIN W. CONCANNON
COMMISSIONER

June 5, 2000

Carl Borowski
15 Roger's Point Drive
Eliot ME 03903

Subject: Approval, Replacement System Variance Request, Borowski property, Roger's Point Drive, Eliot

Dear Mr. Borowski:

The Division has reviewed a Replacement System Variance Request for the subject property. The state variances requested are to allow the installation of a subsurface wastewater disposal system with setback reductions of 34 feet each disposal field and septic tank to a major watercourse. The system design prepared by Joseph Noel, SE, dated 4-1-00, is found to be in compliance with the Maine Subsurface Wastewater Disposal Rules.

We approve the requested variances with the following requirements:

1. A permit for system installation is to be obtained from the Local Plumbing Inspector in advance of the start of system construction.
2. The system is to be installed in accordance with the submitted and approved system design. Should alterations be required at the time of system installation, the system designer must be notified prior to making any changes.
3. The variance approval is based only on the rules administered by this department. The approval of the variance request does not relieve the property owner from compliance with all other state and local requirements pertaining to the installation, use, and operation of the wastewater disposal system.

By accepting this approval and the associated plumbing permit, the owner agrees to comply fully with the conditions of approval and the Subsurface Wastewater Disposal Rules.

Because installation and owner maintenance has a significant effect on the working order of onsite sewage disposal systems, including their components, the Division makes no representation or guarantee as to the efficiency and/or operation of the system.

Should you or others have any questions regarding this review and/or approval, please feel free to contact me at 287-5687.

Sincerely,

Linda S. Robinson
Wastewater & Plumbing Control Program
Division of Health Engineering
e-mail: linda.robinson@state.me.us

/lsr
cc: Richard Mabey, LPI
Joseph Noel, SE



From: [Bob Vaccaro](#)
To: [Land Use](#)
Cc: [Chris Wilber](#)
Subject: Support for 41 Rogers Point Drive Improvements
Date: Tuesday, December 8, 2020 9:24:30 PM

To: Denny Lentz, Chair of Eliot ME Planning Board

Dear Denny,

I was given your email address by Jeff Brukaker, Eliot Planning Director, so I could register our support of the improvements Chris and Jennifer Wilber are proposing to make to 41 Rogers Point Drive.

My husband, Dan Rawling, and I own the property at 46 Rogers Point Drive which is adjacent to 41 Rogers Point Drive, and thereby received notice of the upcoming Public Hearing. Please read into the record (Jeff's phrase) that we enthusiastically support the plans that Chris and Jennie have for their property. On at least two occasions they have reviewed their plans with us in great detail and it is an understatement that their rebuilding of the house and the boathouse will be a boom to our neighborhood.

We pray they receive smooth approval and begin work on their buildings soon!

Sincerely,
Bob

Bob Vaccaro
603-380-4885
411 Middle St, Apt 3
Portsmouth NH 03801



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
From: Jeff Brubaker, AICP, Town Planner
Cc: Thomas W. Harmon, PE, Civil Consultants
Shelly Bishop, Code Enforcement Officer
Kearsten Metz, Land Use Administrative Assistant
Date: December 8, 2020 (report date)
December 15, 2020 (meeting date)
Re: PB19-24: Land of LJE Property Development, LLC & Jesse Realty, LLC (0 & 787 Main St.;
Map 6, Lots 44 & 154): Seven (7) Lot Residential Subdivision – **Sketch Plan Review**

Also listed in past staff reports as “Main Street Subdivision”

| Application Details/Checklist Documentation | |
|---|---|
| ✓ Address: | 0 and 787 Main St. |
| ✓ Map/Lot: | 6/ 44 & 154 |
| ✓ PB Case#: | 19-24 |
| ✓ Zoning District(s): | Village |
| ✓ Shoreland Zoning District(s): | Resource Protection, Limited Residential |
| ✓ Property Owner(s): | LJE Property Development, LLC (Parcel #006-154-000) & Jesse Realty, LLC (Parcel #006-044-000) <i>Note property owner change: CPN Realty, LLC to LJE Property Development, LLC (9/25/20 deed in packet)</i> |
| ✓ Applicant Name(s): | LJE Property Development, LLC; Jesse Realty, LLC |
| ✓ Proposed Project: | Seven (7) lot subdivision |
| Sketch Plan (original) | |
| ✓ Application Received by Staff: | December 26, 2019 |
| ✓ Application Sent to Staff Reviewers: | January 8, 2020 |
| ✓ Application Reviewed By PB: | January 21, 2020 July 7, 2020 |
| ✓ Site Walk | July 21, 2020 |
| Sketch Plan (updated) | |
| ✓ Application Received by Staff: | November 16, 2020 |
| ✓ Application Sent to Staff Reviewers: | November 25, 2020 |
| Application Reviewed By PB: | December 15, 2020 (scheduled) |
| Sketch Plan Approval: | TBD |
| Preliminary and Final Plan Review | TBD |
| Other reviews by PB | |

| | |
|-------------------------|---|
| ✓ Other reviews by PB: | <i>Shoreland zoning application for dock, related improvements (PB19-17)</i> October 29, 2019 November 19, 2019 May 5, 2020 May 19, 2020 (public hearing) |
| ✓ Reason for PB Review: | Seven (7) Lot Residential Subdivision Review |

Overview

The applicants, LJE Property Development, LLC, and Jesse Realty, LLC (agent: Civil Consultants), are seeking continued review of a seven (7) lot subdivision sketch plan application. Two existing lots totaling 9.3 acres would be subdivided. This application has been updated from previous versions. This submittal includes a formal request for a waiver of the entrance frequency (separation) standard in Subsection 37-69(g) of the Town Code (discussed further below).

The sketch plan application package includes a cover letter; subdivision sketch plan application and checklist; a flood map; a tax map; a memo entitled “Waiver of entrance separation”; a list of abutters; deeds; a traffic and safety analysis; and updated sketch plan sheets, including a subdivision plan and high-intensity soils survey. The traffic and safety analysis includes a copy of the Maine DOT subdivision/development entrance permit and a crash summary report and map.

Current status of lots

In 2018, one lot belonging to James and Orley Mae White (Map 6, Lot 44) was split into two lots (Lots 44 & 154) in 2018. However, a subsequent Planner and Code Enforcement Officer review noted that the division expanded an existing nonconformity by splitting the lot’s nonconforming 75-ft. Main St. frontage into a 37.5-ft. frontage for each resulting lot. (See attached previous Town Planner reports.) The lot reconfiguration (Sheet D4) included in the agenda packet addresses this such that the southerly lot (44) retains all 75 ft. of Main St. frontage, and the northerly lot (154) retains access to Main St. as a presumptive back lot with an easement. This lot reconfiguration plan itself is shown as unrecorded. However, it is an exhibit in the warranty deed, recorded February 27, 2020, included in this agenda packet and also previously reviewed by the Planning Board.

Previous Planning Board actions

On January 21, 2020, the Planning Board reviewed the original sketch plan application. At this meeting, the applicant described the proposal, and the Board members asked questions and provided feedback. Topics discussed included the status of the recorded lots, the proposed road and 400-ft. standard (37-69(g)), water and sewer service, and the cemetery.

On May 19, 2020, the Planning Board approved a shoreland zoning application for the southerly lot (44) to construct a fixed residential pier, floats, a gangway, and associated improvements.

On July 7, 2020, subdivision sketch plan review continued. Topics discussed included adjacent property owner concerns, the 400-ft. standard, a court case involving Aqua Ave., the lot reconfiguration and backlots, screening along the proposed road, stormwater management, a potential playground, who would maintain the road and playground, design of sewer lines, inclusion of a fire hydrant, an easement to the cemetery, and the Maine DOT entrance permit.

On July 21, 2020, the Planning Board held a site walk on the property.

Previous Town Planner reviews

For informational purposes, previous staff reports from David Galbraith, Interim Town Planner, are included in the agenda packet.

Proposed subdivision road

There has been a lot of discussion on the proposed road in previous Planning Board reviews. In previous reviews, the road has been discussed as staying in private/HOA ownership maintenance. The proposed entrance at Main St. would be located within the 75 ft. of Main St. frontage that has historically existed with the locus parcel (Lot 44, now two lots). It is approximately 145 ft. from the centerline of the proposed access way to the Aqua Ave. centerline, necessitating the aforementioned waiver request.

The current access status for the two lots is a deeded proposed private access way on the southerly Lot 44 with an easement benefitting the northerly Lot 154 for access. Previous discussions have focused on Lot 154's status as a backlot to Lot 44. There is an existing driveway cut on Main St. The applicant has received a Maine DOT subdivision entrance permit, dated December 19, 2019, and included in the packet.

Entrance frequency (separation) waiver request

As part of this submittal, the applicant is formally requesting at this time a waiver from the entrance frequency (separation) requirement of Subsection 37-69(g) of the Town Code. This has been discussed in past Planning Board reviews. The provision in Chapter 37 (Streets and Sidewalks) allowing for waivers and deviations is Section 37-57. Specifically, subsection (2)a requires a concurring vote of at least four Planning Board members.

The applicant is seeking the waiver vote at this time because Chapter 41 requires sketch plan approval, and the preliminary plan needs to conform to the sketch plan layout (plus any Planning Board recommendations) (41-141). So in terms of sequencing, before seeking overall approval of a sketch plan that is found to conform with land use regulations, the applicant is seeking the waiver vote.

Subsection 37-69(g)

Entrances onto existing or proposed collector streets shall not exceed a frequency of one per 400 feet of street frontage, or the minimum distance required by section 37-70, whichever is greater. Entrances onto existing or proposed arterial streets shall not exceed a frequency of one per 1,000 feet of street frontage.

Section 37-57 – Waivers and deviations

Where the planning board finds that due to special documented circumstances of a particular street, the provision of certain performance standards is not requisite in the interest of public health, safety, and general welfare, or is inappropriate because of the topography of the street site the planning board may waive such requirements subject to appropriate conditions.

- (1) For streets existing prior to December 2, 1978. Where extraordinary and unnecessary hardships may result, or due to special circumstances, these streets may have certain requirements of this chapter waived by the planning board subject to appropriate

- conditions. In granting such waivers the planning board must determine that the provisions of this chapter are followed to the maximum extent possible.
- (2) For streets constructed on or after December 2, 1978. Only the material and dimensions specified in this chapter may be used unless specific requirements are waived by the planning board.
 - a. Such waivers shall require a concurring vote of at least four planning board members.
 - b. A separate waiver request must be submitted for each item requested to be waived. Each request must include engineering rationale with supporting reference documentation. Each request must include a statement signed by a registered professional engineer licensed in the state that the proposed deviation reflects good engineering practice and will not result in decreased quality or durability of the proposed street.
 - c. Each waiver request must include signed review comments from the town road commissioner, police chief, and fire chief.
 - d. All waivers approved by the planning board shall be indicated in the notes of the final plan to be recorded.
 - (3) Waivers granted by the planning board shall be so noted in the report of the municipal officers at the town meeting called for accepting the street as a public street.
 - (4) In granting waivers, the planning board shall require such conditions, as will, in its judgment, secure substantially the objectives of the requirements so waived.

Comments on the traffic and safety analysis

- The analysis reports that the proposed subdivision would be a “very low traffic generator” in an area that has seen only 2 reported crashes during a three-year period (2017-19). From the crash summary tables, both appear to be listed as property damage only (PDO) crashes.
- The analysis reports good sight distance at the proposed entrance to Main St. in both directions of travel, exceeding the Town standard in 37-70.
- The analysis projects trips from the proposed subdivision access and Aqua Ave./Shea Dr., but omits trips from adjacent Main St. driveways in the vicinity of these two intersections. Although the cumulative additional trip generation from these parcels may not be large, they represent existing turning movements that should be considered in an overall traffic analysis to which projected trips generated by the subdivision would be added.
- The analysis includes peak hour trip generation, but not daily trip generation.
- Posted speed limit is reported, but it is more informative from a safety standpoint to know the actual operating speeds of traffic, which can be gained through speed data collection and analysis.
- I agree that the issuance of the Maine DOT permit is a factor for consideration but I don't believe that the issuance alone preempts a Planning Board deliberation and decision on the appropriateness of the proposed entrance. One of the standard conditions of approval for Maine DOT driveway/entrance permits is: “Comply with all applicable federal, state and municipal regulations and ordinances”.

Notes on sequencing: Lot 44 building permit, waiver request, and application status

Jesse Realty, LLC has expressed interest in seeking a sewer allocation and building permit on Lot 44 (southerly lot) as it exists now to build a house. (Recall that there is an existing camp and garage currently on the property.) However, since the lot is subject to an active subdivision application, Section 41-39 does not allow “construction of buildings prior to such time as a final plan of such subdivision shall have been duly prepared, submitted, reviewed, approved and endorsed as

provided in this chapter and until the original copy of the final plan so approved and endorsed has been duly recorded in the county registry of deeds”.

In summary, based on information Town staff has received, the applicant would like to seek a vote on the entrance frequency (separation) waiver at this (December 15) meeting, withdraw the subdivision application to enable a Lot 44 sewer allocation request and single residential building permit application to move forward, and resubmit the subdivision application with a revised sketch plan application, in which the part of Lot 44 where the proposed house would be located would become part of the existing conditions plan.

Other subdivision application

A subdivision sketch plan application has also been received for an adjacent property, 771 Main St. (Map 6, Lot 43). This is just south of Lot 44’s frontage on Main St. It is anticipated that this will be scheduled for review at an upcoming Planning Board meeting in the new year.

Other subdivision requirements

This is continued review of a subdivision sketch plan application. Some required information listed on the subdivision checklist would be expected to be submitted with the preliminary plan application.

Water and sewer service

The proposed subdivision would connect to public water and sewer lines on Main St. For sewer service, the applicant has proposed each lot having sewer lines with individual pumps to a force main leading to the gravity sewer line on Main St.

Conservation Commission comments

On January 21, 2020, in reviewing the previous version of the application, the Conservation Commission submitted the following comments:

1. The Conservation Commission would like the opportunity to review and comment on more detailed plans, when available. 2. The Commission is concerned about the proximity of the subdivision lots to the Piscataqua River and potential impacts to adjacent habitat resulting from tree clearing and surface runoff. The Commission would specifically like to know: (a) if a vegetated buffer will be maintained within the 75 [ft.] buffer from the shore; (b) short term and long term erosion control and sedimentation measures to minimize impacts to the river and adjacent wetlands; (c) tree removal plans within the shoreland zone and mitigation to minimize impacts from loss of wooded habitat (i.e. impacts to endangered species such as Northern Long Eared Bats); (d) stormwater management (minimize runoff to the river); and (e) identification of significant wildlife habitat that could be impacted such as vernal pools, shorebird nesting, tidal waterfowl and wading bird habitat, etc. The Commission would also like to know any plans for construction of piers or other structures within the river and shoreland buffer that are not currently illustrated on the sketch plan.

The Commission was sent the updated subdivision sketch plan application and submitted the following comments via the Chair on December 8, 2020:

The Commission has not received a response to our comments submitted to the acting town planner on January 21, 2020. Based on the current plans, it is not clear if wetland surveys were completed or if measures to minimize/mitigate tree clearing were considered. It appears no development will occur within the 75' buffer to the shore; but we would request that a no-build prohibition within this buffer be included in long term management for this subdivision. Native plants should be considered for landscaping and/or to mitigate for tree removal.

The applicant stated they would address these comments during the preliminary plan stage.

Cemetery

The existing cemetery/family burial ground has been discussed by the Planning Board and applicant and shown on recent recorded plans, including a 2005 boundary survey prepared for the Whites and the aforementioned lot reconfiguration, as well as subsequent proposed subdivision sketch plans. The fee remains with the family heirs, and continued access for the heirs is noted in the 2005 boundary survey, proposed subdivision sketch plans, and past discussions between the applicant and Planning Board. The Eliot Historical Society reviewed the previous version of the subdivision sketch plan application and submitted a comment (January 29, 2020) stating:

We have concluded our research into the subject subdivision and cemetery. The family names associated with that cemetery are: Brooks, Brown, Dixon, Hanscom, Hurd, Jones, Kennard, Paul, Remick, Tuttle and Warland. Our research has found no significant historical value in the subdivision or cemetery.

The Historical Society submitted another comment on March 1, 2020, stating:

We are aware of this cemetery and it has no significant historical value other than being a cemetery. Our only other comment would be the 25' setback requirements. It looks like the plan as 20' for Lot #3.

Respectfully submitted,

Jeff Brubaker, AICP
Town Planner

Gray



**CIVIL
CONSULTANTS**

Engineers

Planners

Surveyors

P.O. Box 100

293 Main Street

South Berwick

Maine

03908

207-384-2550

November 16, 2020

Jeff Brubaker
Planner
Town of Eliot
1333 State Road,
Eliot, Maine 03903

Re Subdivision Sketch Plan Application 787 Main Street
Land of LJE Property Development and Jesse Realty, LLC

Dear Mr. Brubaker:

Enclosed please find a submittal of an updated sketch plan application for the referenced property. As you will note, one of the property owners/applicants has changed. In addition, we have provided a traffic analysis regarding the suitability of the proposed access onto Main Street.

We have had two previous planning board sketch meetings and a site walk. At the site walk a poll was taken of board members with the consensus being the board would not support a waiver for the separation distance of our access to Aqua Avenue. We believe the attached analysis memo justifies our waiver request.

Chapter 41, Division 3, Section 141 apparently requires approval of the sketch plan. It appears this is the point in the process where the access location needs to be resolved.

We once again have included ten copies of the 11" x 17" submittal as well as two copies of the property and development plans on 22" x 34" sheets.

At your direction we will provide electronic copies for your use. We would appreciate being on your next available planning board agenda.

Very Truly Yours

Thomas W. Harmon, P.E.
Principal

CC: Kris Glidden / attachments

CASE NO. _____

**TOWN OF ELIOT
PLANNING BOARD
SUBDIVISION APPLICATION**

This application shall conform in all respects to the Land Subdivision Standards of Chapter 41 of the Planning Board of the Town of Eliot code of ordinances. Ten (10) copies of application and sketch plan shall be submitted.

- Application for Sketch plan
 Preliminary plan for major subdivision
 Final plan for minor subdivision

1. Proposed name of subdivision LJE Property Development, LLC & Jesse Realty, LLC

2. Location of property 787 Main Street-(Route 103) Eliot, ME 03903

3. Tax Map 6 Lot # 44 & 154 Size (acres) 9.3

4. Zoning District (circle one) Commercial/Industrial Rural Suburban Village

5. Name of record owner Kris Glidden & Jesse Realty, LLC
Mailing address care of Kris Glidden(see address below) Phone # (603)-674-8207

6. Name of applicant Kris Glidden & Jesse Realty, LLC
Mailing address 2 Punkintown Rd Ste 340 South Berwick Phone # (603)-674-8207
If corporation, name of agent Kris Glidden

7. A complete statement of any easements relating to the property is attached hereto
(if none, so state) none

8. Deed or deeds recorded at County Registry of Deeds
Date 09/25/2020 Book # 18181 Page # 921
Date 11/26/2018 Book # 18390 Page # 922
Date _____ Book # _____ Page # _____

CASE NO. _____

9. Do the owner and/or applicant have an interest in an abutting property as stated on the attached sheet? No

10. Name, address and license # of Engineer, Land Surveyor, Architect, or Planner
Thomas W. Harmon, PLS, PE #2977 PO Box 100 South Berwick, ME 03908

11. Preliminary plan covers Entire Tract

12. If applicable, has the owner and/or applicant been approved for a MaineDOT driveway permit for the installation, physical change or change of use a driveway located on a State highway? Yes

13. Does owner propose to submit Final Subdivision Plan to cover the entire Preliminary Plan, or to file same in sections? Yes
If so, how many? _____

14. Does the preliminary plan cover the entire contiguous holdings of the applicant?
N/A

15. Entrances onto existing or proposed collector streets do not exceed a frequency of one per 400' of street frontage? Yes No N/A

16. Entrances onto existing or proposed arterial streets do not exceed a frequency of one per 1000' of street frontage? Yes No N/A

17. A distance of at least 200' is maintained between centerlines of offset intersecting streets? (Yes) No

18. Does the applicant propose to dedicate to the public all streets, highways and parks shown on the plan? Yes

CASE NO. _____

19. Give the number of acres which the applicant proposes to dedicate to public to use for park, playground and/or other purposes 0 acres

20. If any waivers of requirements are to be requested, list them on a separate sheet, referencing the Sections in Chapter 41 and give reasons why such requirements should be waived. None known

21. Is the property located in a flood zone? Yes a portion

If yes, please complete the attached Flood Hazard Development Application and return it with your application.

Subdivider shall submit fees as specified in Sections 1-25 in the amount of \$200/lot prior to the second meeting with the Planning Board. Fees are not refundable.

Applicant signature [Signature] Date 11/24/20

Owner signature [Signature] Date 11/24/20

Planning Assistant _____ Date _____

| FEES: | |
|-------------------|---------------|
| Major subdivision | \$200 per lot |
| Minor subdivision | \$200 per lot |

CASE NO. None known

**Town of Eliot Planning Board
CHECKLIST FOR A SUBDIVISION APPLICATION
(All items will be reviewed unless otherwise noted or NA)**

- The owner of the property is LJE Property Development, LLC and Jesse Realty, LLC
- The applicant is LJE Property Development who has demonstrated a legal interest in the property by providing:

- Agents for the applicant are:
Civil Consultants
- The property is located at 787 Main Street, in the Village zoning district, identified as Assessor's Map 6, Lot 44, and containing 9.3 acres
- Application is for establishment of (new) (modification to existing) (Major) Minor Subdivision
- Existing Subdivision was approved by the Planning Board on _____.
- The name of the proposed subdivision is Shipping Lane and it will contain 7 lots which range in size from 1 acres to 1.5 acres and are shown on Plan No. SD1, dated _____
- Easements and/or Rights of Way affected by or within the proposed subdivision are as follows:
a. Easement to Remick Family Cemetery
b. _____
c. _____
- Entrances onto existing or proposed collector streets do not exceed a frequency of one per 400' of street frontage? Entrances onto existing or proposed arterial streets do not exceed a frequency of one per 1000' of street frontage?
- Owner/applicant has been approved for a driveway permit from MaineDOT for the installation, change or change of use on any State highway, if applicable?
- Lots within the proposed Subdivision will have (private) (public) water supply and (private) (public) (private central) sewage disposal systems.
- Sketch Plan was accepted by the Planning Board on _____
- Preliminary Plan approved by Planning Board on _____
- A Site visit was conducted on _____
- A public hearing was held on _____
- _____ abutters spoke or submitted written correspondence at the Public Hearing or submitted written correspondence by mail.

CASE NO. _____

- _____ members of the public spoke or submitted written correspondence at the Public Hearing or submitted written correspondence by mail.
- The application was discussed by the Planning Board on _____, _____, _____, _____.
- Plan for minimizing surface water drainage (Section 41-213) submitted: (Yes) (No) (Waiver requested).
- Soil Erosion and Sediment Control Plan (Section 41-214) submitted: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision) Statement or plan showing effect upon air quality (Section 41-212) submitted: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision) Soils Report and High Intensity Soils Survey [Section 41-150(11)] submitted: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision) Location of all natural features or site elements to be preserved (Section 41-215) identified: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision) Statement or plan concerning historical sites and land use patterns (Section 41-216) submitted: (Yes) (No) (Waiver requested).
- Means of providing water supply to the proposed subdivision (Section 41-217) identified: (Yes) (No) (Waiver requested).
- Sanitary sewerage system (Section 41-218) identified: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision) Community services and impact statement (Section 41-220) submitted: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision) Traffic congestion and safety plan (Section 41-221) submitted: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision) Public health and safety statement (Section 41-222) submitted: (Yes) (No) (Waiver requested).
- Compliance with Federal, State, and Local land use laws (Section 41-223) demonstrated: (Yes) (No).
- (Optional for Minor Subdivision) Estimated Progress schedule [Section 41-150(21)] submitted: (Yes) (No) (Waiver requested).
- Adequate financing (Section 41-224) demonstrated: (Yes) (No) (Waiver requested).
- (Optional for Minor Subdivision) Water Department approval provided for public water service [Section 41-174 (1)]
- (Optional for Minor Subdivision) State of Maine, Department of Human Services approval for central water supply system provided [Section 41-174 (2)]

CASE NO. _____

- Soil Scientist approval for individual wells provided [Section 41-174 (3)]: (Yes) **(No)**
- Proposed subdivision Plan reviewed by the Department of Environmental Protection: (Yes) (No) (Waiver requested).
- Proposed subdivision Plan reviewed by the Department of the Army, Corps of Engineers: (Yes) **(No)** (Waiver requested).
- Proposed subdivision Plan reviewed by the York County Soil and Water Conservation District: (Yes) **(No)** (Waiver requested)
- Other _____

March04

J: /aaa/2016/1616603/Sketch/Resubmittal/20201113application



Tax Map

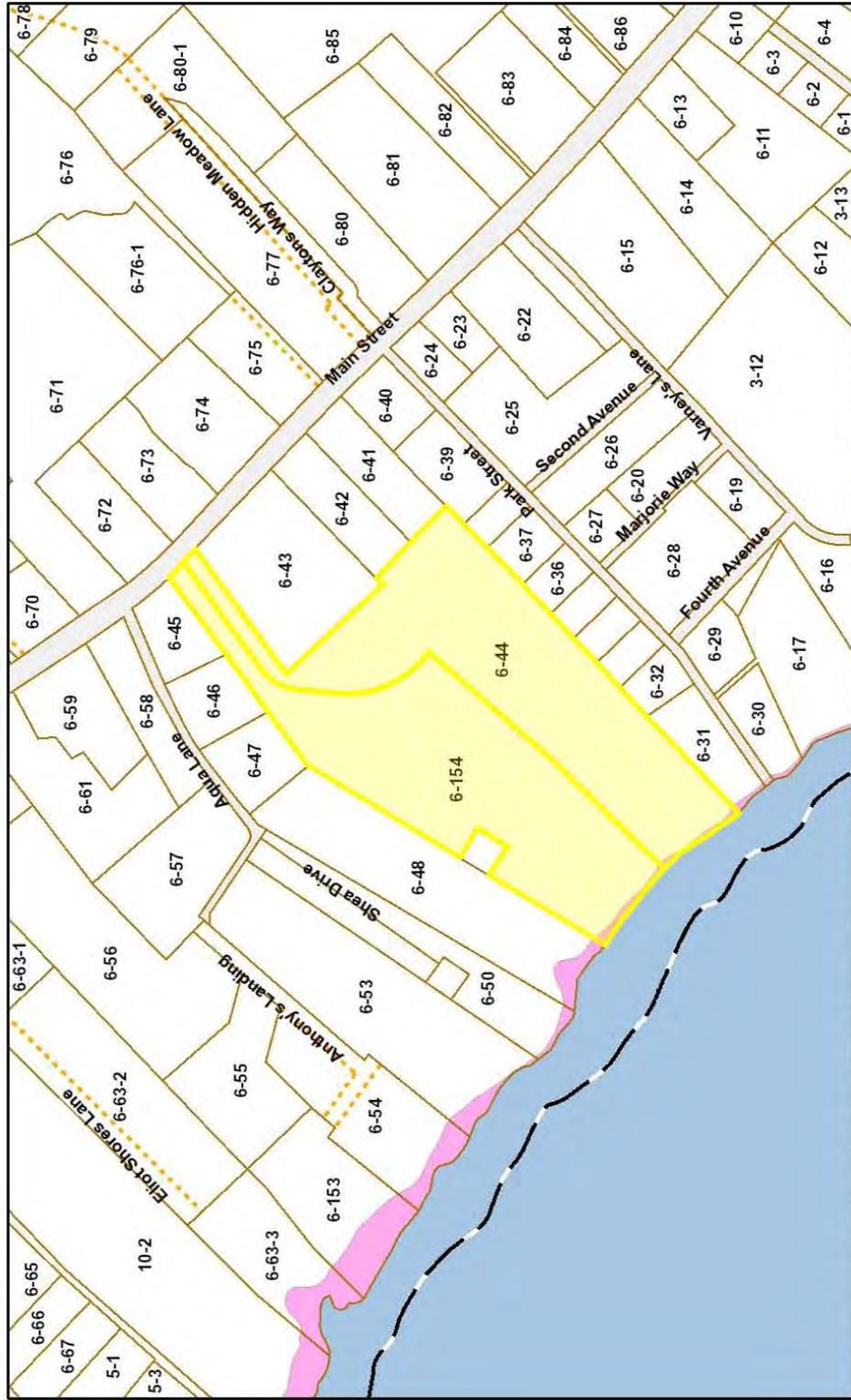
Eliot, ME



August 9, 2019



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

| | | |
|--------------------------|--------------|---|
| TAX MAP Map 06 Lot 44 | | PREPARED FOR: CPN Realty, LLC P.O. Box 657 Eliot ME, 03903 |
| JOB NO: 1616600 | Not to Scale | DATE: August 2019 |

J:\aaa\2016\1616600\Planning Board\20190809-TaxMap.doc



P.O. Box 100 South Berwick, Maine 03908 207-384-2550

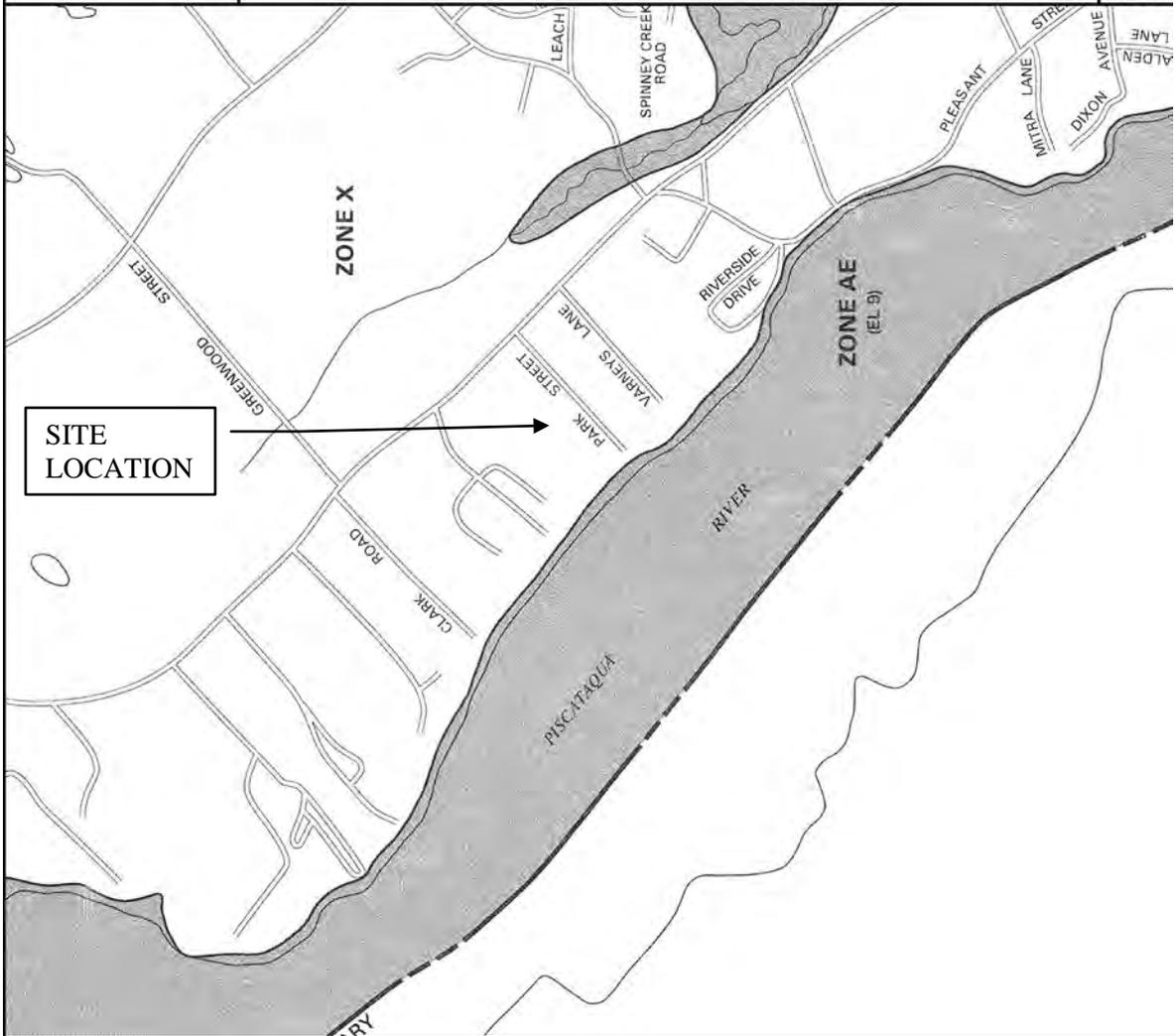
NATIONAL FLOOD INSURANCE PROGRAM
FIRM FLOOD INSURANCE RATE MAP
TOWN OF ELIOT, MAINE
YORK COUNTY
PANEL 10 OF 10
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER 230149 0010 B
EFFECTIVE DATE: JUNE 5, 1989

 Federal Emergency Management Agency

APPROXIMATE SCALE
 1000 0 1000 FEET

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



| | | | |
|------------------------|---------------------|--------------------------|--|
| FLOOD MAP | | PREPARED FOR: | CPN Realty, LLC P.O. Box 657 Eliot ME, 03903 |
| JOB NO: 1616600 | Not to Scale | DATE: August 2019 | |

J:\aaa\2016\1616600\Planning Board\Sketch\20190809-FloodMap.doc

Return to:
LJE Property Development, LLC

DLN:1002040112472

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That **CPN Realty, LLC**, a New Hampshire Limited Liability Company, with a mailing address of P.O. Box 657, Eliot, ME 03903, for consideration paid grants to **LJE Property Development, LLC**, a Maine Limited Liability Company, with a mailing address of 2 Punkin Town Road, Suite 340, South Berwick, ME 03908, with WARRANTY COVENANTS:

A certain unimproved parcel of land, situated in the Town of Eliot, County of York, State of Maine, located on the westerly side of Main Street, containing approximately 4.115 acres of upland, more or less, and the associated tidal flats in the Piscataqua River, being a reconfiguration of two lots:

1) A portion of the lands of CPN Realty, LLC described in a deed recorded at the York County Registry of Deeds in Book 17849, Page 559 and shown as LOT 1 on a plan by CIVIL CONSULTANTS, dated November 6, 2018, entitled "PROPOSED DIVISION OF LAND OF HOME FIELD TRUST, ORLEY MAE WHITE, TRUSTEE, 787 MAIN ST., ELIOT, YORK COUNTY, ME" - project 16-166.00 (SHEET D1), and also as shown on a plan by CIVIL CONSULTANTS, dated December 12, 2018, entitled "PLAN OF LAND OF CPN REALTY, LLC æ" 787 MAIN STR., ELIOT, YORK COUNTY, ME" - project 16-166.00 (SHEET D2), recorded at the York County Registry of Deeds in Plan Book 399, Page 10, and

2) A portion of the lands of Jesse Realty, LLC described in a deed recorded at the York County Registry of Deeds in Book 17849, Page 563 and shown as LOT 2 on a plan by CIVIL CONSULTANTS, dated November 6, 2018, entitled "PROPOSED DIVISION OF LAND OF HOME FIELD TRUST, ORLEY MAE WHITE, TRUSTEE, 787 MAIN ST., ELIOT, YORK COUNTY, ME" - project 16-166.00, and also as shown on a plan by CIVIL CONSULTANTS, dated December 12, 2018, entitled "PLAN OF LAND OF JESSE REALTY, LLC - 787 MAIN STR., ELIOT, YORK COUNTY, ME" - project 16-166.00 (SHEET D3), recorded at the York County Registry of Deeds in Plan Book 399, Page 11.

(Reference is also made to a plan by CIVIL CONSULTANTS, entitled "BOUNDARY PLAN PREPARED FOR JAMES D. & ORLEY MAE WHITE, Site Location: 139 Main Street, Eliot, Maine", project number 89-115.01, dated June 21, 2005, recorded at the York County Registry of Deeds in Plan Book 302, Page 6; bearings as shown on the first three referenced plans are based on Grid North, Maine State Plane Coordinate System, West Zone, NAD 83; bearings as shown on the second referenced plan are based on magnetic north; the orientation difference is 14°28'49")

Maine R.E. Transfer Tax Paid

The reconfigured lot of 4.115 acres, more or less, is shown as "RECONFIGURED LOT 1" on a plan by CIVIL CONSULTANTS, dated February 5, 2020, entitled "PROPOSED LOT RECONFIGURATION OF LAND OF JESSE REALTY, LLC & CPN REALTY, LLC - 787 MAIN STR., ELIOT, YORK COUNTY, ME", project number 16-166.00 (SHEET D4), and is more particularly described as follows:

UPLAND PARCEL:

BEGINNING at the northeasterly corner of the herein described parcel, a point near the southerly common corner of land now or formerly of Franklin and Carolyn B. Hutchinson described in a deed recorded at the York County Registry of Deeds in Book 1888, Page 554 and land now or formerly of Christopher S. Hayden described in a deed recorded at the York County Registry of Deeds in Book 15753, Page 227, located at a tie course of S 54°21'53" W, 324.47 feet from a flat iron bar in the westerly line of Main Street which marks the southeasterly corner of land now or formerly of the June Remignanti Revocable Trust as described in a deed recorded at the York County Registry of Deeds in Book 15451, Page 115 and the most northeasterly corner of "RECONFIGURED LOT 2" shown on the last referenced plan (SHEET D4);

Thence S 59°55'20" E, along "RECONFIGURED LOT 2", 29.48 feet to a point;

Thence generally southerly, following the arc of a circular curve concave to the east and along "RECONFIGURED LOT 2", an arc length of 44.07 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS", said curve is additionally defined by the following elements: radius=125.00 feet, central angle=20°12'00", chord bearing=S 15°54'14" W, chord length=43.84 feet;

Thence S 05°48'14" W, along "RECONFIGURED LOT 2", 77.39 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 05°48'14" W, along "RECONFIGURED LOT 2", 36.45 feet to a point;

Thence S 84°11'46" E, along "RECONFIGURED LOT 2", 50.00 feet to a point;

Thence generally southerly, following the arc of a circular curve concave to the east and along "RECONFIGURED LOT 2", an arc length of 25.99 feet to a point, said curve is additionally defined by the following elements: radius=75.00 feet, central angle=19°51'20", chord bearing=S 04°07'26" E, chord length=25.86 feet;

Thence S 14°03'06" E, along "RECONFIGURED LOT 2", 67.96 feet to a point;

Red Door Title □ 1 New Hampshire Avenue, Suite 320 Portsmouth NH 03801 □ (207) 358-7500

Thence S 19°06'22" E, along "RECONFIGURED LOT 2", 73.48 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 41°35'50" W, along "RECONFIGURED LOT 2", 294.40 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 44°45'45" W, along "RECONFIGURED LOT 2", 270.00 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 44°45'45" W, along "RECONFIGURED LOT 2", 29.68 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 44°45'45" W, along "RECONFIGURED LOT 2", 5.47 feet to a point at normal high-water line of the Piscataqua River;

Thence northwesterly by the meanders of the normal high-water line of said river, approximately 190 feet to a point at the westerly end of a stone wall, said point being located at a tie course and distance of N 53°21'59" W, 188.06 feet from the last described point;

Thence N 30°44'22" E, along a stone wall and land now or formerly of Debra M. and John T. Croiser, trustees as described in a deed recorded at the York County Registry of Deeds in Book 16975, Page 166, 25.45 feet to the end of said wall;

Thence N 27°15'02" E, by said Crosier land, 44.22 feet to the end of another stone wall;

Thence N 31°53'32" E, along said Crosier land, 197.04 feet to a point in said wall and the northwesterly corner of the Remick Family Burial Ground;

Thence the following three courses and distances around said Burial Ground as defined by granite posts:

S 56°28'01" E, 66.91 feet;

N 32°41'05" E, 68.33 feet;

N 57°48'03" W, 67.82 feet to a point in the last prior-referenced stone wall and said land of Crosier;

Thence N 31°55'36" E, along said wall and land of Crosier, 20.04 feet to a 6" by 6", 4-foot-tall concrete post at the end of said wall;

Red Door Title □ 1 New Hampshire Avenue, Suite 320 Portsmouth NH 03801 □ (207) 358-7500

Thence N 31°53'25" E, by said Crosier land, 180.28 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

Thence N 31°53'25" E, by said Crosier land, 150.00 feet to a 6" by 6", 5-foot tall concrete post;

Thence N 54°21'53" E, by land now or formerly of Christopher S. Hayden as described in a deed recorded at the York County Registry of Deeds in Book 15753, Page 227, 100.00 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

Thence N 54°21'53" E, by said Hayden land, 34.58 feet to the POINT OF BEGINNING;

Together with all of the appurtenant tidal lands in the Piscataqua River, the division line common to "RECONFIGURED LOT 2", across the tidal lands, to extend on a course of S 43°47'23" W from the southwesterly corner of the herein-described upland parcel;

Together with easements of record benefitting the herein-described parcel, but excepting those existing between the parties herein, which are intended to be terminated and replaced by those rights as described herein, and

Subject to easements of record burdening the herein-described parcel, but excepting those existing between the parties herein, which are intended to be terminated and replaced by those rights as described herein;

The subject parcel is conveyed together with an easement to use the "PROPOSED PRIVATE ACCESS WAY" depicted on the last referenced plan (SHEET D4), in common with the owners of "RECONFIGURED LOT 2" as shown on said plan, for a joint driveway, for ingress and egress from and to Main Street, by foot and by vehicle, and for the construction and maintenance of above ground and below ground utilities;

The subject parcel is burdened by an easement to benefit the owners of "RECONFIGURED LOT 2", 10-feet in width, in a mutually convenient location, to allow for a connection to any existing or future waterlines constructed within the 30-foot water line easement described in deed recorded at the York County Registry of Deeds in Book 1985, Page 188;

The subject parcel is subject to and benefitted by mutually beneficial rights to use, for ingress and egress, the existing gravel road which extends southerly into "RECONFIGURED LOT 1" and "RECONFIGURED LOT 2" beyond the southerly limit of the easement area of the "PROPOSED PRIVATE ACCESS WAY" depicted on the last referenced plan (SHEET D4), in common with owners "RECONFIGURED LOT 2".

Red Door Title □ 1 New Hampshire Avenue, Suite 320 Portsmouth NH 03801 □ (207) 358-7500

Meaning and intending to describe and convey the same premises conveyed to CPN Realty, LLC by virtue of a deed from CPN Realty, LLC and Jesse Realty, LLC dated February 24, 2020 and recorded in the York County Registry of Deeds at Book 18181, Page 913.

By executing this Deed, the undersigned further certify that they named in the Operating Agreement and Certificate of Formation as two of the persons authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property on behalf of the limited liability company and such authority has not been amended, modified or revoked; that the Operating Agreement authorizes them to take all steps necessary to convey the premises or interests described in the above deed on the terms and conditions contained herein; and that no member of the LLC has filed for bankruptcy protection.

Executed this 24 day of September, 2020.

CPN Realty, LLC

By: Laurie A. Chase
Laurie A. Chase, Member

By: David L. Chase
David L. Chase, Member

State of Maine
County of York

Then personally appeared before me on this 24 day of September, 2020 the said Laurie A. Chase, Member and David L. Chase, Member of CPN Realty, LLC and acknowledged the foregoing to be their voluntary act and deed in their said capacity.



Timothy E. Cornwell
Notary Public
Commission expiration:

Red Door Title ☐ 1 New Hampshire Avenue, Suite 320 Portsmouth NH 03801 ☐ (207) 358-7500

PLEASE RETURN TO:

JESSE REALTY, LLC
2552 LONGBOAT DRIVE
NAPLES, FL 03104

DLN:1002040088297

WARRANTY DEED

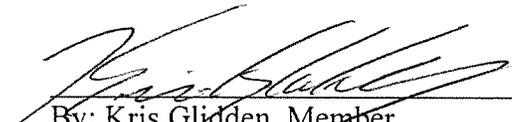
KNOW ALL PERSONS BY THESE PRESENTS, that **JESSE REALTY, LLC**, a Florida limited liability company, with a mailing address of 2552 Longboat Drive, Naples, Florida (34104) and **CPN REALTY, LLC**, a New Hampshire limited liability company, with a mailing address of P.O. Box 657, Eliot, Maine (03903), (hereinafter referred to as "Grantors"), for consideration paid, hereby grant to **JESSE REALTY, LLC**, a Florida limited liability company, (hereinafter referred to as "Grantee"), with a mailing address of 2552 Longboat Drive, Naples, Florida (34104), with WARRANTY COVENANTS, a certain parcel of land situated in the Town of Eliot, County of York, State of Maine, bounded and described as follows:

See attached Exhibit A hereto made a part hereof and incorporated by reference.

This instrument was prepared for the seller without the benefit of an examination of title.

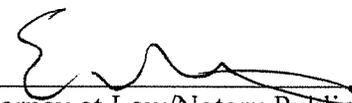
Executed this 21 day of February, 2020.

JESSE REALTY, LLC


By: Kris Glidden, Member

State of Maine
County of Cumberland

Before me this 21 day of February, 2020, personally appeared the above-named Kris Glidden in the capacity as Member of Jesse Realty, LLC, and acknowledged the foregoing instrument to be his/her voluntary act and deed in said capacity.


Attorney at Law/Notary Public
My Commission Expires:
8/4/2022
Erin Marquis



No Transfer Tax

Executed this 24th day of February, 2020.

CPN REALTY, LLC

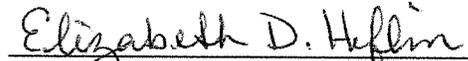


By: David L. Chase, Member

By: Laurie A. Chase, Member

State of Florida
County of Monroe

Before me this 24th day of February, 2020, personally appeared the above-named David L. Chase ~~and Laurie A. Chase~~ in their capacity as Members of CPN Realty, LLC, and acknowledged the foregoing instrument to be their voluntary act and deed in said capacity.



Attorney at Law/Notary Public
My Commission Expires:



Executed this 24 day of February, 2020.

CPN REALTY, LLC

By: David L. Chase, Member

Laurie A. Chase

By: Laurie A. Chase, Member

State of Florida
County of Broward

Before me this 24 day of February, 2020, personally appeared the above-named ~~David L. Chase~~ and Laurie A. Chase in their capacity as Members of CPN Realty, LLC, and acknowledged the foregoing instrument to be their voluntary act and deed in said capacity.



Derrick R. Lasseter
COMMISSION # GG230333
EXPIRES: October 1, 2022
Bonded Thru Aaron Notary

Derrick R. Lasseter

Attorney at Law/Notary Public
My Commission Expires: 10/01/2022

EXHIBIT A

PARCEL DESCRIPTION (LOT RECONFIGURATION) PART OF 787 MAIN STREET ELIOT, YORK COUNTY, MAINE LOT 2 – JESSE REALTY, LLC

A certain unimproved parcel of land, situated in the Town of Eliot, County of York, State of Maine, located on the westerly side of Main Street, containing approximately 5.160 acres of upland, more or less, and the associated tidal flats in the Piscataqua River, being a reconfiguration of two lots:

- 1) A portion of the lands of CPN Realty, LLC described in a deed recorded at the York County Registry of Deeds in Book 17849, Page 559 and shown as LOT 1 on a plan by CIVIL CONSULTANTS, dated November 6, 2018, entitled “PROPOSED DIVISION OF LAND OF HOME FIELD TRUST, ORLEY MAE WHITE, TRUSTEE, 787 MAIN ST., ELIOT, YORK COUNTY, ME” – project 16-166.00 (SHEET D1), and also as shown on a plan by CIVIL CONSULTANTS, dated December 12, 2018, entitled “PLAN OF LAND OF CPN REALTY, LLC – 787 MAIN STR., ELIOT, YORK COUNTY, ME” – project 16-166.00 (SHEET D2), recorded at the York County Registry of Deeds in Plan Book 399, Page 10, and
- 2) A portion of the lands of Jesse Realty, LLC described in a deed recorded at the York County Registry of Deeds in Book 17849, Page 563 and shown as LOT 2 on a plan by CIVIL CONSULTANTS, dated November 6, 2018, entitled “PROPOSED DIVISION OF LAND OF HOME FIELD TRUST, ORLEY MAE WHITE, TRUSTEE, 787 MAIN ST., ELIOT, YORK COUNTY, ME” – project 16-166.00, and also as shown on a plan by CIVIL CONSULTANTS, dated December 12, 2018, entitled “PLAN OF LAND OF JESSE REALTY, LLC – 787 MAIN STR., ELIOT, YORK COUNTY, ME” – project 16-166.00 (SHEET D3), recorded at the York County Registry of Deeds in Plan Book 399, Page 11,

(Reference is also made to a plan by CIVIL CONSULTANTS, entitled “BOUNDARY PLAN PREPARED FOR JAMES D. & ORLEY MAE WHITE, Site Location: 139 Main Street, Eliot, Maine”, project number 89-115.01, dated June 21, 2005, recorded at the York County Registry of Deeds in Plan Book 302, Page 6; bearings as shown on the first three referenced plans are based on Grid North, Maine State Plane Coordinate System, West Zone, NAD 83; bearings as shown on the second referenced plan are based on magnetic north; the orientation difference is 14°28’49”)

The reconfigured lot of 5.160 acres, more or less, is show as “RECONFIGURED LOT 2” on a plan by CIVIL CONSULTANTS, dated February 5, 2020, entitled “PROPOSED LOT RECONFIGURATION OF LAND OF JESSE REALTY, LLC & CPN REALTY, LLC – 787 MAIN STR., ELIOT, YORK COUNTY, ME”, project number 16-166.00 (SHEET D4), and is more particularly described as follows:

UPLAND PARCEL

BEGINNING at a flat iron bar in the westerly line of Main Street which marks the southeasterly corner of land now or formerly of the June Remignanti Revocable Trust as described in a deed recorded at the York County Registry of Deeds in Book 15451, Page 115 and the most northeasterly corner of the herein-described parcel;

Thence S 54°21'53" W, by said Remignanti land, 100.00 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

Thence S 54°21'53" W, by said Remignanti land, 87.49 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

Thence S 54°21'53" W, by land now or formerly of Franklin and Carolyn B. Hutchinson as described in a deed recorded at the York County Registry of Deeds in Book 1888, Page 554, 136.98 feet to a point and the northeasterly corner of "RECONFIGURED LOT 1";

Thence S 59°55'20" E, along "RECONFIGURED LOT 1", 29.48 feet to a point;

Thence generally southerly, following the arc of a circular curve concave to the east and along "RECONFIGURED LOT 1", an arc length of 44.07 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS", said curve is additionally defined by the following elements: radius=125.00 feet, central angle=20°12'00", chord bearing=S 15°54'14" W, chord length=43.84 feet;

Thence S 05°48'14" W, along "RECONFIGURED LOT 1", 77.39 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 05°48'14" W, along "RECONFIGURED LOT 1", 36.45 feet to a point;

Thence S 84°11'46" E, along "RECONFIGURED LOT 1", 50.00 feet to a point;

Thence generally southerly, following the arc of a circular curve concave to the east and along "RECONFIGURED LOT 1", an arc length of 25.99 feet to a point, said curve is additionally defined by the following elements: radius=75.00 feet, central angle=19°51'20", chord bearing=S 04°07'26" E, chord length=25.86 feet;

Thence S 14°03'06" E, along "RECONFIGURED LOT 1", 67.96 feet to a point;

Thence S 19°06'22" E, along "RECONFIGURED LOT 1", 73.48 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 41°35'50" W, along "RECONFIGURED LOT 1", 294.40 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 44°45'45" W, along "RECONFIGURED LOT 1", 270.00 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 44°45'45" W, along "RECONFIGURED LOT 1", 29.68 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 44°45'45" W, along "RECONFIGURED LOT 1", 5.47 feet to a point at normal high-water line of the Piscataqua River;

Thence southeasterly by the meanders of the normal high water line of said river, approximately 190 feet to a point marked by a 5/8" diameter iron rebar with cap marked "PLS 1302 CIVIL CONSULTS", located at a tie course and distance of S 39°03'15" E, 188.09 feet from the last described point;

Thence N 46°45'56" E, along land now or formerly of Gregory J. and Andrea M. Power as described in a deed recorded at the York County Registry of Deeds in Book 8136, Page 264, 52.70 feet to a 5/8" diameter iron rebar with a cap marked "PLS 2059";

Thence N 46°45'56" E, along said land now or formerly of Gregory J. and Andrea M. Power, 97.36 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1302";

Thence N 46°45'56" E, along said land now or formerly of Gregory J. and Andrea M. Power, 97.36 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1302";

Thence N 46°48'03" E, along land now or formerly of Janet A. and Julia M. Saurman as described in a deed recorded at the York County Registry of Deeds in Book 15517, Page 54, land now or formerly of John E. and Sigred Marston as described in a deed recorded at the York County Registry of Deeds in Book 1985, Page 249, land now or formerly of Barbara B. Wilson and Katherine H. Morin as described in a deed recorded at the York County Registry of Deeds in Book 14551, Page 713, land now or formerly of Nichole M. and Frederick L. Poisson as described in a deed recorded at the York County Registry of Deeds in Book 11980, Page 184, and land now or formerly of Clinton and Pamela M. Newland as described in a deed recorded at the York County Registry of Deeds in Book 2133, Page 887, 349.49 feet to point at the end of a stone wall;

Thence N 46°28'30" E, along said stone wall and land now or formerly of Barbara F. Gauthier as described in a deed recorded at the York County Registry of Deeds in Book 2699, Page 10, land now or formerly of Debra A. and Steven R. Farnham as described in a deed recorded at the York County Registry of Deeds in Book 9954, Page 245, and land now or formerly of Jeanne A. Thorvaldsen and Kenneth Wyman as described in a deed recorded at the York County Registry of Deeds in Book 15863, Page 285, 221.19 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311" in said stone wall;

Thence N 45°22'40" W, along land now or formerly of Kent W. and Deanna L. Davis as described in a deed recorded at the York County Registry of Deeds in Book 16208, Page 514, 99.07 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

Thence N 45°22'40" W, along land now or formerly of Jason Scott King as described in a deed recorded at the York County Registry of Deeds in Book 15988, Page 824, 99.07 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

Thence S 46°46'42" W, along land now or formerly of the Fred King, Jr. Living Trust and the Beverly J. King Living Trust as described in a deed recorded at the York County Registry of Deeds in Book 8105, Page 151, 18.00 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

Thence N 42°17'19" W, along said King land, 258.00 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

Thence N 54°21'53" E, along said King land, 305.00 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311" in the westerly line of Main Street,

Thence N 46°14'14" W, along Main Street, 75.00 feet to the POINT OF BEGINNING;

Together with all of the appurtenant tidal lands in the Piscataqua River; the division line common to "RECONFIGURED LOT 1", across the tidal lands, to extend on a course of S 43°47'23" W from the southwesterly corner of the herein-described upland parcel;

Together with easements of record benefitting the herein-described parcel, but excepting those existing between the parties herein, which are intended to be terminated and replaced by those rights as described herein, and

Subject to easements of record burdening the herein-described parcel, but excepting those existing between the parties herein, which are intended to be terminated and replaced by those rights as described herein;

The subject parcel is conveyed subject to an easement to use the "PROPOSED PRIVATE ACCESS WAY" depicted on the last referenced plan (SHEET D4), to be used in common with the owners of "RECONFIGURED LOT 1" as shown on said plan, for a joint driveway, for ingress and egress from and to Main Street, by foot and by vehicle, and for the construction and maintenance of above ground and below ground utilities;

The subject parcel is benefitted by an easement, across "RECONFIGURED LOT 1", 10-feet in width, in a mutually convenient location, to allow for a connection to any existing or future waterlines constructed within the 30-foot water line easement described in deed recorded at the York County Registry of Deeds in Book 1985, Page 188;

The subject parcel is subject to and benefitted by mutually beneficial rights to use, for ingress and egress, the existing gravel road which extends southerly into "RECONFIGURED LOT 1" and "RECONFIGURED LOT 2" beyond the southerly limit of the easement area of the "PROPOSED PRIVATE ACCESS WAY" depicted on the last referenced plan (SHEET D4), in common with owners "RECONFIGURED LOT 2".

LJE Property Development & Jesse Realty LLC

LIST OF ABUTTERS

787 Main Street
Map 6 Lot 44
Map 6 Lot 154
August 9, 2019
November 12, 2020 (Updated)

| MAP | LOT | NAME & MAILING ADDRESS |
|-----|-----------------------|--|
| 6 | 44 <i>(locus)</i> | Jesse Realty LLC 2552 Longboat Dr Naples, FL 34104 |
| 6 | 154 <i>(locus)</i> | CPN Realty LLC PO Box 657 Eliot, ME 03903 |
| 6 | 30 | Susan P Wittrock Steven P Wittrock 214 East Spring St Alexandria, VA 22301 |
| 6 | 31 | Hines, Susan Revocable Trust Susan N Hines Trustee 24 Park St Eliot, ME 03903 |
| 6 | 32 | Janet A Saurman 22 Park St Eliot, ME 03903 |
| 6 | 33 | John E Marston Sigred Marston 20 Park St Eliot, ME 03903 |
| 6 | 34 | Allan R Simpson Kathy L Simpson 18 Park St Eliot, ME 03903 |
| 6 | 35 | Nichole M Poisson Frederick L Poisson 16 Park St Eliot, ME 03903 |
| 6 | 36 | Pamela M Newland 14 Park St Eliot, ME 03903 |
| 6 | 37 | Anita J Crosby 12 Park St Eliot, ME 03903 |
| 6 | 38 | Debra A Farnham Steven R Farnham 10 Park St Eliot, ME 03903 |



LJE Property Development & Jesse Realty LLC

| | | |
|---|----|--|
| 6 | 39 | Caitlin M Reed Michael R Reed 6 Park St Eliot, ME 03903 |
| 6 | 41 | Crispin Grant 751 Main St Eliot, ME 03903 |
| 6 | 42 | Wardwell Ratcliff 767 Main St Eliot, ME 03903 |
| 6 | 43 | Boccia, M A & Ioung, Valentina H T Trust Michael A Boccia Trustee 246 Main St Eliot, ME 03903 |
| 6 | 45 | Charles P Kinnett Stephanie McNamara 793 Main St Eliot, ME 03903 |
| 6 | 46 | Hutchinson Family Revocable Trust Franklin & Carolyn B Hutchinson Trustees 11 Aqua Ave Eliot, ME 03903 |
| 6 | 47 | Katy Shea 17 Aqua Ave Eliot, ME 03903 |
| 6 | 48 | CROSIER, DEBRA M & JOHN T REVOCABLE TRUST DEBRA M & JOHN T CROSIER TRUSTEES 21 AQUA AVE ELIOT, ME 03903 |
| 6 | 71 | AFNEWSON LLC 34 HIDDEN MEADOWS LN APT A ELIOT, ME 03903 |
| 6 | 72 | BRIDGETTE R BEAGEN 790 MAIN ST ELIOT, ME 03903 |
| 6 | 73 | DONNA L KELLY 776 MAIN ST ELIOT, ME 03903 |
| | | |

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**CIVIL
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

CIVIL CONSULTANTS MEMORANDUM

TO: Town of Eliot Planning Department

FROM: Tom Harmon

SUBJECT: Waiver of entrance separation.

DATE: 11/12/2020

PROJECT: 787 MAIN STREET

This memorandum has been prepared in support of a waiver request presented in the sketch plan application for a 7 lot subdivision at 787 Main Street.

Streets in Eliot subdivisions are to be designed in accordance with Chapter 37 of the Eliot Municipal Code of Ordinances. Division 2 Section 37-69 item (g) of that ordinance states that entrances onto existing or proposed collector streets shall not exceed a frequency of one per 400 feet.

The parcel being proposed for subdivision has only 70 feet of frontage on Main Street, its sole egress to the property. That configuration was created prior to the enactment of the Eliot ordinance. The centerline of the seventy-foot strip, and the proposed subdivision entrance, is 145 feet from the centerline of Aqua Avenue which less than the separation distance of 400 feet required by the ordinance.

It is our belief that the purpose of the ordinance is to insure safe traffic conditions. It appears to us that the writer of the ordinance anticipated this requirement to be applied to proposed developments with multiple street entrances.

It is our opinion that providing a waiver to the 400 foot separation distance in this instance will not create an unsafe condition. Our opinion is supported by the fact that the Maine Department of Transportation, who has authority to govern entrances onto Main Street, has issued a permit for this subdivision entrance; and by the attached letter report from Traffic Solutions' professional engineer stating the entrance is acceptable.

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Traffic Solutions
William J. Bray, P.E.
17 Mountview Drive
Gorham, ME 04038
(207) 400-6890
trafficsolutions@maine.rr.com

November 10, 2020

Thomas W. Harmon, P.E., P.L.S., L.L.S.
President
Civil Consultants, Inc.
P.O. Box 100
South Berwick, Maine 03908

RE: Residential Subdivision 787 Main Street (Route 103) Eliot, Maine – Access Provisions

Dear Tom:

Pursuant to your written request and our follow-up conversations, Traffic Solutions has developed detailed traffic demand and safety information relative to the proposed 787 Main Street subdivision. It is my understanding that the Town of Eliot's intersection spacing standard along existing or proposed collector roadways requires a minimum separation of 400-feet between entrances. It would appear the street intersection serving the proposed 7-lot subdivision is located about 145-feet from Aqua Avenue (center to center measurement).

We have prepared site trip projections for the proposed 7-lot subdivision and, similarly, for the existing Aqua Avenue. We have obtained the most current road safety data along ME 103 (a.k.a. Main Street) and conducted field sight distance measurements at the Main Street/proposed subdivision intersection. Further, a review of entrance spacing standards promulgated by the Maine Department of Transportation in their Part B Driveway and Entrance Rules is provided for reference. Finally, we are providing a closing discussion that affirms the existing intersection spacing distance between the existing Aqua Avenue and the proposed subdivision street meets acceptable standards and does not adversely impact roadway safety along the section of Main Street fronting the proposed project location.

Each overarching topic is discussed in greater detail as follows:

Site Trip Projections

Peak hour trip projections generated by both the proposed 7-lot residential subdivision and the nearby Aqua Avenue subdivision are presented, herewith, based upon trip rates presented in the 10th edition of the Institute of Transportation Engineers (ITE) **TRIP GENERATION** publication. A single-family detached home generates approximately 0.74 trips during the morning peak hour

and 0.99 trips in the evening peak hour. Accordingly, the proposed 7-lot subdivision is expected to generate a total of five vehicle trips in the morning peak hour and seven trips in the evening peak hour. The combined peak hour trip forecasts for Aqua Avenue and Shea Drive are based upon a total of 12 single-family homes; which results in a total of nine trips generated in the AM peak hour and 12 trips in the PM peak hour on a typical weekday. The ITE publication also provides trip distribution patterns for both peak hour time periods; during the morning peak hour 75% of the total trips exit their homes and 25% enter. The evening peak hour distribution pattern is nearly opposite with 67% of the total trips entering the subdivision and 33% exiting the property. Based upon these trip patterns, a total of four trips leave the subdivision in the morning peak hour with a single vehicle entering; in the evening peak hour a total of four trips enter and three trips exit the subdivision. Based upon a total of 12 building lots, the Aqua Avenue subdivision likely generates about seven exiting trips in the morning peak hour and two entering trips, while the evening peak hour has eight entering trips and four trips exiting the property.

Road Safety Conditions

The Maine Department of Transportation's Crash Section was requested to provide a road safety report for the section of Main Street between Greenwood Street and Park Street, about 0.29 miles. MaineDOT's road safety report represents the most current three-year study period (2017 through 2019) for the defined section of ME 103 (a.k.a. Main Street). Table 1, as follows, provides the three-year crash history for the following sections and intersections located on Main Street between Greenwood Street and Park Street:

**Table 1
2017 -2019 Traffic Accident Summary**

| <u>Location</u> | <u>Total Crashes</u> | <u>Critical Rate Factor</u> |
|--|--------------------------|---------------------------------|
| 1. Main Street @ Greenwood Street | 0 | 0.00 |
| 2. Main Street @ Aqua Avenue | 1 | 1.28 |
| 3. Main Street @ Park Street | 0 | 0.00 |
| 4. Main Street btw. Greenwood Street and Aqua Avenue | 0 | 0.00 |
| 5. Main Street btw. Aqua Avenue and Park Street | 1 | 0.77 |

The MaineDOT considers any roadway intersection or segment a high crash location if both of the following criteria are met:

- ***8 or more accidents***
- ***A Critical Rate Factor greater than 1.00***

As the data presented in the chart shows; the incidence of traffic crashes occurring on the noted section of Main Street is exceptionally low. In fact, only two crashes were reported for the section of ME 103. Accordingly, there are no roadway segments or intersections that meet MaineDOT's criterion as a high crash location within the defined study area.

Vehicle Sight Distance

Chapter 37 Section 70.d. Street Design Standards establishes the following sight distance guidelines:

“street intersections and driveway curb-cuts shall be so designed as to permit a minimum sight distance of ten-feet for each mph of posted speed limit for both pedestrian and vehicular traffic. Sight distance shall be measured from the driver’s seat of a vehicle at rest on that portion of the exit with the front of the vehicle a minimum of ten-feet behind the curb line of the shoulder, with the height of the eye three and one-half feet, to the top of an object four and one-half feet above the pavement. Where necessary, corner lots shall be cleared of all growth (except isolated trees) and sight obstructions, including ground excavation, to achieve the required visibility.”

The portion of Main Street in the vicinity of Aqua Avenue is presently posted at 30mph, which in accordance with the Town’s sight distance standards requires a minimum unobstructed sightline of 300-feet. Field measurements observed at the intersection of Main Street and the graveled subdivision road exceed 700-feet in both directions of travel, more than the Town’s minimum sight distance requirement.

Summary

1. The proposed 7-lot residential subdivision located at 787 Main Street (a.k.a. ME 103) is a very low traffic generator with an expected peak hour volume of seven or fewer vehicle trips, or the equivalent of slightly more than one vehicle trip every 10 minutes during the busiest hours of a typical weekday. Existing Aqua Avenue/Shea Drive, a residential subdivision located adjacent to the proposed 787 Main Street project, likely generates a maximum peak hour volume of 12 or fewer trips.
2. MaineDOT’s most recent road safety data (2017 through 2019) for the section of Main Street between Greenwood Street and Park Street shows only two vehicle crashes have been reported for this section of Main Street.
3. Vehicle sight distance measurements (700-feet plus in both directions of travel) observed at the intersection of Main Street and the proposed subdivision street exceed, by a considerable distance, the required sight distance standard promulgated by the Town of Eliot for a posted speed limit of 30mph (300-feet).
4. The Maine Department of Transportation granted a driveway/entrance permit on December 19, 2019 to CPN Realty, LLC & Jesse Realty, LLC for construction of an entrance/driveway to the property located at 787 Main Street. A copy of the signed permit is attached for reference.
5. MaineDOT’s Driveway/Entrance rules and regulations establish spacing standards for entrances on Mobility Arterials only, roadways that are defined as: *“A Non-Compact Arterial that (1) has posted speed limit of 40 mph or more and is part of an arterial corridor located between Urban Compact Areas or Service Centers that carries an average annual daily traffic of at least 5,000 vehicles per day for at least 50% of its length.”* For comparison purposes, their minimum entrance spacing standard for a mobility arterial (the highest roadway classification) at 40 mph is 175-feet.

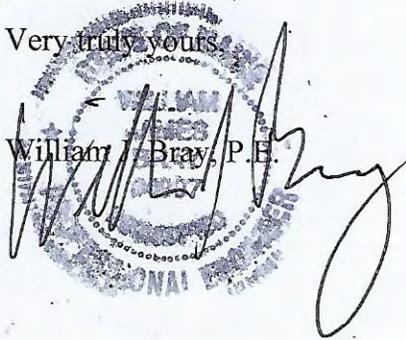
In closing, William J. Bray, P.E. [ME License #4907], as a practicing traffic engineer in the State of Maine for 40 plus years, concludes that roadway safety and/or traffic operations on Main Street in the vicinity of the 787 Main Street subdivision will not be adversely impacted by the spacing distance of 145-feet. The proposed residential subdivision is a very small project that is forecast to generate seven or fewer vehicle trips during the busiest times of the day. These very few added

vehicle trips will not conflict with traffic entering or existing through the Aqua Street/Main Street intersection. Adequate separation distance is provided (145-feet) to ensure that left-turn movements from Main Street to either the proposed subdivision or Aqua Street do not overlap; thereby, creating an undesirable traffic conflict. The measured street spacing distance (145-feet) separating Aqua Street and the proposed subdivision is 40-feet less than the spacing standard MaineDOT applies for regulating new entrances on Mobility Arterial Corridors.

You can reach me at 400-6890 with questions or if you need further clarification.

Very truly yours,

William J. Bray, P.E.

A circular professional seal for William J. Bray, P.E. The seal features the text "WILLIAM J. BRAY, P.E." in the center, surrounded by "PROFESSIONAL ENGINEER" and "MAINE". A handwritten signature in black ink is written over the seal.

DEC 19 2019



Maine Department of Transportation

Janet T. Mills
Governor

Driveway/Entrance Permit

CIVIL CONSULTANTS
Bruce A. Van Note
Commissioner

Permit Number: 27599 - Entrance ID: 1

OWNER
Name: CPN Realty, LLC & Jesse Realty, LLC
Address: P.O. Box 657
Eliot, ME 03903
Telephone: (603)674-8207

Date Printed: December 19, 2019

LOCATION
Route: 0103X, Main Street
Municipality: Eliot
County: York
Tax Map: 6 Lot Number: 44
Culvert Size: 15 inches
Culvert Type: plastic
Culvert Length: 40 feet
Date of Permit: December 19, 2019
Approved Entrance Width: 22 feet

In accordance with rules promulgated under 23 M.R.S.A., Chapter 13, Subchapter I, Section 704, the Maine Department of Transportation (MaineDOT) approves a permit and grants permission to perform the necessary grading to construct, in accordance with sketch or attached plan, an **Entrance to Subdivision/Development** at a point **581 feet North from Park Street**, subject to the Chapter 299 Highway Driveway and Entrance Rules, standard conditions and special conditions (if any) listed below.

Conditions of Approval:

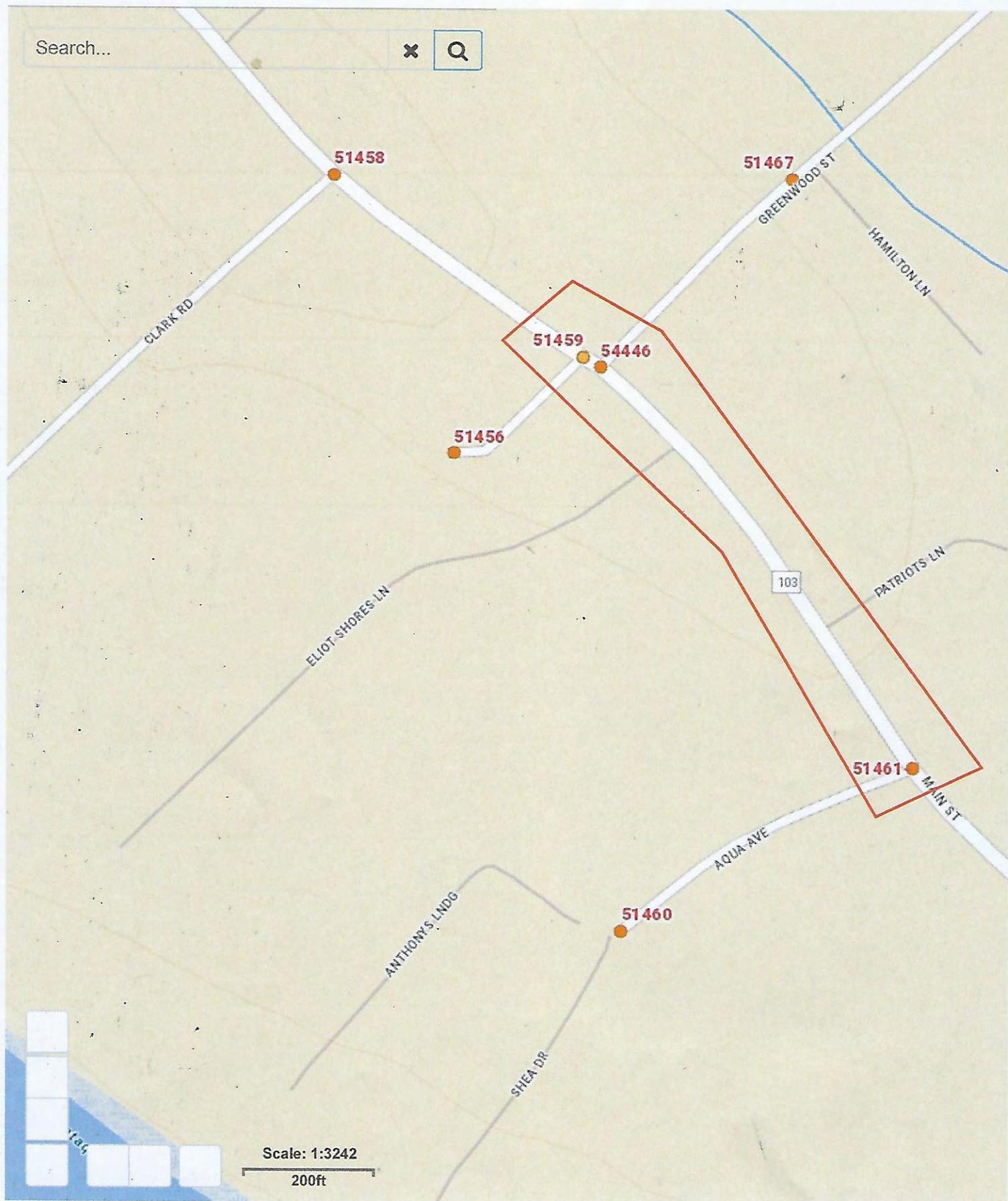
This Permittee acknowledges and agrees to comply with the Standard Conditions and Approval attached hereto and to any Specific Conditions of Approval shown here.

(G = GPS Location; W = Waiver; S = Special Condition)

G - THE ENTRANCE SHALL BE LOCATED AT GPS COORDINATES: 43.110070N, -70.785550W.

S - In the town of Eliot on the southwesterly side of Route 103 / Main Street, the centerline being approximately 581 feet northwesterly of the centerline of Park Street and approximately 35 feet southeasterly of utility pole 66.

Approved by: Anthony Fontana Date: 12-19-2019



Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

- Crash Summary I Section Detail Crash Summary II 1320 Public 1320 Private 1320 Summary

REPORT DESCRIPTION

Eliot
Rte. 103/Main St. from Unnamed Street to Park St.

REPORT PARAMETERS

Year 2017, Start Month 1 through Year 2019 End Month: 12

Route: 0103X

Start Node: 51459

End Node: 51461

Start Offset: 0

End Offset: 0

Exclude First Node

Exclude Last Node

Crash Summary I

Nodes

| Node | Route - MP | Node Description | U/R | Total Crashes | K | A | B | C | PD | Injury Crashes | Percent Annual M Injury Ent-Veh | Crash Rate | Critical Rate | CRF |
|--------|--------------|-----------------------------|-----|---------------|---|---|---|---|----|----------------|---------------------------------|----------------------------|---------------|------|
| A51459 | 0103X - 5.15 | Int of MAIN ST NNA | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.000 | 0.00 | 0.00 | 0.00 |
| | | | | | | | | | | | | Statewide Crash Rate: 0.14 | | |
| P54446 | 0103X - 5.16 | Int of GREENWOOD ST MAIN ST | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.476 | 0.00 | 0.60 | 0.00 |
| | | | | | | | | | | | | Statewide Crash Rate: 0.14 | | |
| 51461 | 0103X - 5.31 | Int of AQUA AV, MAIN ST | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0.434 | 0.77 | 0.60 | 1.28 |
| | | | | | | | | | | | | Statewide Crash Rate: 0.14 | | |

Study Years: 3.00

NODE TOTALS: 1 0 0 0 0 0 1 0.0 0.910 0.37 0.54 0.68

Crash Summary I

Sections

| Start Node | End Node | Element Node | Offset Begin - End | Route - MP | Section U/R Length | Total Crashes | Injury Crashes | | | PD | Percent Injury | Annual HMVM | Crash Rate | Critical Rate | CRF |
|---------------------|----------|-------------------------|--------------------|----------------------------|------------------------|---------------|----------------|---|---|----|----------------|-------------|------------------------------|---------------|-----|
| | | | | | | | A | B | C | | | | | | |
| 51459 | 54446 | 3118773 | 0 - 0.01 | 0103X - 5.15 ST RTE 103 | 0.01 | 1 | 0 | 0 | 0 | 0 | 0.00004 | 0.00 | -590.06 | 0.00 | |
| | | Int of MAIN ST NNA | | | | | | | | | | | Statewide Crash Rate: 194.63 | | |
| 51461 | 54446 | 3113621 | 0 - 0.15 | 0103X - 5.16 ST RTE 103 | 0.15 | 1 | 0 | 0 | 0 | 0 | 0.00061 | 0.00 | 760.73 | 0.00 | |
| | | Int of AQUA AV, MAIN ST | | | | | | | | | | | Statewide Crash Rate: 194.63 | | |
| Study Years: | | 3.00 | | | Section Totals: | 0.16 | 0 | 0 | 0 | 0 | 0.00065 | 0.00 | 750.92 | 0.00 | |
| | | | | | Grand Totals: | 0.16 | 1 | 0 | 0 | 0 | 0.00065 | 509.00 | 847.28 | 0.60 | |

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

Crash Summary I Section Detail Crash Summary II 1320 Public 1320 Private 1320 Summary

REPORT DESCRIPTION

Elliot
Rte. 103/Main St. from Aqua Ave. to Front St.

REPORT PARAMETERS

Year 2017, Start Month 1 through Year 2019 End Month: 12

Route: **0103X** Start Node: **51461** End Node: **51462** Start Offset: **0** End Offset: **0**
 Exclude First Node Exclude Last Node

Crash Summary I

Nodes

| Node | Route - MP | Node Description | U/R | Total Crashes | K | A | B | C | PD | Injury Crashes | Percent Annual M Injury Ent-Veh | Crash Rate | Critical Rate | CRF | |
|--------------------------|--------------|-------------------------|-----|---------------|---|---|---|---|----|----------------|---------------------------------|----------------------------|---------------|------|------|
| 51461 | 0103X - 5.31 | Int of AQUA AV, MAIN ST | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0.0 | 0.434 | 0.77 | 0.60 | 1.28 |
| | | | | | | | | | | | | Statewide Crash Rate: 0.14 | | | |
| 51462 | 0103X - 5.44 | Int of MAIN ST PARK ST | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.475 | 0.00 | 0.60 | 0.00 |
| | | | | | | | | | | | | Statewide Crash Rate: 0.14 | | | |
| Study Years: 3.00 | | | | | | | | | | | | | | | |
| NODE TOTALS: | | | | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0.0 | 0.909 | 0.37 | 0.54 | 0.68 |

Crash Summary I

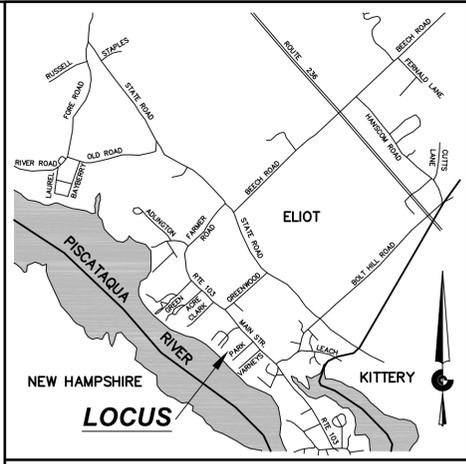
Sections

| Start Node | End Node | Element | Offset Begin - End | Route - MP | Section U/R Length | Total Crashes | Injury Crashes | | | PD | Percent Injury | Annual HMVM | Crash Rate | Critical Rate | CRF |
|------------------------------|----------|---------|--------------------|----------------------------|--------------------|---------------|----------------|---|---|----|----------------|-------------|------------|---------------|------|
| | | | | | | K | A | B | C | | | | | | |
| 51461 | 51462 | 3113620 | 0 - 0.13 | 0103X - 5.31 ST RTE 103 | 0.13 | 1 | 0 | 0 | 0 | 0 | 1 | 0.00056 | 599.40 | 774.81 | 0.00 |
| Statewide Crash Rate: 194.64 | | | | | | | | | | | | | | | |
| Study Years: | | 3.00 | | | | | | | | | | | | | |
| Section Totals: | | | | | | 1 | 0 | 0 | 0 | 0 | 1 | 0.00056 | 599.40 | 774.80 | 0.77 |
| Grand Totals: | | | | | | 2 | 0 | 0 | 0 | 0 | 2 | 0.00056 | 1198.79 | 876.68 | 1.37 |

CERTIFICATION:

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE STANDARDS OF PRACTICE ESTABLISHED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS (02-360 CMR CHAPTER 90, PART I & PART II - SEE NOTES HEREON FOR EXCEPTIONS, IF ANY).

Christopher H. Mende
 FEB. 5, 2020
 DATE:
 CHRISTOPHER H. MENDE
 MAINE PROFESSIONAL LAND SURVEYOR #1302
 CIVIL CONSULTANTS
 SOUTH BERWICK, MAINE 03908

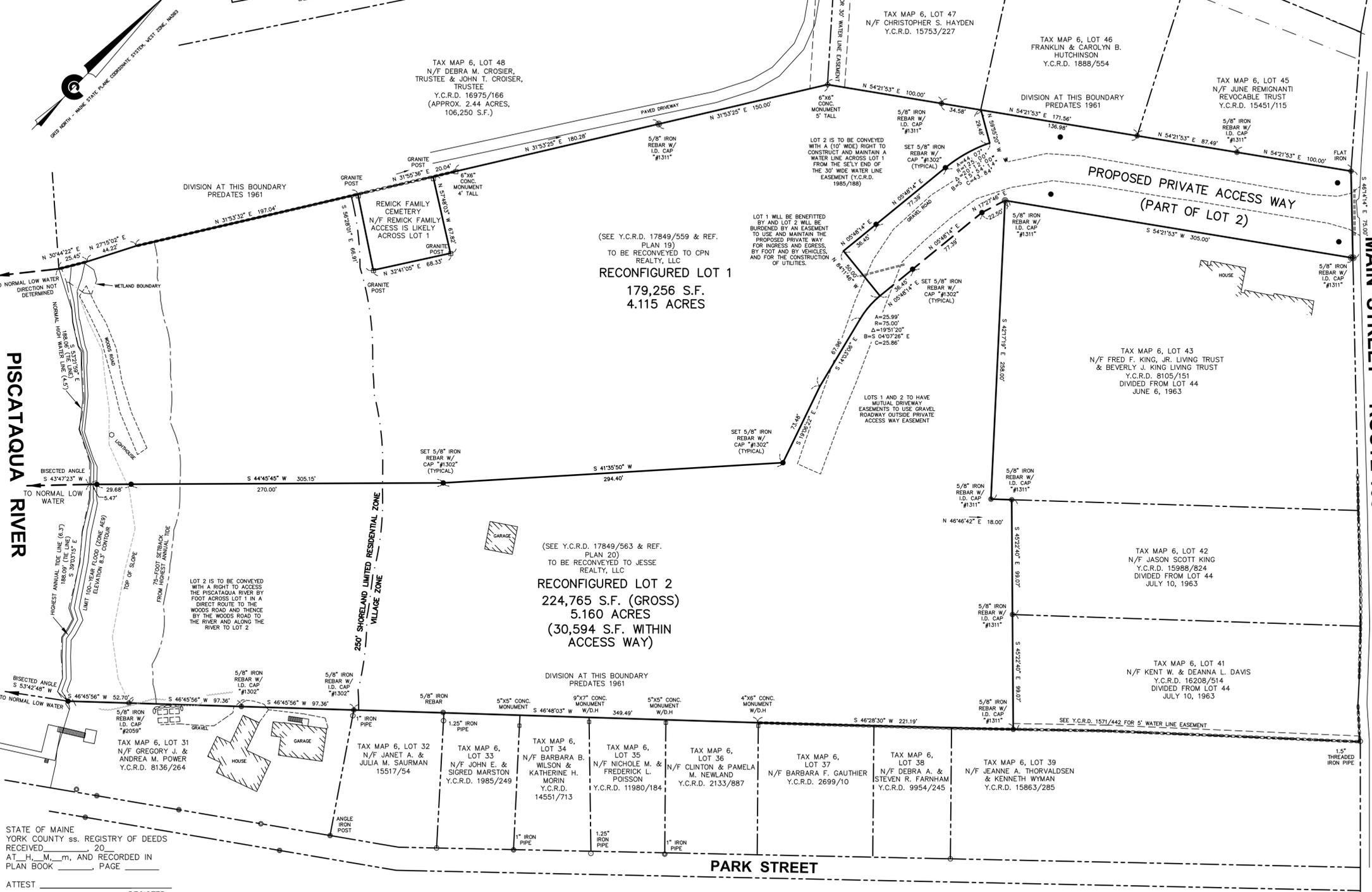


NOTES:

- PLANIMETRIC DETAIL DEPICTED HEREON IS THE RESULT OF AN ON-THE-GROUND FIELD SURVEY BY CIVIL CONSULTANTS IN JULY 2016. WETLANDS AS SHOWN HEREON WERE DELINEATED BY JOSEPH NOEL, MAINE SOIL SCIENTIST IN FALL OF 2015.
- NORTH AS DEPICTED HEREON IS REFERENCED TO GRID NORTH, NAD83. MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE. COORDINATE VALUES AND ORIENTATION ARE DERIVED FROM A GPS SURVEY COMPUTED UTILIZING THE NGS OPUS ON-LINE PROCESSING SERVICE. REFERENCE FRAME IS NAD83 (2011) EPOCH 2010.0000. THE SURVEY IS TIED TO CORS STATIONS GUNSTOCKMRH2008 CORS ARP (P776), CORHAM CORS ARP (MEG0) AND NIDOT CONCORD CORS ARP (NHCO). DISTANCES DEPICTED HEREON ARE GRID TO CONVERT GRID DISTANCES TO GROUND DISTANCES, MULTIPLY THE GRID DISTANCE BY .999999340 (AVERAGE COMBINED SCALE FACTOR FOR THE SITE). ROTATION FROM MAGNETIC BEARINGS AS CONTAINED IN CURRENT DEED AND AS SHOWN ON PLAN 302/6 IS 14°28'49". ELEVATIONS AS SHOWN ARE BASED ON THE SAME GPS SURVEY AND NAVD83. TO CONVERT NAVD83 ELEVATIONS TO NGVD29 ELEVATIONS, ADD 0.75 FEET.
- UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS NEED TO CONTACT DIGSAFE AND FIELD VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
- THE LOCUS PROPERTY IS IN THE VILLAGE ZONING DISTRICT. DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS: MINIMUM LOT SIZE=1 ACRE, MINIMUM STREET FRONTAGE=100', MINIMUM SETBACK FROM STREET RIGHT-OF-WAY=30', MINIMUM SIDE SETBACK=20', MINIMUM REAR SETBACK=30', MINIMUM SETBACK FOR ACCESSORY BUILDING=10', MAXIMUM BUILDING HEIGHT=35', MAXIMUM LOT COVERAGE=35%. THE PORTION OF THE LOCUS PROPERTIES WITHIN 250' OF THE NORMAL HIGH WATER LINE OF THE PISCATAQUA RIVER IS IN THE LIMITED RESIDENTIAL ZONE. FOR COMPLETE ZONING INFORMATION REFER TO THE TOWN OF ELIOT MUNICIPAL CODE.
- THE LOCUS PROPERTIES ARE LOCATED IN "ZONE X" AND "ZONE AE9" ON THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF ELIOT, MAINE, YORK COUNTY, COMMUNITY PANEL NUMBER 230149 0010 B, EFFECTIVE DATE JUNE 5, 1989. "ZONE X" IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN." "ZONE AE9" IS DEFINED AS "SPECIAL FLOOD HAZARD AREA INUNDED BY 100-YEAR FLOOD, BASE FLOOD ELEVATIONS DETERMINED".
- THE HIGHEST ANNUAL TIDE LINE (H.A.T.) AS SHOWN IS BASED ON THE 6.3 FOOT CONTOUR (NAVD83). ELEVATION 6.3 IS SPECIFIED AS THE H.A.T. IN A PUBLICATION OF HIGHEST ANNUAL TIDES FOR THE YEAR 2014 PUBLISHED BY THE MAINE D.E.P.
- DELETED
- THE SUBJECT PROPERTY MAY BE SUBJECT TO AN EASEMENT FOR ACCESS TO THE REMICK FAMILY CEMETERY.
- NO DETERMINATION WAS MADE WITH REGARD TO OWNERSHIP OF THE INTER-TIDAL ZONE ADJACENT TO THE SUBJECT UPLAND. THE PARCEL AREAS SHOWN HEREON ARE BASED ON THE NORMAL HIGH WATER LINE.

REFERENCE PLANS:

- PLAN OF LOTS OF RANSOM M. DERICK, ELIOT, ME, DATED SEPTEMBER 19, 1924, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 9, PAGE 68.
- PLAN OF FAIRFIELD PARK, SOUTH ELIOT, ME, DATED OCTOBER 18, 1921, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 8, PAGE 60, (PLANS 1 AND 2 ARE IDENTICAL WITH REGARD TO ROAD AND LOT METREY).
- PLAN OF LAND OF ERNEST H. HOFFESS, 25 PARK STREET, ELIOT, MAINE, DATED NOV. 27, 1987, REVISED AUGUST 10, 1994, BY JAMES C. ROGERS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 221, PAGE 29.
- PROPERTY OF MARJORIE W. & ERNEST H. HOFFESS OFF PARK STREET, ELIOT, MAINE TO BE CONVEYED TO ROBERT W. & ELEANOR C. WILKINS VARNER LINE ELIOT, MAINE, DATED AUGUST 1979, BY JAMES C. ROGERS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 99, PAGE 31.
- SKETCH PLAN FOR PROPERTY AT 24 PARK STREET, ELIOT, YORK COUNTY, MAINE OWNED BY GREGORY J. & ANDREA M. POWER, DATED SEPTEMBER 18, 2001, BY NORTHEASTERLY SURVEYING, INC. - UNRECORDED - COPY OBTAINED FROM SURVEYOR.
- PLAN OF LAND FOR JOE FITZGERALD IN ELIOT, ME, DATED JULY 24, 1986, BY SEACOAST ENGINEERING ASSOCIATES, INC., RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 150, PAGE 20.
- BOUNDARY PLAN OF LAND - HERBERT F. & JESSIE A. FALLON, ELIOT, MAINE, DATED FEBRUARY 23, 1981, BY MOUTON ENGINEERING COMPANY, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 112, PAGE 45.
- PLAN OF LAND - ELIOT, MAINE - GEORGE D. & RUTH VARNER TO JAMES & ROSEMARY CHARLESWORTH TOMPSON, DATED MAY 1947, BY JOHN W. DURGIN, FILE #1661, PLAN NO. 8210, COPY OBTAINED FROM JAMES VERA ASSOC. (PORTSMOUTH, NH).
- PLAN OF LAND OF KENNETH ANDERSON, 23 PARK STREET, ELIOT, MAINE, PREPARED FOR SUSAN & STEVEN WHITTHROCK - DATED DECEMBER 16, 2012, BY CIVIL CONSULTANTS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 359, PAGE 10.
- BOUNDARY PLAN PREPARED FOR JAMES D. & ORLEY MAE WHITE, SITE LOCATION: 139 MAIN STREET, ELIOT, MAINE - DATED JUNE 21, 2005, BY CIVIL CONSULTANTS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 302, PAGE 6.
- PROPERTY PLAN FOR MAJOR L. WHITE ET AL, ELIOT, YORK COUNTY, ME - DATED SEPTEMBER 1961, BY C.S. GERRISH.
- PLAN OF LAND OF GREGORY J. & ANDREA M. POWER, 24 PARK STREET, ELIOT, YORK COUNTY, ME, DATED JANUARY 16, 2014, BY CIVIL CONSULTANTS (PROJ. 14-104-00).
- ELIOT SHORES PLANNED UNIT DEVELOPMENT FOR PROPERTY AT 165 MAIN STREET, ROUTE 103, YORK COUNTY, ELIOT, MAINE. OWNER: ELIOT SHORES, LLC, BY EASTERLY SURVEYING, INC., DATED JANUARY 25, 2005, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 299, PAGE 4.
- PLAN OF ELIOT SHORES FOR PROPERTY AT MAIN STREET, ROUTE 103, YORK COUNTY, ELIOT, MAINE. OWNER: ELIOT SHORES, LLC, BY EASTERLY SURVEYING, INC., DATED JANUARY 30, 2013, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 361, PAGE 48.
- PLAN OF PROPERTIES OF ALBERT F. CRESS AND ELENORA CRESS, AQUA AVENUE, ELIOT, MAINE, BY CIVIL CONSULTANTS (PROJ. 81-165), DATED DECEMBER 1981, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 184, PAGE 16.
- PLAN OF PROPOSED PARTITIONING OF LAND OF ANTHONY K. & ANTHONY T. MANERO & MARGARET D. STAPLES, AQUA AVENUE, ELIOT, MAINE, BY CIVIL CONSULTANTS (PROJ. 89-190), RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 184, PAGE 17.
- BOUNDARY PLAN FOR LAND OF THE ELIZABETH T. MANERO REVOCABLE TRUST OF 1992, 23 AQUA AVENUE, ELIOT, YORK COUNTY, MAINE, BY CIVIL CONSULTANTS (PROJ. 13-120.00), RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 360, PAGE 11.
- PROPOSED DIVISION OF LAND OF HOME FIELD TRUST, ORLEY MAE WHITE, TRUSTEE, 787 MAIN STREET, ELIOT, YORK COUNTY, MAINE, BY CIVIL CONSULTANTS (PROJ. 16-160.00), DATED NOVEMBER 8, 2016.
- PLAN OF LAND OF CPN REALTY, LLC, 787 MAIN STR., ELIOT, YORK COUNTY, ME, BY CIVIL CONSULTANTS, DATED DECEMBER 12, 2018, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 399, PAGE 10.
- PLAN OF LAND OF JESSE REALTY, LLC, 787 MAIN STR., ELIOT, YORK COUNTY, ME, BY CIVIL CONSULTANTS, DATED DECEMBER 12, 2018, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 399, PAGE 11.



STATE OF MAINE
 YORK COUNTY ss. REGISTRY OF DEEDS
 RECEIVED _____ 20
 AT _____, M., AND RECORDED IN
 PLAN BOOK _____ PAGE _____

ATTEST _____ REGISTER

CIVIL CONSULTANTS
 Engineers
 Planners
 Surveyors

P.O. Box 100
 South Berwick
 Maine
 03908
 207-384-2550
 cicon@ciicon.com

GRAPHIC SCALE

| NO. | REVISIONS | INT. | DATE |
|-----|-----------|------|------|
| 8 | | | |
| 7 | | | |
| 6 | | | |
| 5 | | | |
| 4 | | | |
| 3 | | | |
| 2 | | | |
| 1 | | | |

| NO. | REVISIONS | INT. | DATE |
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| 8 | | | |
| 7 | | | |
| 6 | | | |
| 5 | | | |
| 4 | | | |
| 3 | | | |
| 2 | | | |
| 1 | | | |

DRAWN CHM
 CALC. CHM
 SHEET TITLE:
REVISED BOUNDARY
TAX MAP 6, LOT 44

DATE FEB. 5, 2020
 CHECKED MPP
 APPROVED CHM
 SCALE 1"=50'
 FIELD BOOK
 DATA COLLECTOR FILE

PROPOSED LOT RECONFIGURATION OF LAND OF JESSE REALTY, LLC & CPN REALTY, LLC 787 MAIN STR., ELIOT, YORK COUNTY, ME

PREPARED FOR:
JESSE REALTY, LLC AND CPN REALTY, LLC

OWNER'S MAILING ADDRESSES:
JESSE REALTY, LLC, 2552 LONGBOAT DRIVE, NAPLES, FL 34104; CPN REALTY, LLC, PO BOX 657, ELIOT, ME 03903-0657

SHEET NUMBER:
D4

SHEET 1 OF 1
 PROJECT # 16-166.00

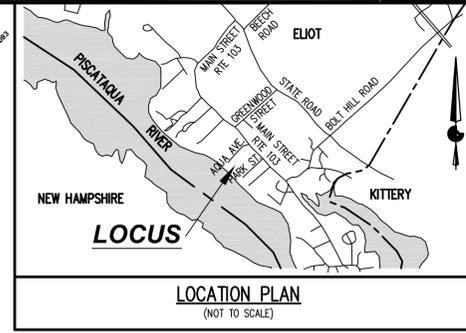
NOTES:

- ASSessor's INFORMATION:**
TOWN OF ELIOT ASSESSOR'S MAP 6 LOTS 44 & 154
- RECORD OWNERS:**
TAX MAP 6 LOT 154:
LJE PROPERTY DEVELOPMENT, LLC
2 PUNKIN TOWN ROAD, SUITE 210
SOUTH BERWICK, MAINE 03908
TAX MAP 6 LOT 44:
JESSE REALTY, LLC
2552 LONGBOAT DRIVE
NAPLES, FLORIDA 34104
- DEED REFERENCE:**
Y.C.R.D. 18390/922
Y.C.R.D. 17849/563
- ZONING INFORMATION:**
VILLAGE DISTRICT
LOT SIZE: 1 ACRE
MINIMUM STREET FRONTAGE: 100'
SETBACKS:
STREET RIGHT-OF-WAY: 30'
SIDE YARD: 20'
REAR YARD: 30'
MAXIMUM BUILDING HEIGHT: 35'
MAXIMUM LOT COVERAGE: 20%
LIMITED RESIDENTIAL DISTRICT:
250' FROM NORMAL LOW WATER LINE
75' BUILDING SETBACK FROM HIGHEST ANNUAL TIDE
- THE PARCEL IS LOCATED IN FLOOD HAZARD ZONE X AND ZONE AE9 AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF ELIOT, COMMUNITY PANEL NO 230149 0010 B, EFFECTIVE DATE JUNE 5 1989. ZONE X IS DEFINED AS "AREAS OUTSIDE THE 100-YEAR FLOOD PLAIN" AND ZONE AE9 IS DEFINED AS A "SPECIAL FLOOD HAZARD AREA INUNDATED BY 100-YEAR FLOOD, BASE FLOOD ELEVATIONS DETERMINED"
- LOCUS PARCELS CONTAIN 4.455 AND 4.820 ACRES.

REFERENCE PLANS:

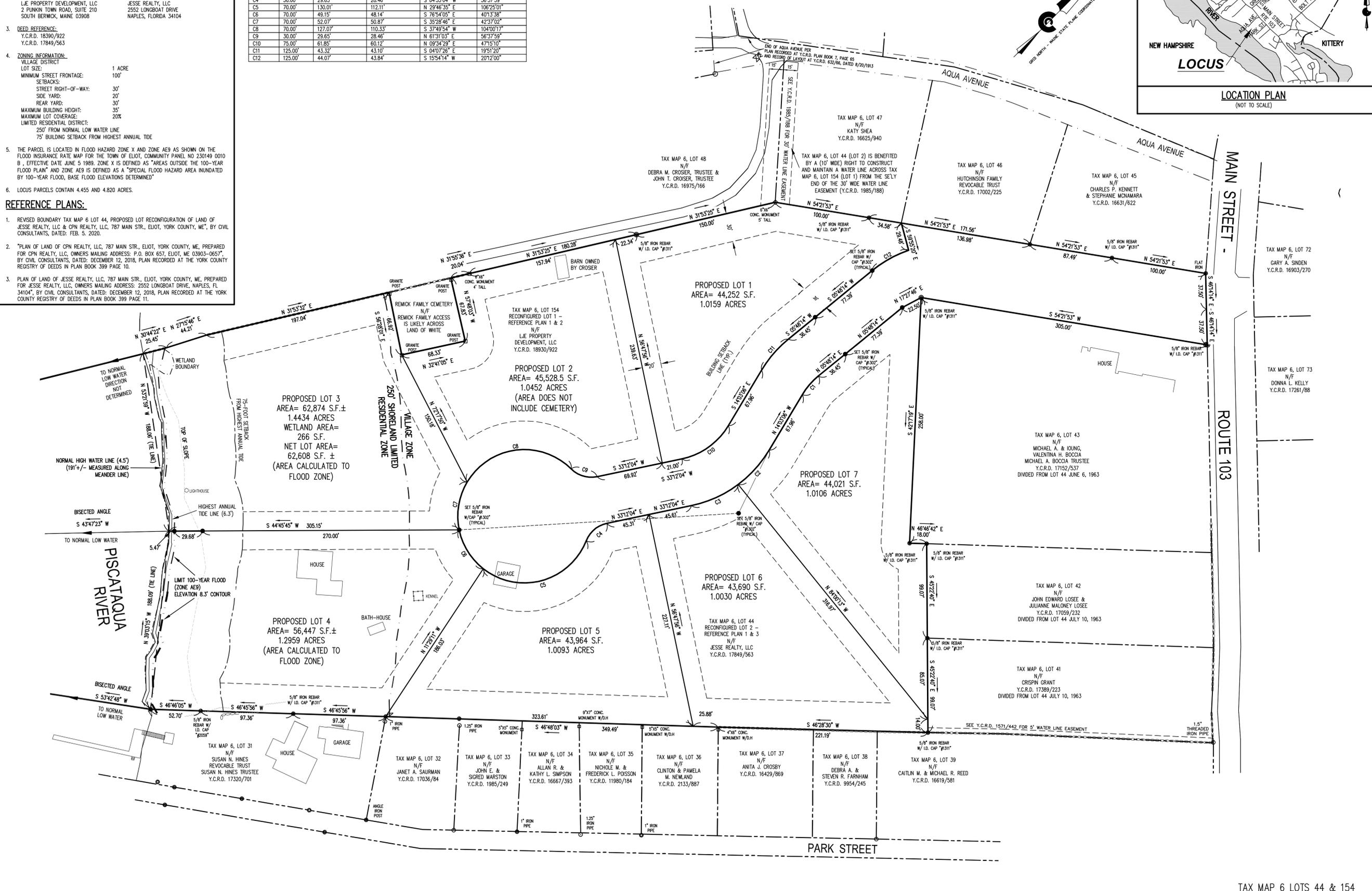
- REVISED BOUNDARY TAX MAP 6 LOT 44, PROPOSED LOT RECONFIGURATION OF LAND OF JESSE REALTY, LLC & CPN REALTY, LLC, 787 MAIN STR., ELIOT, YORK COUNTY, ME, BY CIVIL CONSULTANTS, DATED: FEB. 5, 2020.
- "PLAN OF LAND OF CPN REALTY, LLC, 787 MAIN STR., ELIOT, YORK COUNTY, ME, PREPARED FOR CPN REALTY, LLC, OWNERS MAILING ADDRESS: P.O. BOX 657, ELIOT, ME 03903-0657, BY CIVIL CONSULTANTS, DATED: DECEMBER 12, 2018, PLAN RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 399 PAGE 10.
- PLAN OF LAND OF JESSE REALTY, LLC, 787 MAIN STR., ELIOT, YORK COUNTY, ME, PREPARED FOR JESSE REALTY, LLC, OWNERS MAILING ADDRESS: 2552 LONGBOAT DRIVE, NAPLES, FL 34104, BY CIVIL CONSULTANTS, DATED: DECEMBER 12, 2018, PLAN RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 399 PAGE 11.

| CURVE TABLE | | CURVE TABLE | | CURVE TABLE | |
|-------------|---------|-------------|--------------|---------------|-------------|
| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
| C1 | 75.00' | 25.99' | 25.86' | S 04°07'26" E | 19°51'20" |
| C2 | 125.00' | 48.70' | 48.39' | N 02°53'27" W | 22°19'19" |
| C3 | 125.00' | 54.39' | 53.96' | N 20°44'08" E | 24°55'51" |
| C4 | 30.00' | 29.65' | 28.46' | S 04°53'04" W | 56°37'59" |
| C5 | 70.00' | 130.01' | 112.11' | N 29°46'35" E | 106°25'01" |
| C6 | 70.00' | 49.15' | 48.14' | S 76°54'05" E | 40°13'38" |
| C7 | 70.00' | 52.07' | 50.87' | S 35°28'46" E | 42°37'02" |
| C8 | 70.00' | 127.07' | 110.33' | S 37°49'54" W | 104°00'17" |
| C9 | 30.00' | 29.65' | 28.46' | N 61°31'03" E | 56°37'59" |
| C10 | 75.00' | 61.85' | 60.12' | N 09°34'29" E | 47°15'10" |
| C11 | 125.00' | 43.32' | 43.10' | S 04°07'26" E | 19°51'20" |
| C12 | 125.00' | 44.07' | 43.84' | S 15°54'14" W | 20°12'00" |



CIVIL CONSULTANTS
CIVIL CONSULTANTS
 Engineers
 Planners
 Surveyors
 P.O. Box 100
 South Berwick
 Maine
 03908
 207-384-2550
 www.civcon.com

| NO. | REVISIONS | INT. | DATE |
|-----|-----------|------|------|
| 1 | | | |



PREPARED FOR:
LJE PROPERTY DEVELOPMENT, LLC & JESSE REALTY, LLC
 TAX MAP 6 LOTS 44 & 154
 787 MAIN STREET (ROUTE 103) ELIOT, MAINE
 CLIENT ADDRESS: 2 PUNKIN TOWN ROAD, SUITE 340, SOUTH BERWICK, MAINE 03908

DATE: 11/11/2020
 DRAWN BY: JAA
 CHECKED BY:
 APPROVED BY:

SUBDIVISION PLAN

PROJECT NO: 16-166.03

SD1

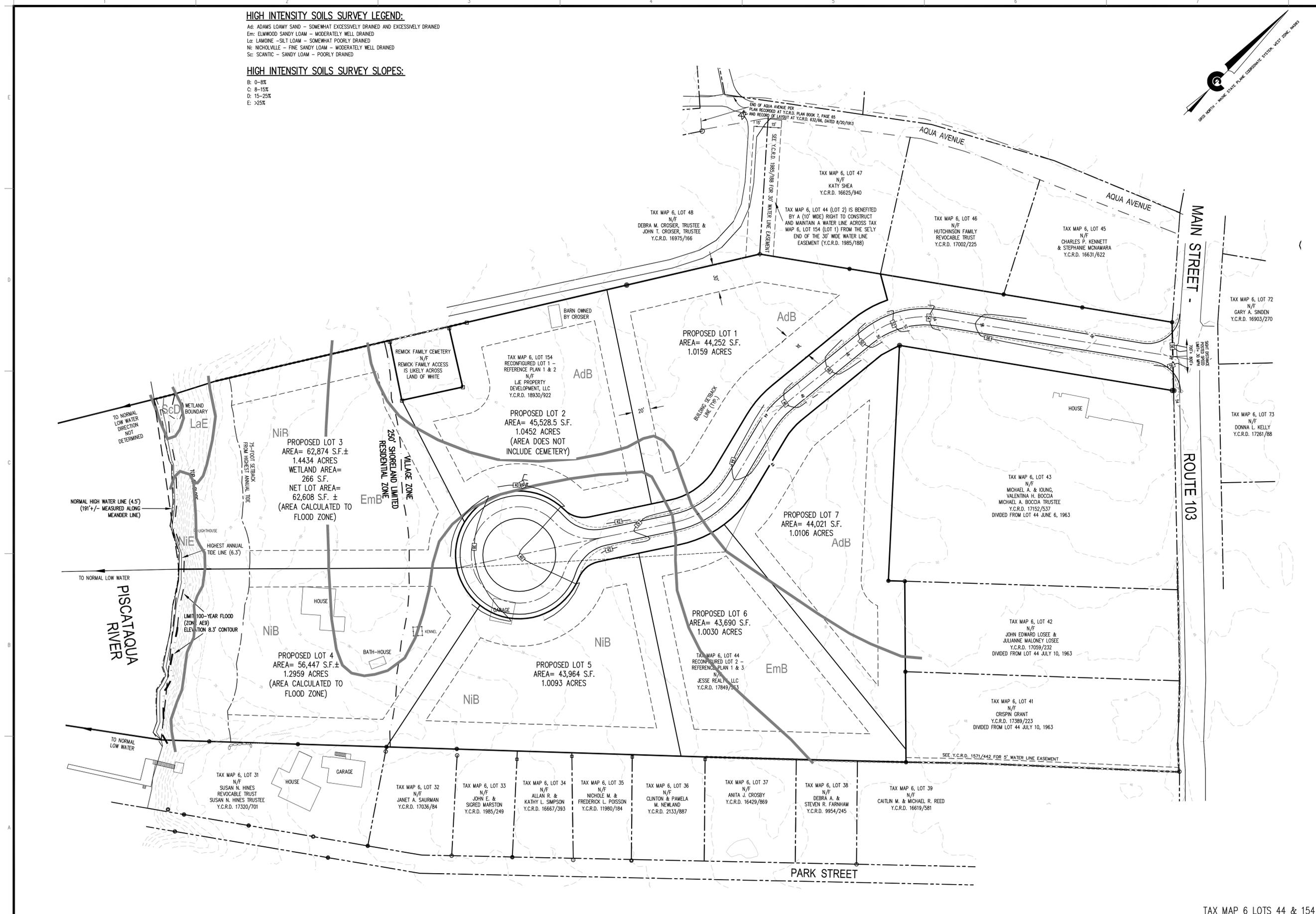
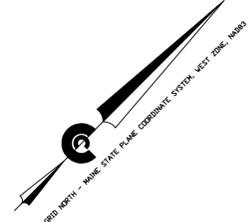
SHEET: 1 OF 1

HIGH INTENSITY SOILS SURVEY LEGEND:

Ad: ADAMS LOAMY SAND - SOMEWHAT EXCESSIVELY DRAINED AND EXCESSIVELY DRAINED
 Em: ELMWOOD SANDY LOAM - MODERATELY WELL DRAINED
 La: LAMONIC - SILT LOAM - SOMEWHAT POORLY DRAINED
 Ni: NICHOLVILLE - FINE SANDY LOAM - MODERATELY WELL DRAINED
 Sc: SCANTIC - SANDY LOAM - POORLY DRAINED

HIGH INTENSITY SOILS SURVEY SLOPES:

B: 0-8%
 C: 8-15%
 D: 15-25%
 E: >25%



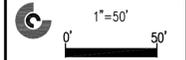
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 Maine
 03908
 207-384-2550
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| NO. | REVISIONS | INT. | DATE |
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| 1 | | | |

RECORD OWNER:
 ADD OWNER NAME HERE XXXX
 OWNER ADDRESS:
 ADD OWNER ADDRESS HERE

**SUBDIVISION OF LAND OF
 LJE PROPERTY DEVELOPMENT, LLC & JESSE REALTY, LLC
 TAX MAP 6 LOTS 44 & 154
 787 MAIN STREET (ROUTE 103) ELIOT, MAINE**

PREPARED FOR:
 LJE PROPERTY DEVELOPMENT, LLC & JESSE REALTY, LLC
 CLIENT ADDRESS: 2 PUNKIN TOWN ROAD, SUITE 340, SOUTH BERWICK, MAINE 03908



DATE: 11/11/2020
 DRAWN BY: JAA
 CHECKED BY:
 APPROVED BY:

SITE PLAN

PROJECT NO: 16-166.03

C1

SHEET: 1 OF 1



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
From: Eric Sanderson, Interim Town Planner, Southern Maine Planning and Development Commission
Cc: CPN Realty LLC & David Chase, Applicant; Riverside & Pickering Marine, Contractor
Kristina Goodwin, Land Use Assistance
Date: October 24, 2019
Re: 787/0" Main Street (Map 6 / Lot 154): PB19-17 Shoreland Zoning Permit Application

| Application Details/Checklist Documentation | |
|---|---|
| ✓ Address: | 787/0" Main Street |
| ✓ Map/Lot: | Map 6 / Lot 154 |
| ✓ PB Case#: | PB19-17 |
| ✓ Zoning District: | Village Zoning District |
| ✓ Shoreland Zoning: | Limited Residential and Resource Protection |
| ✓ Owner Name: | CPN Realty LLC & David Chase |
| ✓ Applicant Name: | CPN Realty LLC & David Chase |
| ✓ Proposed Project: | Shoreland Zoning Permit Application for a permanent 4' x 24' accessway, a 6' x 100' fixed pier, 3' x 45' gangway, 6' x 35' landing float, and an 8' x 30' main float to provide safe boat access to the Piscataqua River. |
| ✓ Application Received by Staff: | 09/26/19, 10/23/19 |
| ✓ Application Fee Paid and Date: | |
| ✓ Application Sent to Staff Reviewers: | Date: 10/1/19 • Harbormaster Richard Philbrick replied on 10/03/19 with no comment |
| Application Received/Found Complete by PB: | |
| Site Walk Date: | |
| Public Hearing Date: | |
| Public Hearing Publication Date: | |
| Deliberation Date: | |
| Notice of Decision Date: | |
| ✓ Reason for PB Review: | |

Overview: This Shoreland Zoning Permit Application is for a 4' x 24' accessway, a 6' x 100' fixed pier, 3' x 45' gangway, 6' x 35' landing float, and an 8' x 30' main float to provide safe boat access to the Piscataqua River. The fixed pier will be supported by 18 piles driven to refusal utilizing a crane barge from the water and the docking structure will be installed utilizing a barge and crane allowing or work to be performed from the "water side". The project site is a residential property at 787/0" Main Street located in the Village District and is within the Limited Residential and Resource Protection Shoreland Zones. The project proposes 714 square feet of direct impact to tidal wetland for stone rip rap stabilization, and 472 square feet of impact to the adjacent upland for installation of the stone rip rap stabilization.

Planner's Review: The property meets the minimum lot standards outlined in Section 44-35. The proposed structure is not in an area with critical habitats and will result in a direct impact of 1,386 square feet to tidal wetland for stone rip rap stabilization and an indirect impact of 1,528 square feet along the adjacent upland for installation of the stone rip rap stabilization. The rip rap stabilization will be performed via a barge from the water eliminating construction impacts to the adjacent shoreline. The applicant is proposing to remove five trees for the project as part of a slope area to be repaired (472 square feet). Per Section 44-35(p), the cutting or removal of vegetation shall be limited to that which is necessary for the docking structure.

Section 44-35(c)(14) requires all new and existing piers less than 40 feet in length and floats to be affixed with a reflector not less than three inches in diameter located not more than 12 inches from each corner. For piers exceeding 40 feet in length, which the proposed pier does, reflectors shall also be affixed to each side of the pier at a frequency of one per 20 feet. As is, reflectors are not shown on the Site Plan. Compliance with those requirements should be noted on the plan.

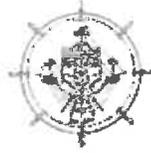
All relevant zoning districts and shoreland zoning districts are depicted and labeled on the plan(s). In reviewing the application, the Board should consider the shoreland zoning application for a proposed docking structure for the adjacent lot, Tax Map 6, Lot 44. In accordance with Section 44-35.c.(12) all parts of piers, wharves, floats, and pilings shall have side setbacks of at least 25 feet from riparian lines determined using the procedure described in that section. The reason for this 25 foot setback is to avoid conflicts between neighboring waterfront property owners with respect to spacing of projects. To resolve these conflicts, the Army Corps of Engineers requires a minimum setback from the riparian boundary of 25 feet. If abutting property owners reach a mutual agreement regarding structures which have a lesser setback, that lesser setback may be approved if the applicant agrees to record any ensuing permit (having that agreement as a condition), in the York County Registry of Deeds. The applicant has shown these riparian lines as part of the revised plan set sent to Town staff and the Planning Board. This 25 foot setback is necessary to avoid potential conflicts with the proposed structure on the neighboring lot, Tax Map 6, Lot 44.

This project is subject to the Natural Resources Protection Act (NRPA) and Section 404 of the Clean Waters Act. As such, the applicant must submit an application for a permit from the US Army Corps of Engineers (ACOE) and has provided materials indicating they have filed for a NRPA Permit from the Maine Department of Environmental Protection (DEP). The Town has only received a Request for Project review from MaineDEP (received on 10/18/19) and has not yet received comments or determination by DEP regarding the permit application.

Per State regulations, the applicant has provided pre-construction photos as part of their application, and post-construction photographs of the shoreline vegetation and development site must be provided to the Town after completion of the project.

Planner's Recommendation:

The application may be considered for completeness by the Board and a public hearing scheduled.



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
From: David C.M. Galbraith, Interim Town Planner, Southern Maine Planning and Development Commission (SMPDC) Independent Consultant
Cc: CPN Realty LLC & David Chase, Applicant; Riverside & Pickering Marine, Contractor
Kristina Goodwin, Land Use Assistance
Date: November 14, 2019 (PB Meeting of 11-19-19)
Re: 0 Main Street (Map 6 / Lot 154): PB19-17 Shoreland Zoning Permit Application

| Application Details/Checklist Documentation | |
|---|---|
| ✓ Address: | 0 Main Street |
| ✓ Map/Lot: | Map 6 / Lot 154 |
| ✓ PB Case#: | PB19-17 |
| ✓ Zoning District: | Village Zoning District |
| ✓ Shoreland Zoning: | Limited Residential and Resource Protection |
| ✓ Owner Name: | CPN Realty LLC & David Chase |
| ✓ Applicant Name: | CPN Realty LLC & David Chase |
| ✓ Proposed Project: | Shoreland Zoning Permit Application for a permanent 4' x 24' accessway, a 6' x 100' fixed pier, 3' x 45' gangway, 6' x 35' landing float, and an 8' x 30' main float to provide safe boat access to the Piscataqua River. |
| ✓ Application Received by Staff: | 09/26/19, 10/23/19, 11/07/19 |
| ✓ Application Fee Paid and Date: | |
| ✓ Application Sent to Staff Reviewers: | Date: 10/01/19 • Harbormaster Richard Philbrick replied on 10/03/19 with no comment |
| Application Found Complete by PB | Date: 10/29/19 |
| Site Walk | Date: |
| Public Hearing | Date: 11/19/19 |
| Public Hearing Publication | Date: 11/05/19 |
| Deliberation | Date: |
| Notice of Decision | Date: |
| ✓ Reason for PB Review: | Shoreland Zoning Permit Application |

Overview: This Shoreland Zoning Permit Application is for a 4' x 24' accessway, a 6' x 100' fixed pier, 3' x 45' gangway, 6' x 35' landing float, and an 8' x 30' main float to provide safe boat access to the Piscataqua River. The fixed pier will be supported by 18 piles driven to refusal utilizing a crane barge from the water and the docking structure will be installed utilizing a barge and crane allowing work to be performed from the "water side". The project site is a residential property at 787th Main Street located in the Village District and is within the Limited Residential and Resource Protection Shoreland Zones. The project proposes 714 square feet of direct impact to tidal wetland for stone rip rap stabilization, and 472 square feet of impact to the adjacent upland for installation of the stone rip rap stabilization.

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This project is subject to the Natural Resources Protection Act (NRPA) and Section 404 of the Clean Waters Act. As such, the applicant must submit an application for a permit from the US Army Corps of Engineers (ACOE) and has provided materials indicating they have filed for a NRPA Permit from the Maine Department of Environmental Protection (DEP). The Town has only received a Request for Project review from MaineDEP (received on 10/18/19) and has not yet received comments or determination by DEP regarding the permit application.

Per State regulations, the applicant has provided pre-construction photos as part of their application, and post-construction photographs of the shoreline vegetation and development site must be provided to the Town after completion of the project.

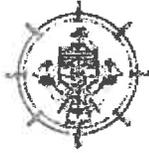
Planner's Recommendation:

At the October 29th Planning Board meeting the applicant was directed to revise the plans to only list 0 Main Street rather than 0/787 Main Street to avoid confusion. Revised plans, were submitted to the Town on November 7, 2019.



David C.M. Galbraith
Interim Town Planner

Southern Maine Planning and Development Commission (SMPDC) Independent Consultant



TOWN OF ELIOT MAINE

PLANNING OFFICE
1333 State Road
Eliot ME, 03903

MEMORANDUM

To: Planning Board
From: David C.M. Galbraith, Interim Town Planner, Southern Maine Planning and Development Commission (SMPDC)
Independent Consultant
Cc: CPN Realty LLC & David Chase, Applicant; Riverside & Pickering Marine, Contractor and
Kristina Goodwin, Land Use Assistant
Date: November 19, 2019 (PB Meeting of 11-19-19)
Re: 0 Main Street (Map 6 / Lot 154): PB19-17 and 787 Main Street (Map 6 / Lot 44): PB19-15 - Shoreland Zoning
Permit Applications

As you are aware, the Town is currently involved in two Shoreland Zoning Permit Applications on adjoining lots; the first for 0 Main Street (Map 6 / Lot 154) PB19-17; and the second for 787 Main Street (Map 6 / Lot 44): PB19-15. The projects include a new dock on each property. While researching the properties I found the following.

1. 787 Main Street originally consisted of the land area of both 787 Main Street and 0 Main Street. The lot was considered "legally non-conforming" as it only had 75 feet of street frontage (Main Street) where 100 feet is required. According to the Town's Tax Assessor, on November 26, 2018 the large single lot was purchased by the current owners. On the same day, following the property purchase, the lot was split into two lots. The recorded deeds state that a survey was going to be recorded but the Assessor was unable to locate any recorded survey/s. The lots are split as illustrated at the bottom left of Sheet C-1 on the 787 Main Street application. This illustrates that the lots are served by a private road. Due to the size / scale of this it is difficult to determine exactly where the created lot lines are located. However, in reviewing the Town's records of the two lot's deeds it appears that the original 75 foot street frontage was split down the middle therefore making the original, single lot (787 Main Street) more non-conforming than it originally was and the 0 Main Street property are now both lots are considered *illegally non-conforming* and no construction permits would be issued. The entire original seventy-five feet of street frontage must be kept with the 787 Main Street property to retain its legally non-conforming status. The applicant may be able to create the second lot, with no street frontage, utilizing the Town's "back lot" provision.
2. The Town's Zoning Ordinance does not have a "Private Road" street classification as illustrated on the above mention lot plan. If the Town's back lot provisions, to create the second lot (0 Main Street), can be made 0 Main Street would need to be accessed via a "access way". Any created access way would need to have access and maintenance agreements created between the two lots which would need to be recorded at the Registry of Deeds and a copy of the recorded agreement would need to be submitted to the Town.
3. As two lots are proposed to be accessed by the access way it is very possible that a private access would need to be signed and named, for emergency services, and both lots would need to have their lots addressed utilizing the new name and address as assigned by the Town's Addressing Officer.
4. The lot located at 0 Main Street is currently vacant therefore does not have a primary structure (such as a residential structure). A new dock is currently being proposed. A dock is clearly an accessory structure to a primary use. Therefore, prior to a permit being issued for the proposed dock a primary structure should be established. Staff would consider a building permit for new house being applied for, issued and construction started (foundation poured and framing underway) prior to issuing a permit for the dock / accessory structure (although the Town could require the issuance of a Certificate of Occupancy). The 787 Main Street property currently has an existing camp and other than the lot being made further non-conforming could be issued a dock

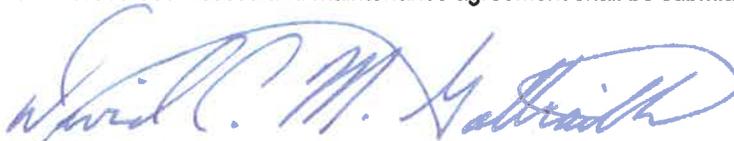
permit should the Planning Board approve the proposal with the condition that the lot be modified to include the entire 75 feet of street frontage on Main Street.

5. It should be noted that prior to the discussed dock applications being submitted a seven-lot residential subdivision was submitted which would have utilized the entire original single lot served by a roadway. That application was withdrawn on October 15, 2019. Should in the future a further subdivision for the two properties be submitted it would need to adhere to all setbacks, street separation standards, roadway construction standards, etc. as required in the Town's Zoning Ordinance. The project would require at minimum Planning Board review and approval.

Planner's Recommendations and suggested Conditions of Approval:

The Planning Board has the option to table both proposals to provide the Applicant time to address the above issues but if the Planning Board decides to approve the proposed docks, I would request that the below suggested "Conditions of Approval" be adopted.

1. The illegal non-conforming status of the street frontage issue must be resolved. The Town shall require that copies of recorded corrective deeds be submitted to the Town for review and approval. A copy of a recorded survey illustrating the corrected lot lines shall be submitted for the Town's review and approval.
2. The proposed access way may be required to be named and signed as determined by the Town's emergency services directors (Police and Fire) and the Town's Addressing Officer.
3. Plans, for both cases, shall be submitted illustrating all of the proposed lot lines including the street frontage on Main Street which needs to be kept entirely with 787 Main Street.
4. No dock permits shall be issued to 0 Main Street until all of the above conditions of approval have been made and that permits for a primary use have been applied for, issued and the project is substantially under construction.
5. No permits shall be issued for 787 Main Street until the lot includes all of the street frontage (75 feet) that originally existed.
6. A recorded Access and Maintenance agreement shall be submitted to the Town for review and approval.



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

From: [Kari Schank](#)
To: [Land Use; Planner](#)
Subject: Re: Upcoming Applications
Date: Tuesday, December 8, 2020 7:36:41 PM

Dear Jeff and Kearsten,

The following comments are submitted on behalf of the Eliot Conservation Commission.

787 Main Street. The Commission has not received a response to our comments submitted to the acting town planner on January 21, 2020. Based on the current plans, it is not clear if wetland surveys were completed or if measures to minimize/mitigate tree clearing were considered. It appears no development will occur within the 75' buffer to the shore; but we would request that a no-build prohibition within this buffer be included in long term management for this subdivision. Native plants should be considered for landscaping and/or to mitigate for tree removal.

114 Harold Dow Hwy. The Commission is concerned about the proximity of the proposed pole barn to wetlands (within 25-feet) depicted on the plans. We would like to see the wetland delineation survey report referenced on the drawings and request that consideration of a 75' setback from wetland boundaries should be considered.

Please let me know if you have any questions.

Best,

Kari Moore, ECC Chair

Sent from my iPhone

On Nov 25, 2020, at 12:26 PM, Land Use <landuse@eliotme.org> wrote:

Good Afternoon Everyone,

Attached please find 3 new upcoming applications.

If all questions, concerns or comments could be return to Jeff or myself by December 8th, 2020 it would be greatly appreciated.

I hope you all enjoy your holiday!

Kindest Regards,

Kearsten Metz

Land Use Administrative Assistant

Town of Eliot

1333 State Road

Eliot Maine 03903

(207) 439-1813 x 109

landuse@eliotme.org

Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

<771 Main Street Sub.pdf>

<787 Main complete.pdf>

<Eliot Planning Board Application_114 Harold Dow Hwy.pdf>

PB20-5: 7 MacLellan Ln. (Map 37/Lot 19): Site Plan Review for an 8,000 +/- sq. ft. expansion to an existing 2,000 sq. ft. structure and Change of Use to add retail sales to existing approved uses



TOWN OF ELIOT MAINE

PLANNING OFFICE
1333 State Road
Eliot ME, 03903

To: Planning Board
 From: Jeff Brubaker, AICP, Town Planner
 Cc: John Chagnon, PE, LLS, Ambit Engineering, Applicant's Representative
 Blake Dubin, Applicant
 Shelly Bishop, Code Enforcement Officer
 Kearsten Metz, Land Use Administrative Assistant
 Date: December 9, 2020 (report date) – *preliminary report*
 December 15, 2020 (meeting date)
 Re: PB20-5: 7 MacLellan Ln. (Map 37/Lot 19), PID # 037-019-000: Site Plan Review for an 8,000 +/- sq. ft. expansion to an existing 2,000 sq. ft. structure and Change of Use to add retail sales to existing approved uses (also includes a Shoreland Zoning Application for a portion of the site) – **Site Plan Review**

| Application Details/Checklist Documentation | |
|---|--|
| ✓ Address: | 7 MacLellan Lane |
| ✓ Map/Lot: | 37/19 |
| ✓ PB Case#: | 20-5 |
| ✓ Zoning District: | Commercial/Industrial (C/I) |
| ✓ Shoreland Zoning District(s): | Resource Protection, Limited Commercial |
| ✓ Property Owner Name: | Blake Dubin |
| ✓ Applicant Name: | Blake Dubin |
| ✓ Proposed Project: | Site Plan Review <ul style="list-style-type: none"> • Site Plan Amendment for an 8,000 +/- sq. ft. building expansion • Change of Use to add retail sales to existing approved uses Shoreland Zoning Application <ul style="list-style-type: none"> • For the portion of improvements in shoreland zoning |
| Sketch Plan | |
| ✓ Application Received by Staff: | January 21, 2020 (initial submittal withdrawn) February 3, 2020 (new submittal) |
| ✓ Application Fee Paid and Date: | \$300 January 21, 2020 |
| ✓ Application Sent to Staff Reviewers: | February 6, 2020 |
| ✓ Sketch Plan Heard by PB | May 12, 2020 |

PB20-5: 7 MacLellan Ln. (Map 37/Lot 19): Site Plan Review for an 8,000 +/- sq. ft. expansion to an existing 2,000 sq. ft. structure and Change of Use to add retail sales to existing approved uses

| | |
|--|---|
| Site Plan Review Application | |
| ✓ Application Received by Staff: | December 1, 2020 |
| ✓ Application Fee Paid and Date: | \$400 (SP Amend. – \$100; Chg. of Use – \$25; SLZ App. – \$100; P.H. – \$175) December 1, 2020 |
| ✓ Application Sent to Staff Reviewers: | December 1, 2020 |
| Application Heard by PB | December 15, 2020 (scheduled) |
| Found Complete by PB | TBD |
| Site Walk | TBD |
| Public Hearing | TBD |
| Public Hearing Publication | TBD |
| Deliberation | TBD |
| Notice of Decision | TBD |
| ✓ Reason for PB Review: | Site Plan Review/Amendment (building addition); Change of Use; Shoreland Zoning |

Overview

Applicant Blake Dubin (agent: Ambit Engineering) is seeking site plan review/approval of a Site Plan Amendment and Change of Use at 7 MacLellan Ln. (Map 37, Lot 19). The 3.1-acre property is located on the corner of MacLellan Ln. and Harold L. Dow Hwy.

According to the application cover letter:

The project consists of the addition of an 8,000 SF building (attached to the existing building) at the site with the associated site improvements. The proposal will expand the existing manufacturing use and add an unspecified retail component.

The Site Plan Review application package includes a cover letter; Site Plan Review application; abutter’s list; warranty deed; wetland delineation report; approved subsurface wastewater disposal system application (HHE-200); email regarding septic being inspected and in working order; drawings/elevations for the proposed building expansion; January 2019 NOD; drainage analysis; stormwater inspection and maintenance plan; and site plan set.

The site plan set includes a 1”=500’ location map; standard boundary and topo survey; existing conditions and demolition plan; site layout plan; drainage and grading plan; utility plan; and detail sheets.

PB20-5: 7 MacLellan Ln. (Map 37/Lot 19): Site Plan Review for an 8,000 +/- sq. ft. expansion to an existing 2,000 sq. ft. structure and Change of Use to add retail sales to existing approved uses

A Shoreland Zoning Application was also submitted to show the extent of the shoreland zoning districts and the site improvements in those districts.

Zoning

The property is located in the Commercial/Industrial (C/I) District. It also includes Resource Protection (RP) and Limited Commercial (LC) shoreland zoning districts.

Uses

The applicant is requesting approval to add unspecified retail sales at the site. The current approved use is manufacturing for the extraction of industrial hemp and/or other botanical oils (see January 2019 NOD). Before that, the site was used as a car wash.

“Retail stores, local, other” are an SPR use in the C/I District in the 45-290 land use table. The Section 1-2 definition is: “*Retail stores, local, other*, means a store that specializes in the sale of a limited quantity and variety of items.”

Since it was previously discussed, it should be noted that the applicant is not applying for approval to add a marijuana use with this application.

Type of review needed

The applicant is seeking approval for a Site Plan Amendment and Change of Use. While Sec. 33-140(b) allows for the “single-meeting” review and approval of minor site plan amendments, the application package reflects a “full” Site Plan Review, which is fitting of an amendment of this size (e.g. adding a higher-intensity use such as retail and expanding the building by 4x). It is therefore recommended that the Planning Board go through the full Site Plan Review process.

Sketch plan review occurred on May 12. The Board may wish to make a motion on application completeness at this meeting, or may wish to continue application review over multiple meetings depending on whether more information is sought or what changes may be needed to the site plan or other documents.

Requested information waivers

- 33-127(12) – High Intensity Soils Report

Respectfully submitted,

Jeff Brubaker, AICP
Town Planner

** Preliminary report*

AMBIT ENGINEERING, INC. CIVIL ENGINEERS AND LAND SURVEYORS

200 Griffin Road, Unit 3, Portsmouth, NH 03801
Phone (603) 430-9282 Fax 436-2315

1 December 2020

Mr. Jeffrey Brubaker, Planner, Town of Eliot
1333 State Road
Eliot, ME 03903

RE: Request for Approval for an Amended Site Plan at 7 MacLellan Lane, Tax Map 37, Lot 19

On behalf of Blake Dubin (Owner and applicant) we hereby submit the attached and enclosed Site Plan Review Application and supporting material for Preliminary Site Plan Review at the next available Planning Board meeting. The site is a previously developed 3 acre lot located at 7 MacLellan Lane. The project consists of the addition of an 8,000 SF building (attached to the existing building) at the site with the associated site improvements. The proposal will expand the existing manufacturing use and add an unspecified retail component.

The site is served by the following utilities:

- Water service: Existing well
- Sewer Service: Existing Septic System
- Electrical Service: Existing service and pad mounted transformer
- Gas Service: Existing Propane Tank
- Trash Removal: Existing Dumpster

Requested Waivers are included in the attached checklist

We look forward to the Planning Board's review of this submission. If there are any questions or comments please feel free to reach out to me.

Sincerely,

John Chagnon

John R. Chagnon, PE
Project Engineer

CC: Blake Dubin

Case No. _____

Site review? Yes No

**APPLICATION FOR SITE PLAN REVIEW
TOWN OF ELIOT PLANNING BOARD**

Step 1. (Fill in all blocks below - See the Planning Assistant if you don't understand.)

Tax Map 37 Lot# 19 Lot Size 3.0959 Ac. Zoning District: Commercial Industrial

Your Name John Chagnon-Ambit (Agent) Your mailing address 200 Griffin Road, Unit 3

City/Town Portsmouth State: NH Zip: 03801 Telephone: 603-430-9282

Who owns the property now? Blake Dubin, 336 Miller Ave, Portsmouth, NH 03801

Address (Location) of the property 7 MacLellan Lane, Eliot, Maine

Property located in a flood zone? Yes No

(If yes, please complete the attached Flood Hazard Development Application and return it with your completed application)

Step 2 (establish your legal interest in the property)

Attach a copy of the Purchase and Sales Agreement, Deed, Tax records, Signed Lease, or other documents to the satisfaction of the Planning Assistant. If you are representing a corporation, provide documentation that you have authority to speak for the corporation.

Step 3 (Go to the Zoning Ordinance Section 45-290, Table of Land uses)

What SPECIFIC land use are you applying for? Retail and Manufacturing
(You MUST make this selection from Section 45-290 of the Zoning Ordinance)

Having entered the SPECIFIC land use above now provide a more detailed description of what you want to do:

The applicant proposes an 8,000 +/- square foot expansion to an existing 2,000 square foot structure; as well as associated parking and site improvements.

Proposed Change of use to add Retail Sales at site

Case No. _____

Site review? Yes No

Step 4 Attach ten (10) copies of a sketch plan, showing in approximate dimensions the following:

- All zoning districts
- The location of all existing and/or proposed buildings
- The setbacks of all existing and proposed structures or uses.

- The location of proposed signs, their size, and direction of illumination.

- The location of all existing and/or proposed entrances and exits.

- All existing and/or proposed parking areas (parking is permitted in the front, rear and side of the premises, so long as it does not violate setback requirements.)

- Plans of buildings, sewage disposal facilities, and location of water supply.

Step 5 Sign the application (both owner and applicant must sign and date the application) and submit fee with preliminary plans (\$100 per acre for first 5 acres and \$50 per acre after five plus \$150 for advertising and public hearing fees)

Applicant John Chagnon Date 12-1-20

Property Owner See Authorization Date 12-1-20

Step 6 Application received by Planning Assistant

Date received by the PA _____ PA initials _____

Step 7 The Planning Assistant will review the application and if complete, will place your application on a future Planning Board agenda

Step 8 The applicant or representative of the applicant must attend the Planning Board meeting

PART 1 - THE PROCEDURE

Case No. _____

Site review? Yes No

(STEP 1) Meet with the Planning Assistant to assure that Site Review is required. Obtain application forms and assemble data for submission.

(STEP 2) Sketch Plan Stage Application submission. Include 10 copies of the sketch plan, survey map, location map, and affidavit of ownership or legal interest. (Section 33-63)

(STEP 3) Applicant attends first meeting with Planning Board, describes project, and answers questions (*Board may review checklist for the Site Plan at this time or act on waivers requested for submission of data*)

(STEP 4) Board sets up site visit with applicant (Section 33-64).

(STEP 5) Board visits site with applicant.

(STEP 6) Applicant attends succeeding meetings. Board does preliminary review of the Ordinance requirements for applicability to the Site Plan. Board and notifies applicant of changes required to Sketch Plan after site inspection (Section 33-103).

(STEP 7) Applicant revises the "Sketch Plan" as needed, submits the Site Plan, and pays non-refundable fees prior to the second Planning Board meeting. (Sections 33-126 & 33-128).

(STEP 8) Site Plan Stage Applicant attends succeeding meetings with Planning Board and discusses Site Plan (Section 33-129) until Board votes to accept the Site Plan (Section 33-126) *Board schedules public hearing for future meeting when all requirements have been or will be met.*

(STEP 9) Board conducts Public Hearing (Section 33-130).

(STEP 10) Approval stage Board approves / approves with conditions / disapproves applicants application within 30 days of the close of the final Public Hearing or 75 days from date Board accepted completed application and Site Plan (Section 33-131). If more than one public hearing is held, the 30-day period begins after the last public hearing.

(STEP 11) Board issues a Notice of Decision, which contains findings certifying compliance with ordinance, reasons for conditional approval or reasons for disapproval (Section 33-131). The Notice of decision and signing of the final plan is for documentation purposes and does not determine the beginning of the appeal period.

(STEP 12) Appeal Period A 30-day appeal period begins from the date the Board makes a decision on the application. (Section 45-50) The applicant may begin work on the project during this period, but does so at his or her own risk.

PART 2

Case No. _____

Site review? Yes No

DETAILED ORDINANCE REFERENCES FOR EACH SITE REVIEW EVENT

1. Submit application. (Section 33-63) Include 10 copies of all submissions that show:

- Sketch Plan- (See Section 33-105) showing:
 - All zoning districts
 - Existing and proposed structures
 - Existing and proposed parking areas (parking is permitted in the front, rear and side of the premises, so long as it does not violate setback requirements.)
 - Existing and proposed Streets and entrances
 - Existing and proposed setbacks
 - Other site dimensions and area
 - Site and public improvements and facilities
 - Areas of excavation and grading
 - Any other site changes
 - Location Map-This is to be submitted along with or as part of the Sketch Plan (See Section 33-104) and includes:
 - Scale of 500 ft to the inch
 - Show all area within 2000 ft of property lines
 - All surrounding existing streets within 500 ft
 - Abutters lots and names within 500 ft of property boundary
 - Zoning districts within 500 ft
 - Outline of proposed development showing internal streets and entrances

2. Site inspection (Section 33-64) The Board and Applicant conduct site inspection. Applicant shall stake the lot corners, the location of all proposed structures, parking and the centerlines of all proposed streets and entrances in development. Verify that parking meets applicable setbacks

3. Board notifies applicant of changes required to Sketch Plan after site inspection such as contour interval, street classification, etc. (Section 33-103) and determines:

If other Local, State or Federal agencies or officers (Section 33-102) should review Sketch Plan.

If applicable, MaineDOT driveway permit is **required** prior to local approval for anyone installing, physically changing or changing the use of a driveway on state highway.

If review by Eliot Fire Chief ____, Police Chief ____, or Road Commissioner ____ is required.

Case No. _____

Site review? Yes No

4. Applicant converts Sketch Plan into a "Site Plan" (Sections 33-126). The following requirements are considered by the Planning Board

Chapter 33 required information

4.1. Applicant shall provide one original and 10 copies of Site Plan drawn at a scale not smaller than 1-inch equals 20 feet showing the following information:

- 4.1.1. Development name, owner, developer, designer name and address and names and addresses of all abutters and abutters land use.
- 4.1.2. Certified perimeter survey showing a north arrow, graphic scale, corners of parcel, total acreage, etc. This means a survey of the property using the standards of practice established by the State of Maine Board of Licensure for Professional Land surveyors, MRSA Chapter 121.
- 4.1.3. Temporary markers.
- 4.1.4. Contour lines at 5-ft intervals or as Board decides.
- 4.1.5. A list of the provisions of Chapter 45 (Zoning) which are applicable to this area and identification of any zoning district boundaries affecting the development.
- 4.1.6. Storm water Drainage Plan. (50 year storm)
- 4.1.7. Required bridges or culverts.
- 4.1.8. Location of natural features or site elements to be preserved.
- 4.1.9. Soil Erosion and Sediment Control Plan.
- 4.1.10. High Intensity Soils Report.
- 4.1.11. Locations of sewers, water mains, culverts and drains.
- 4.1.12. Water supply information.
- 4.1.13. Sewerage System Plan.
- 4.1.14. Septic System Survey.
- 4.1.15. Estimated progress schedule.
- 4.1.16. Construction drawings for CEO which show floor areas, ground coverage, location of all structures, setbacks, lighting, signs, incineration devices, noise generating machinery likely to generate appreciable noise beyond the lot lines, waste materials, curbs, sidewalks, driveways, fences, retaining walls, etc.
- 4.1.17. Telecommunication tower details as required.

4.2. Additional requirements made by Board (Section 33-126).

Other Chapter 33 Site Review Ordinance Requirements.

- 4.4. Traffic data if applicable (Section 33-153)
- 4.5. Campground requirements if applicable (33-172)
- 4.6. Commercial Industrial requirements if applicable
 - 4.6.1. Landscaping (Section 33-175)

Case No. _____

Site review? Yes No

- 4.6.2. Vibration (33-176)
- 4.6.3. Site Improvements (33-177)
- 4.6.4. Electromagnetic Interference (33-178)
- 4.6.5. Parking and Loading Areas (33-179, 45-487, 45-495)
- 4.6.6. Glare (33-180)

- 4.7. Motel requirements if applicable (Section 33-182)
- 4.8. Multi-family dwelling requirements if applicable (Section 33-183)

Chapter 35 Post-Construction Stormwater Management

Disturbance of more than one acre of land or less than one acre if the development is part of a larger common plan for development must comply with Chapter 35 Post – Construction Stormwater Management.

Chapter 45 Zoning Ordinance Requirements. compliance includes the following Article VIII Performance Standards:

- 4.9. Dimensional Standards (Section 45-405)
- 4.10. Traffic (Section 45-406)
- 4.11. Noise (Section 45-407)
- 4.12. Dust, Fumes, Vapors and Gases (Section 45-408)
- 4.13. Odor (Section 45-409)
- 4.14. Glare (Section 45-410)
- 4.15. Storm-water run-off for a 50 year storm. (Section 45-411)
- 4.16. Erosion Control (Section 45-412)
- 4.18. Preservation of Landscape (Section 45-413)
- 4.19. Relation of Buildings to Environment (Section 45-414)
- 4.20. Soil Suitability for Construction (Section 45-415)
- 4.21. Sanitary Standards for Sewage (Section 45-416)
- 4.22. Buffers and Screening (Section 45-417)
- 4.23. Explosive Materials (Section 45-418)
- 4.24. Water Quality (Section 45-419)
- 4.25. Refuse Disposal (Section 45-421)

- 4.26. Specific Activities (Article IX) which include:
 - 4.26.1. Accessory Use or Structure (Section 45-452)
 - 4.26.2. Home Occupation (Section 45-455)
 - 4.26.3. Mobile Homes (Section 45-457)
 - 4.26.4. Off-street Parking and Loading (Article X)
 - 4.26.5. Signs (Article XI)

- 4.27. In addition the Board may make other conditions for approval that will insure such compliance and would mitigate any adverse affects on adjoining or neighboring properties which might otherwise result from any proposed use (Section 33-131).

Case No. _____

Site review? Yes No

5. Board discussion of Site Plan (Section 33-126).

5.1. Board discusses Site Plan with applicant.

6. Public Hearing (Section 33-129 & 130).

6.1. Conducted within 30 days of Boards acceptance of Site Plan.

6.2. Three notices posted 10 days prior to the Public Hearing.

6.3. Notices advertised in two newspapers 10 days prior to Public Hearing.

6.4. Other Towns notified 10 days prior to if within 500 feet of applicant's lot.

6.5. Abutters notified 10 days prior to by certified mail, return receipt requested. \$150.00 paid by applicant to cover the cost of advertising and abutter notification (Sec. 1-25)

6.6. Selectmen, CEO, and Board of Appeals shall be notified 10 days prior to the Public Hearing.

7. Board approves / approves with conditions / disapproves applicants Application within 30 days of Public Hearing or 75 days from date Board accepted completed Application and Site Plan (Section 33-131).

Note: Computation of time shall be in accordance with Section 1-2 as follows:
"In computing any period of time prescribed or allowed by this Code, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday or legal holiday, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday or legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation."

8. Notice of Decision issued which contains findings certifying compliance with ordinance, reasons for conditional approval or reasons for disapproval (Section 33-131).

STATEMENT OF AUTHORIZATION

The undersigned, Blake Dubin, Owner of property at 7 MacLellan Lane, Eliot, ME, Applicant does hereby authorize Ambit Engineering, Inc. as Project Manager to prepare and file any and all applications for the Town of Eliot Planning Board or any other boards, jurisdictions, or entities, and further authorizes John Chagnon and Steve Riker of Ambit Engineering to represent my interests before the Town of Eliot with regard to the Site Plan Application for property located at 7 MacLellan Lane.

Dated: February 1 , 2020

by:



Blake Dubin

Site Plan Review Submissions Checklist

Applicant Name: _____

Address & Map/Lot: _____

This is a working document, to be used with applicants and staff to ensure information provided is consistent and complete. It should be used as a guide in assembling the information necessary for a site plan review. Once the checklist is completed, applicable waivers indicated, and the information provided, it should be submitted with the application materials.

Instructions for Applicants:

1. Indicate if the information has been submitted by checking the appropriate box in column 1.
2. The Planner and Board will use this checklist with the applicant to determine if the application presented is complete.
3. If you believe that a required submission is not applicable to your proposed project, please discuss this matter with the Planner. If the staff agrees the submission to be not applicable, the staff member will check the appropriate category and indicate the reason the item is not applicable.
4. If a staff member denies a waiver request, that staff member will check the box in column 4 and the Planning Board will make the determination at the meeting.
5. The developer shall submit two originals of a site plan, drawn at a scale of not smaller than one inch equals 20 feet, and ten copies reduced to 11 inches by 17 inches, and showing the following information unless the Planning Board waives these requirements, upon written request of the applicant.

| Section Number of Ordinances | Item Description from Ordinances | 1 Submitted by the Applicant | 2 Submission Determined to be Sufficient by the Planning Board | 3 Submission Determined Not Applicable by the Planner | 4 Applicant Requests Waiver of Submission Requirement |
|------------------------------|--|------------------------------|--|---|---|
| 33-127(1) | Development name or identifying title and name of the Town | | | | |
| 33-127(2) | Name & Address of Record Owners, Developer and Designer | | | | |
| 33-127(3) | Names & Addresses of All Abutters and Their Present Land Use | | | | |
| 33-127(4) | Perimeter Survey of the Parcel Made and Certified by a State-Registered Land Surveyor, Relating to Reference Points, Showing True North Point, Graphic Scale, Corners of the Parcel, Date of Survey, Total | | | | |

| | | | | | |
|------------|---|--|--|--|--|
| | Acreage, Existing Easements, Buildings, Watercourses & Other Essential Existing Physical Features | | | | |
| 33-127(5) | The Location of Temporary Markers Adequate to Enable the Planning Board to locate readily and appraise the basic layout in the field | | | | |
| 33-127(6) | Contour lines at intervals of not more than five feet or at such intervals as the Planning Board may require, based on U.S. Geological Survey topographical map datum of existing grades where change of existing ground elevation will be five feet or more | | | | |
| 33-127(7) | Provisions of Chapter 45 of this Code applicable to the area to be developed and any zoning district boundaries affecting the development | | | | |
| 33-127(8) | Provisions for collecting and discharging storm drainage, in the form of a drainage plan | | | | |
| 33-127(9) | Preliminary designs of any bridges or culverts which may be required | | | | |
| 33-127(10) | The location of all natural features or site elements to be preserved | | | | |
| 33-127(11) | A soil erosion and sediment control plan | | | | |
| 33-127(12) | A high intensity soils report identifying the soils boundaries and names in the proposed development, with the soils information superimposed upon the plot plan. Such soils survey shall account for the water table in wet and dry seasons, slope, soil quality, etc.; and planning board approval will be conditioned upon | | | | |

| | | | | | |
|------------|--|--|--|--|--|
| | compliance with any recommendations included in such report | | | | |
| 33-127(13) | The locations & size of any existing sewers & water mains, culverts & drains on the property to be developed | | | | |
| 33-127(14) | Connection with existing water supply or alternative means of providing water supply to the proposed development | | | | |
| 33-127(15) | Connection with existing sanitary sewerage system or alternative means of treatment & disposal proposed | | | | |
| 33-127(16) | If a private sewage disposal system is proposed, location & results of tests to ascertain subsurface soil & groundwater conditions, depth to maximum groundwater level, location & results of soil testing | | | | |
| 33-127(17) | An estimated progress schedule | | | | |
| 33-127(18) | Construction drawings sufficient to enable the Code Enforcement Officer to verify the following information: | | | | |
| a. | Total floor area, ground coverage & location of each proposed building, structure or addition | | | | |
| b. | All existing & proposed setback dimensions | | | | |
| c. | The size, location, direction & intensity of illumination of all major outdoor lighting apparatus & signs | | | | |
| d. | The type, size & location of all incineration devices | | | | |
| e. | The type, size & location of all machinery likely to generate appreciable noise beyond the lot lines | | | | |
| f. | The amount & type of any raw, finished or waste | | | | |

| | | | | | |
|------------|---|--|--|--|--|
| | materials to be stored outside of roofed buildings, including their physical & chemical properties, if appropriate | | | | |
| g. | The location, type & size of all curbs, sidewalks, driveways, fences, retaining walls, parking space areas & the layouts together with all dimensions | | | | |
| h. | All landscaped areas, fencing & size & type of plant material proposed to be retained or replanted | | | | |
| i. | A site plan for a telecommunication structure must provide a description and construction detail of the telecommunication structure, including plot plan identifying location of the structure on the property; dimensions of the structure; structural supports, if any; lighting; color; and equipment located on the structure, if any. This description shall also identify any accessory structures that are proposed in connection with the operation of the telecommunication structure. | | | | |
| j. | Applications for subdivisions shall include all applicable submission requirements above, in addition to those required by chapter 41 of this code. If these submission requirements conflict with the requirements of chapter 41, the stricter standards shall apply. | | | | |
| 33-127(19) | Site plans and construction drawings for new and existing structures listed as SPR in section 45-290 shall | | | | |

| | | | | | |
|--|---|--|--|--|--|
| | be submitted to the Eliot Fire Chief for review and comment prior to final approval by the Planning Board | | | | |
|--|---|--|--|--|--|

In addition to the above, when applicable, the Planning Board may require detailed interior plans including dimensional measurements and uses of all interior spaces, placement of equipment, counters, etc. and when applicable, seating charts indicating table/chair arrangements and the number of requested tables and seats.

The Planner will work with the applicant to ensure this checklist is complete before a Site Plan Review application is scheduled for review by the Planning Board.

Town Planner

Date

Staff Section Only:

| | |
|--|--|
| Address: | |
| Map/Lot: | |
| PB Case #: | |
| Zoning District: | |
| Shoreland Zoning: | |
| Owner Name: | |
| Applicant Name: | |
| Proposed Project: | |
| Application Received by Staff: | |
| Application Fee Paid and Date: | |
| Application Received/Found Complete by PB: | |
| Site Walk Date: | |
| Public Hearing Date: | |
| Public Hearing Publication Date: | |
| Reason for PB Review: | |

ABUTTER'S LIST

JN 3152

Client: Blake Dubin

Address: 336 Miller Ave, Portsmouth, NH 03801

| MAP | LOT | NAME(S) | PO BOX | STREET ADDRESS | CITY/STATE/ZIP |
|-----------------|-----|--|--------|--------------------------|----------------------|
| 36 | 8 | Gary D. & Maureen Finley | | 10 Wyman Ave. | Kittery, ME 03904 |
| 36 | 10 | Steven R. Thompson | | 335 Harold L. Dow Hwy | Eliot, ME 03908 |
| 36 | 13 | Town of Eliot | | 1333 State Road | Eliot, ME 03908 |
| 37 | 3 | Ralph J & Katherine A. Cresta | | 295 West Road | Portsmouth, NH 03801 |
| 37 | 4 | Heritage Operating LP Amerigas Propane LP C/O The Albano Group | 1240 | | Manchester, NH 03105 |
| 37 | 5 | Brown Dog Properties Maine LLC | | 396 Beech Road | Eliot, ME 03903 |
| 46 | 7 | Hissong Ready-Mix Aggregates | | 48 York Street, Suite 2 | Kennebunk, ME 04043 |
| 46 | 10 | Brown Dog Properties Maine LLC | | 396 Beech Road | Eliot, ME 03903 |
| Engineer | | Ambit Engineering, Inc. Civil Engineers & Land Surveyors | | 200 Griffin Road, Unit 3 | Portsmouth, NH 03801 |
| Applicant/Owner | | Blake Dubin | | 336 Miller Ave. | Portsmouth, NH 03801 |

WARRANTY DEED 1001940053940
Corporate Grantor

Maine R.E. Transfer Tax Paid

KNOW ALL PERSONS BY THESE PRESENTS that, Third Time Development, LLC, a Massachusetts limited liability company with a principal place of business situated in Natick, in the State of Massachusetts, for consideration paid, grant to Blake Dubin of Miller Ave., Portsmouth, New Hampshire, with warranty covenants, a certain lot or parcel of land, together with the buildings and improvements thereon situated in the Town of Eliot, County of York and State of Maine, more particularly bounded and described in Exhibit A which is attached hereto and made a part hereof by reference.

IN WITNESS WHEREOF said Third Time Development, LLC has caused this instrument to be executed in its company name by Steven Blum, its sole Member, duly authorized, this 2nd day of April, 2019.

Third Time Development, LLC

Claudia M. Campbell
Witness to all.

[Signature]
Steven Blum, Member

STATE OF MASSACHUSETTS
COUNTY OF Middlesex, ss.

On April 2, 2019, did personally appear the above named Steven Blum, in his capacity as Member of said limited liability company and did acknowledge the foregoing instrument to be his free act and deed in his capacity and the free act and deed of said company.

Before me,

Claudia M. Campbell
Notary Public/~~Attorney at Law~~
Printed name:
Seal (if any):

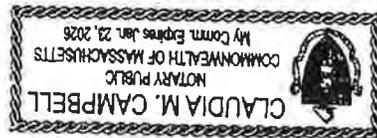


EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, located on the northeasterly sideline of Route 236, also known as the Dow Highway, in the Town of Eliot, County of York and State of Maine, and being bounded and described as follows:

Beginning at a rebar set on the northeasterly sideline of Route 236, which rebar is set at the southwesterly corner of the premises herein described and on the northwesterly sideline of a private right of way easement; thence running North 25° 35' 12" West along Route 236 for a distance of three hundred nineteen and 37/100 (319.37) feet to a rebar; thence turning and running North 61° 17' 22" East along land now or formerly of Gary D. Findley, for a distance of three hundred three and 25/100 (303.25) feet to a rebar; thence running North 61° 17' 17" East along land now or formerly of Hans D. Baumann and others, for a distance of three hundred ten and 59/100 (310.59) feet to a rebar; thence running South 28° 42' 39" East along land now or formerly of Allan C. McClellan, Jr. and others, for a distance of three hundred thirty (330) feet to a rebar set on the northwesterly sideline of a private right of way easement; thence running South 62° 33' 49" West along said right of way, for a distance of one hundred thirty-six and 42/100 (136.42) feet; thence running South 62° 13' 25" West along said right of way, for a distance of four hundred ninety-four and 89/100 (494.89) feet to a rebar set on the northeasterly sideline of Route 236 and the point of beginning.

Excepting from the above-described premises, a certain lot or parcel of land conveyed by Fource, LLC to Booth R. Hemingway by deed dated July 20, 2007 and recorded in the York County Registry of Deeds in Book 15216, Page 652, being more particularly bounded and described as follows:

Commencing at a rebar set on the northwesterly sideline of a private way known as MacLellan Drive, said point lies North 62° 13' 25" East a distance of 427.47 feet from a rebar found at the intersection of MacLellan Drive and the northeasterly sideline of Route 236; thence running North 28° 42' 39" West a distance of three hundred twenty-five and 86/100 (325.86) feet along remaining land now or formerly of Fource, LLC to a rebar set at the land now or formerly of Gary D. Finley and Maureen Finley; thence running North 61° 17' 13" East a distance of two hundred three and 79/100 (203.79) feet along land now or formerly of said Finley to a rebar; thence running South 28° 42' 39" East a distance of three hundred thirty (330) feet along land now or formerly of Booth R. Hemingway to a rebar found at MacLellan Drive; thence running South 62° 27' 04" West a distance of two hundred three and 83/100 (203.83) feet along MacLellan Drive to the point of beginning.

The above described premises are conveyed together with and appurtenant easement to be used as a right of way to gain access to and exit from the northeasterly sideline of Route 236 and the above described premises. Said right of way is more particularly described in the deed of Allan Q. McClellan, Jr. et al to Han Baumann, et al dated January 17, 2005 and recorded in the York County Registry of Deeds in Book 14352, Page 1.



AMBIT ENGINEERING, INC. CIVIL ENGINEERS AND LAND SURVEYORS
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

TECHNICAL REPORT OF WETLAND DELINEATION, CLASSIFICATION & IDENTIFICATION

Ambit Engineering Project No.:3152 **Date(s) of Delineation:** 1/7/20 **Date of Report:** 1/17/20

Field Delineator: Steven D. Riker

Compiled by: Steven D. Riker

Project Location/Tax Map & Lot: 7 MacLellan Lane, Eliot, ME. Tax Map 37, Lot 519

Prepared for: Blake Dubin, 336 Miller Avenue, Portsmouth, NH, 03801.

Site Area Observed: Entire lot to establish wetland buffer.

Site Conditions: Lot with uplands adjacent to freshwater wetlands

Weather/Seasonal Conditions: 30 snow, winter conditions, minimal snow cover.

Site Disturbance: Historic filling around previously developed area.

Wetlands Present: Yes. Property contains freshwater wetlands.

Wetland conditions/atypical situation/problem area: Wetlands are not considered atypical or a problem area.

Hydric Soil Criterion: A11. Field Indicators of Hydric Soils in the United States, Version 8.2, USDA-NRCS, 2018.

Delineation Standards Utilized:

1. *US Army Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1 (Jan 1987). **AND** Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, Version 2.0, January 2012.
2. Field Indicators of Hydric Soils in the United States, Version 8.2, USDA-NRCS, 2018 **AND (for disturbed sites)** *Field Indicators for Identifying Hydric Soils in New England*, Version 4. NEIWPC Wetlands Work Group (April 2019).
3. *National List of Plant Species That Occur in Wetlands: Northeast (Region 1)*. USFWS (May 1988).

Ambit Engineering, Inc. flagged wetlands present utilizing fluorescent pink flagging tape, labeled alpha-numerically for aid in survey location and identification. Wetland flags were survey located immediately following the delineation.

Notes: A1-A12 stop is a poorly drained palustrine emergent persistent wetland system that is seasonally flooded and or saturated (PSS1E).



37/19

ELIOT PERMIT # 2562 APPLICANT COPY

PROPERTY LOCATION

City, Town, or Plantation: Eliot

Street or Road: Route 236

Subdivision, Lot #:

Date Permit Issued: 5/01/05 \$ 1100 FEE If Double Fee Charged

Local Plumbing Inspector Signature: *[Signature]* L.P.I. # 07197

OWNER/APPLICANT INFORMATION

Name (last, first, MI): Couperthwait, Kenneth Owner Applicant

Mailing Address of Owner/Applicant: 26 Folcutt Road, Kittery Point, ME 03905

Daytime Tel. #: (207) 252-4547

THE WORK SPECIFIED IN THIS APPLICATION IS HEREBY AUTHORIZED TO BE INSTALLED IN ACCORDANCE WITH THE RULES. THIS PERMIT EXPIRES AFTER TWO YEARS FROM DATE ISSUED UNLESS WORK HAS COMMENCED.

Municipal Tax Map # 45 Lot # 14

OWNER OR APPLICANT STATEMENT

I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.

Signature of Owner or Applicant: *[Signature]* Date: 09/05

CAUTION: INSPECTION REQUIRED

I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.

(1st) date approved: _____

Local Plumbing Inspector Signature: _____ (2nd) date approved: _____

PERMIT INFORMATION

TYPE OF APPLICATION

1. First Time System

2. Replacement System

Type replaced: _____

Year installed: _____

3. Expanded System

a. Minor Expansion

b. Major Expansion

4. Experimental System

5. Seasonal Conversion

THIS APPLICATION REQUIRES

1. No Rule Variance

2. First Time System Variance

a. Local Plumbing Inspector Approval

b. State & Local Plumbing Inspector Approval

3. Replacement System Variance

a. Local Plumbing Inspector Approval

b. State & Local Plumbing Inspector Approval

4. Minimum Lot Size Variance

5. Seasonal Conversion Permit

DISPOSAL SYSTEM COMPONENTS

1. Complete Non-engineered System

2. Primitive System (graywater & alt. toilet)

3. Alternative Toilet, specify: _____

4. Non-engineered Treatment Tank (only)

5. Holding Tank, _____ gallons

6. Non-engineered Disposal Field (only)

7. Separated Laundry System

8. Complete Engineered System (2000 gpd or more)

9. Engineered Treatment Tank (only)

10. Engineered Disposal Field (only)

11. Pre-treatment, specify: _____

12. Miscellaneous Components

SIZE OF PROPERTY

4.63 SQ. FT. ACRES

DISPOSAL SYSTEM TO SERVE

1. Single Family Dwelling Unit, No. of Bedrooms: _____

2. Multiple Family Dwelling, No. of Units: _____

3. Other: Car Wash (specify)

Current Use Seasonal Year Round Undeveloped

TYPE OF WATER SUPPLY

1. Drilled Well 2. Dug Well 3. Private

4. Public 5. Other

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANK

1. Concrete

a. Regular

b. Low Profile

2. Plastic

3. Other: _____

CAPACITY: 1,000 GAL

DISPOSAL FIELD TYPE & SIZE

1. Stone Bed 2. Stone Trench

3. Proprietary Device

a. cluster array c. Linear

b. regular load d. H-20 load

4. Other: _____

SIZE: 10,400 sq. ft. lin. ft.

GARBAGE DISPOSAL UNIT

1. No 2. Yes 3. Maybe

If Yes or Maybe, specify one below:

a. multi-compartment tank

b. _____ tanks in series

c. increase in tank capacity

d. Filter on Tank Outlet

DESIGN FLOW

1,950 gallons per day

BASED ON:

1. Table 501.1 (dwelling unit(s))

2. Table 501.2 (other facilities)

SHOW CALCULATIONS

---- for other facilities ----

SOIL DATA & DESIGN CLASS

PROFILE: 9 / D /

CONDITION: _____

DESIGN: _____

at Observation Hole # 104

Depth 13 "

of Most Limiting Soil Factor

DISPOSAL FIELD SIZING

1. Small---2.0 sq. ft. / gpd

2. Medium---2.6 sq. ft. / gpd

3. Medium---Large 3.3 sq. ft. / gpd

4. Large---4.1 sq. ft. / gpd

5. Extra Large---5.0 sq. ft. / gpd

EFFLUENT/EJECTOR PUMP

1. Not Required

2. May Be Required

3. Required

Specify only for engineered systems:

DOSE: _____ gallons

SEE ATTACHED 22"x34" DETAIL SHEET

3. Section 503.0 (metering)

ATTACH WATER METER DATA

SITE EVALUATOR STATEMENT

I certify that on 9/21/04 (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144 CMR).

Site Evaluator Signature: *[Signature]* SE #: 234 Date: 5/4/05

Site Evaluator Name Printed: LEONARD LORD Telephone Number: 603-742-6665 E-mail Address: lord@carexsciences.com



Note: Changes to or deviations from the design should be confirmed with the Site Evaluator.

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
 Division of Health Engineering
 (207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation

Street, Road, Subdivision

Owner's Name

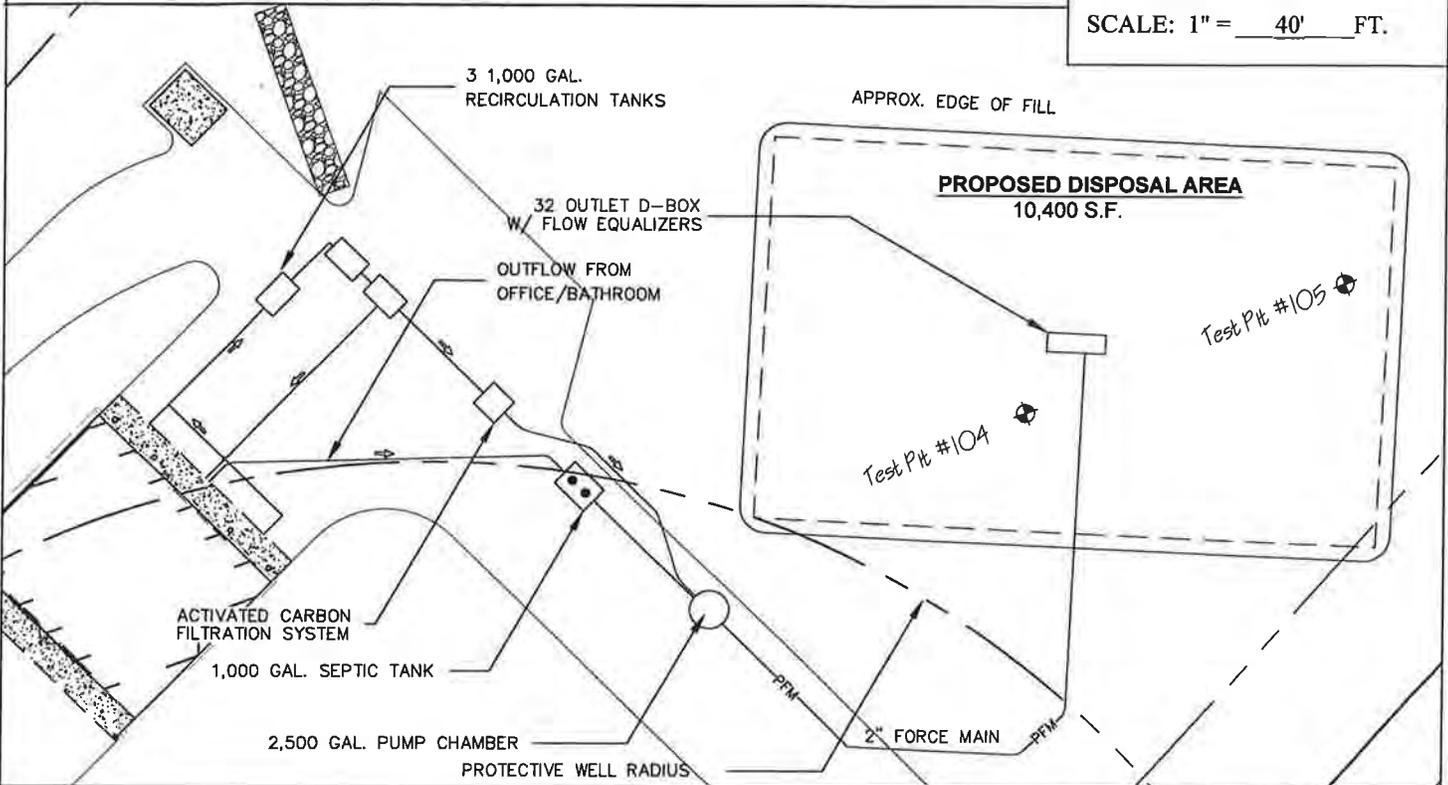
Eliot

Route 236

Kenneth Couperthwait

SUBSURFACE WASTEWATER DISPOSAL PLAN

SCALE: 1" = 40' FT.



FILL REQUIREMENTS

CONSTRUCTION ELEVATIONS

ELEVATION REFERENCE POINT

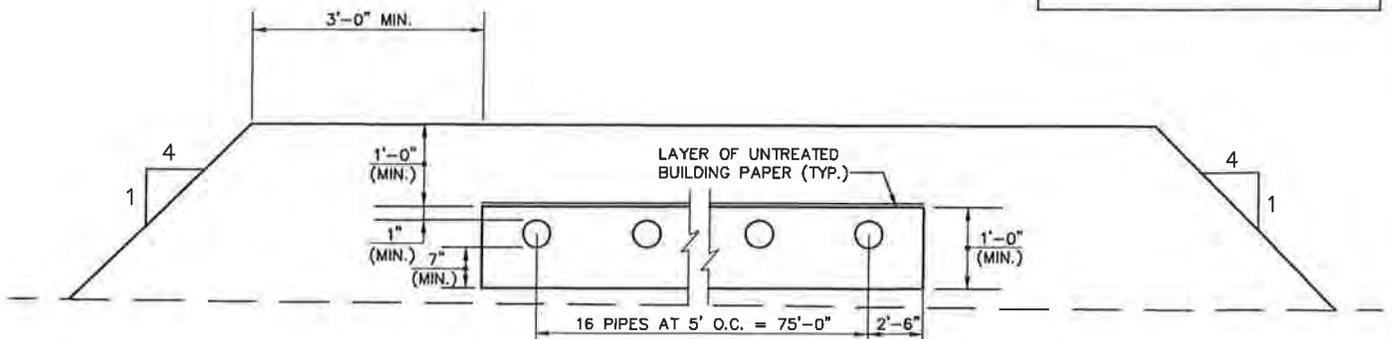
| | | | | | |
|---------------------------|-----|--|------|-------------------------|-----------------------|
| Depth of Fill (Upslope) | 30" | Finished Grade Elevation | +24" | Location & Description: | Spike set in Oak Tree |
| Depth of Fill (Downslope) | 72" | Top of Distribution Pipe or Proprietary Device | +11" | | 95.0' EL |
| | | Bottom of Disposal Area | 0" | Reference Elevation: | 0" |

DISPOSAL AREA CROSS SECTION

Scale *NTS*

Horizontal 1" = ___ ft.

Vertical 1" = ___ ft.



[Signature]
 Site Evaluator Signature

234

SE #

5/4/05

Date

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
 Division of Health Engineering
 (207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation
 Eliot

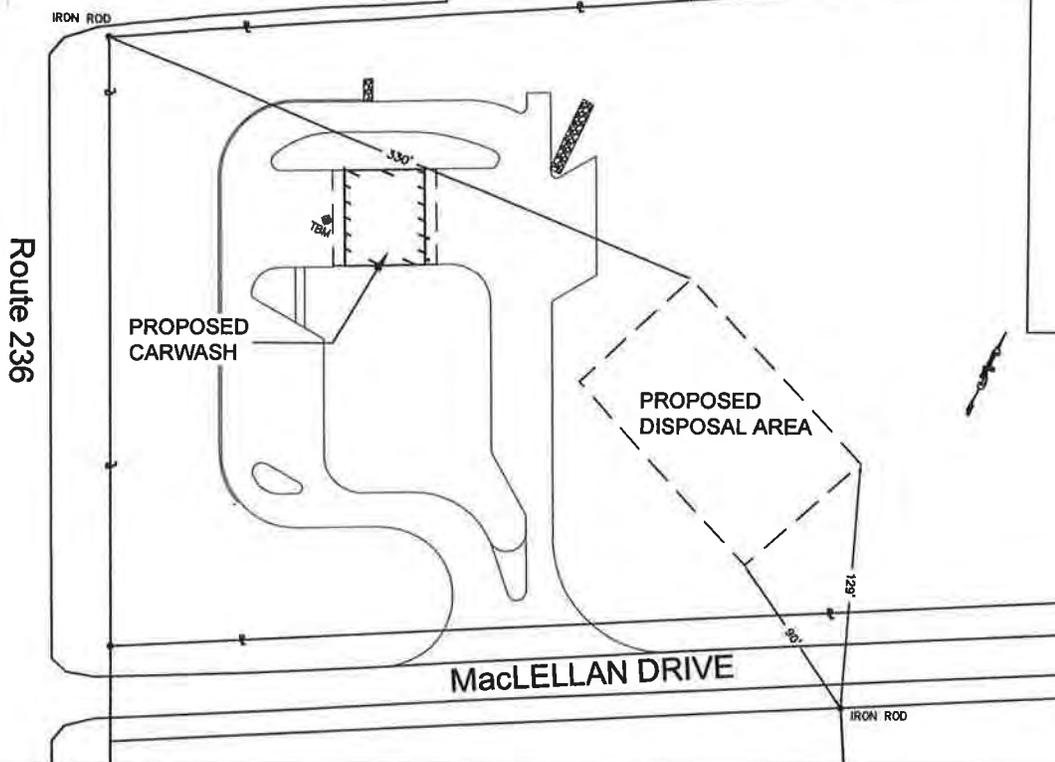
Street, Road, Subdivision
 Route 236

Owner's Name
 Kenneth Couperthwait

SITE PLAN Scale 1" = 100' ft. or as shown

SITE LOCATION PLAN
 (map from Maine Atlas
 recommended)

SEE ATTACHED MAP



SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown on Pg. 3)

Observation Hole 105 Test Pit Boring
 2 " Depth of Organic Horizon Above Mineral Soil

| Depth Below Mineral Soil Surface (inches) | Texture | Consistency | Color | Mottling |
|---|-----------------|-------------|------------|-----------------|
| 0 | | | V DK GY | |
| 10 | SILT LOAM | FRIABLE | DARK BROWN | NONE |
| 20 | | | LT OL BRN | C FAINT |
| 30 | SILTY CLAY LOAM | FIRM | OLIVE | COMMON DISTINCT |
| 40 | | | | |
| 50 | | | | |

| | | | |
|--|-------------------------|--------------------------------|--|
| Soil Classification 9 D Profile Condition | Slope 3 +/- % | Limiting Factor 14 " | <input checked="" type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock <input type="checkbox"/> Pit Depth |
|--|-------------------------|--------------------------------|--|

Observation Hole 104 Test Pit Boring
 2 " Depth of Organic Horizon Above Mineral Soil

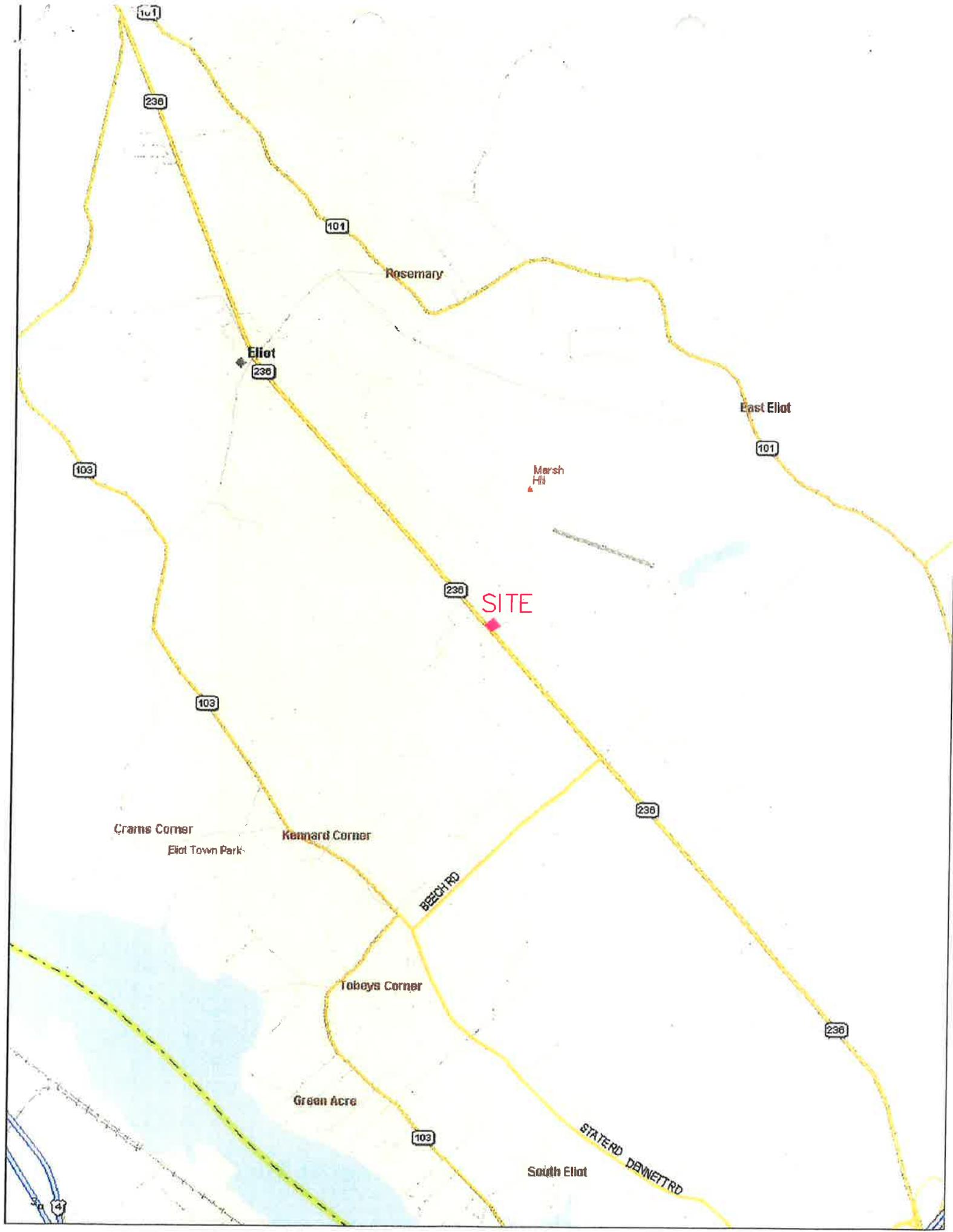
| Depth Below Mineral Soil Surface (inches) | Texture | Consistency | Color | Mottling |
|---|-----------------|-------------|----------------|-----------------|
| 0 | | | V DK GY | |
| 10 | SILT LOAM | FRIABLE | LT OLIVE BROWN | NONE |
| 20 | | | | C FAINT |
| 30 | SILTY CLAY LOAM | FIRM | OLIVE | COMMON DISTINCT |
| 40 | | | | |
| 50 | | | | |

| | | | |
|--|-------------------------|--------------------------------|--|
| Soil Classification 9 D Profile Condition | Slope 3 +/- % | Limiting Factor 13 " | <input checked="" type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock <input type="checkbox"/> Pit Depth |
|--|-------------------------|--------------------------------|--|

Site Evaluator Signature

234
SE #

5/4/05
Date



101

238

101

Rosemary

Eliot

238

East Eliot

101

Marsh Hill

103

238

SITE

103

Crams Corner

Eliot Town Park

Kennard Corner

238

BEECH RD

Tobey's Corner

Green Acres

103

238

South Eliot

STATEROAD DENNETT RD

4

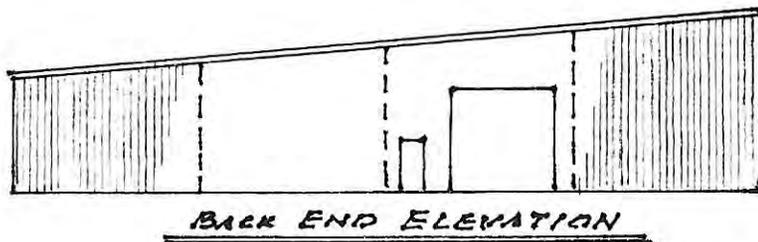
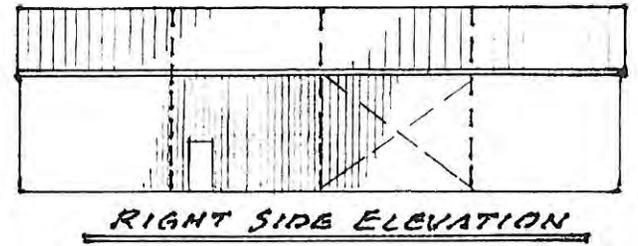
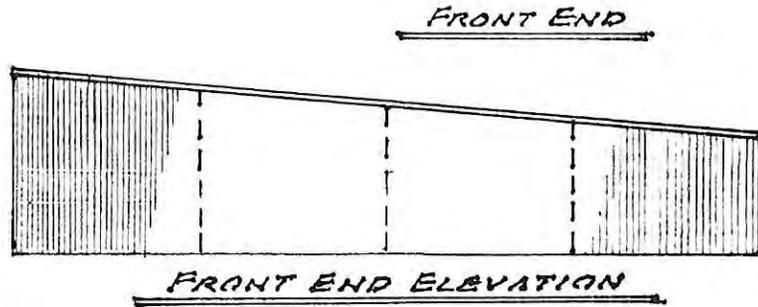
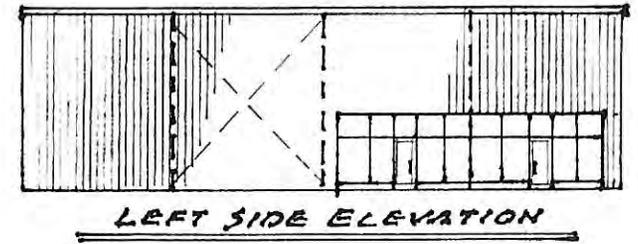
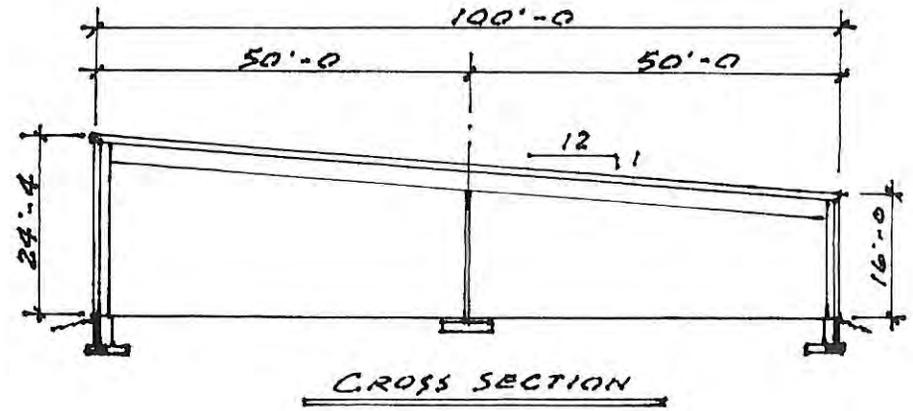
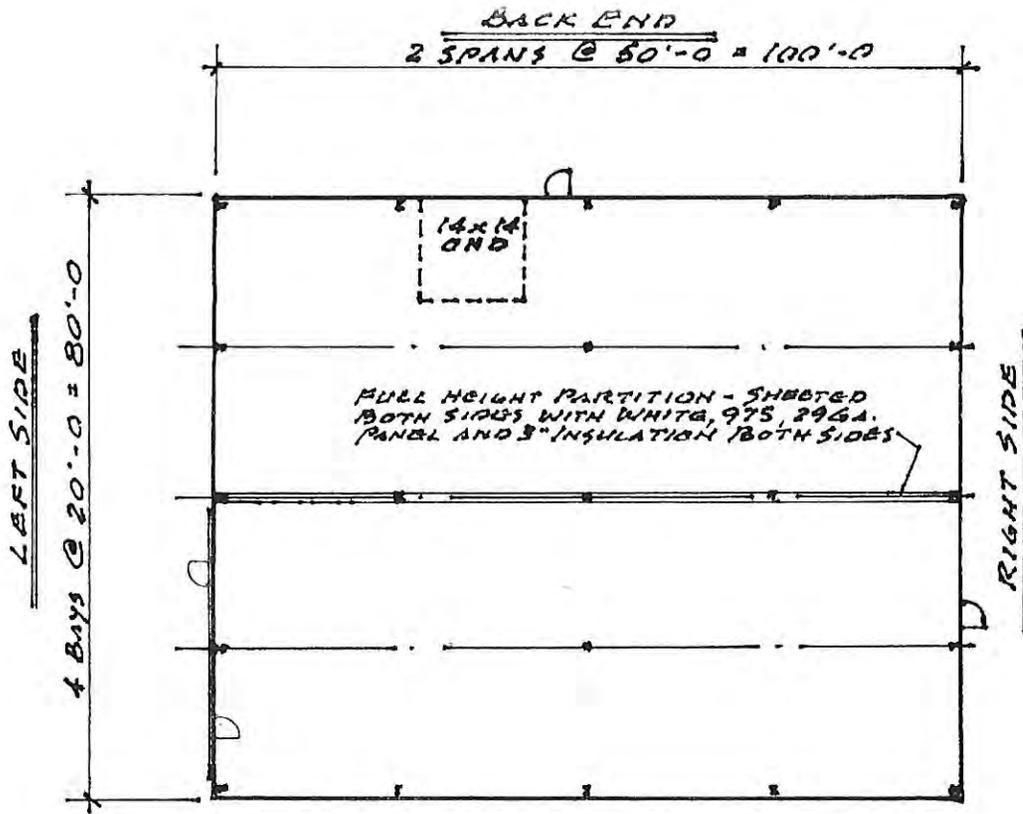
John Chagnon

From: Blake Dubin <blakedubin@gmail.com>
Sent: Tuesday, December 01, 2020 1:07 PM
To: John Chagnon
Cc: Ken Coopersmith; Stallkamp, Christian
Subject: Septic in working order at 7 Maclellan Dr

HI John,

Per our conversation, the septic was inspected and was in working order as a condition to my purchase of 7 Maclellan Drive in April of 2019.

Best,
Blake Dubin
Owner of 7 Maclellan Drive, Eliot ME. 03903



PROPOSED COMMERCIAL BUILDING
ELIOT, MAINE 03903

BY:
DONNIE CANDAGE

1-17-20 PAF
REVISED 1-31-20 PAF

TOWN OF ELIOT, MAINE

PLANNING BOARD NOTICE OF DECISION

CASE #: **PB19-2 - AMENDED SITE**

PLAN/REQUEST FOR PLANNING BOARD

ACTION

MAP/LOT: **37/19**

DATE OF DECISION: **01-15-2019**

February 20, 2019

Third Time Development, LLC
18 Greenwood Street
Natick, MA 01760

Blake Dubin
336 Miller Avenue
Portsmouth, NH 03801

To Third Time Development, LLC and Mr. Blake Dubin,

This letter is to inform you that the Planning Board has acted on your **application to amend a previously-approved site plan** as follows:

APPLICATION DOCUMENTS AND SUPPORTING MATERIAL SUBMITTED:

1. Application for a Request for Planning Board Action to amend a previously-approved site plan (PB18-13, dated January 4, 2005) received December 4, 2019.
 - a) Sketch Plan Review Checklist.
 - b) Sketch Plan
 - c) Site Location Map.
 - d) Abutters List.
 - e) Purchase & Sales Agreement.
 - f) Amendment to Purchase & Sales Agreement re: contingent upon receiving all necessary permits and approvals.
 - g) Town of Eliot Tax Card.
2. Memo from Doug Greene, Town Planner, dated January 8, 2019, summarizing requested change of use and recommendations.

FINDINGS OF FACT:

1. The owner of the property is: Third Time Development, LLC (mailing address: 18 Greenwood Street, Natick, MA 01760).
2. The applicant is: Blake Dubin (mailing address: 336 Miller Avenue, Portsmouth, NH 03801).
3. The property is located at 7 MacLellan Lane, Eliot, ME and is 3 acres.
4. Property can be identified as Assessor's Map 37/ Lot 19 and is located in the Commercial/Industrial Zoning District.
5. The applicant proposes to amend a previously-approved site plan (PB18-13, approved January 5, 2005) by changing the use from "car wash" to "manufacturing" for the extraction of industrial hemp and/or other botanical oils.
6. The existing building and footprint will not change, except to enclose the garage bay doors and remove vacuum stations.
7. Copies of the application and supporting materials were provided to the Code Enforcement, Public Works, Police and Fire Departments.
8. Comment from the Fire Chief was that it is legal.
9. The Planning Board reviewed the application at the following regular meetings:
 - January 15, 2019
10. The following application fee(s) have been paid by the applicant, in accordance with §1-25:

➤ Site Plan Review Application Fee: \$100 (Check dated 12/4/18).

11. The Planning Board agreed a site walk and public hearing was not necessary.

CONCLUSIONS:

1. Revisions to site plans are allowed with Planning Board approval under Section 33-140 (Revisions to final site plans after planning board approval).
2. Per §45-290 (Table of Permitted and Prohibited Uses), "Manufacturing" is a permissible use in the Commercial/Industrial Zone with Planning Board approval.
3. The Board determined that the proposed revisions to the approved site plan were minor and did not result in any substantial changes to the approved development or further impact abutters and, therefore, did not require full site plan review.

DECISION:

12. Based on the above facts and conclusions, on **January 15, 2019**, the Planning Board voted to approve your application to amend a previously-approved site plan (PB18-13– approved **January 4, 2005**) by changing the land use from "car wash" to "manufacturing" for the extraction of industrial hemp and/or other botanical oils.

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 Ordinances), 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. The applicant will submit a complete and accurate Site Plan, with a date, and any changes to the existing site be noted on that plan to the Planning Department.
5. The facility will be operated in accordance with State statute, the manufacture of industrial products.

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 (including home businesses) that are granted by the Eliot Planning Board have expiration provisions specified in Section 33-59 of the Town of Eliot Code of Ordinances, which states:

The approval of a site plan review under chapter 33, article III shall expire if the work or change involved does not commence within two years of the date the planning board makes its determination of approval under section 33-131, or if the work or change is not substantially completed within three years after such date.

The holder of an approved permit should take care to ensure that the approval granted on January 4, 2005 and amended on January 15, 2019 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 January 15, 2019 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,

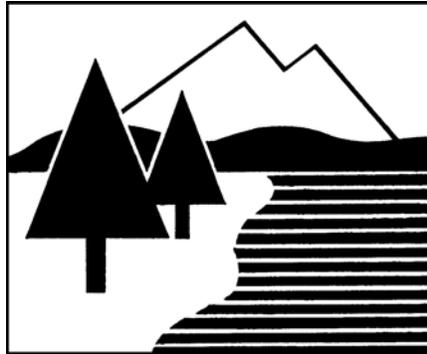


Dennis Lentz, Chair

This letter reviewed and approved by the Planning Board on February 19, 2019.

CC: Joel Moulton, Public Works Director
Elliott Moya, Police Chief
Jay Muzeroll, Fire Chief
Martine Painchaud, Tax Assessor
Mark Mitchell, Code Enforcement Officer

DRAINAGE ANALYSIS
SITE REDEVELOPMENT
7 MACLELLAN LANE
ELIOT, ME



MAY 2020

UPDATED: 30 NOVEMBER 2020

Ambit Engineering, Inc.
Civil Engineers and Land Surveyors



200 Griffin Rd., Unit 3
Portsmouth, NH 03801
Phone 603.430.9282, Fax 603.436.2315
e-mail jrc@ambitengineering.com
(Ambit Job Number 3152)

TABLE OF CONTENTS

REPORT

| | |
|--|---|
| Executive Summary | 1 |
| Introduction / Project Description | 2 |
| Methodology | 2 |
| Site Specific Information | 3 |
| Pre-Development Drainage | 3 |
| Post-Development Drainage | 5 |
| Erosion and Sediment Control Practices | 7 |
| Conclusion | 8 |
| References | 9 |

APPENDIX

- A. Vicinity (Tax) Map
- B. Tables, Charts, Etc.
- C. HydroCAD Drainage Analysis Calculations
- D. Soil Survey Information
- E. FEMA FIRM Map
- F. Inspection & Maintenance Plan
- G. Prefabricated Design Information
- H. Existing Drainage Plan - W1
- I. Proposed Drainage Plan - W2

EXECUTIVE SUMMARY

The hydrologic modeling utilized for this analysis uses the “Extreme Precipitation” values for rainfall from The Northeast Regional Climate Center (Cornell University).

This drainage analysis examines the pre-development (existing) and post-development (proposed) stormwater drainage patterns for the proposed construction of a new 4,000 +/- square foot building and associated site improvements at 7 Maclellan Lane in Eliot, ME. The site area is shown on the town of Eliot Assessor’s Tax Map 37 as Lot 19. The project proposes to add a new building in addition to additional parking area.

The proposed development will increase stormwater runoff flows on the property, and therefore must be designed to reduce the peak discharge on the site. Overland flows will either be discharged into the surrounding wetlands or into the existing town infrastructure, a roadside ditch. To mitigate these flows and properly channel these increased flows, stormwater infrastructure will be incorporated into the design of the site. The infrastructure will include a detention pond, an outlet control structure, a storm drain, and connecting pipes.

Stormwater runoff will utilize two separate outflow paths to exit the system, including an outlet control structure and a swale. The outlet control structure leads to the surrounding wetlands, while the swale leads to the town drainage ditch. Flows greater than the 50-year storm will utilize the swale for conveyance. Flows equal to or below the 50-year storm will utilize a combination of the outlet control structure and the swale. The system has been designed to avoid adding excess peak discharges to the wetlands and drainage ditch.

INTRODUCTION

This drainage report is designed to assist the owner, planning board, contractor, regulatory reviewer, and others in understanding the impact of the proposed development project on Assessor’s Map 37, Lot 19 in the Town of Eliot, ME.

The proposed project is for the construction of an 8,000 +/- square foot addition to an existing 2,047 square foot building and associated improvements as shown on the site plans. This report includes information about the existing site and the proposed site necessary to analyze stormwater runoff and develop treatment designs. The report includes maps of existing and proposed subcatchments (Appendix H and I, respectively) and calculations of runoff (Appendix C). The report will provide a brief narrative description of the stormwater runoff and describe

numerically and graphically the surface water runoff patterns for this site. Proposed stormwater management and treatment structures and methods will be described, as well as erosion and sediment practices. To fully understand the proposed site development the reader should review a complete site plan set as well as this report.

METHODOLOGY

The project proposes to use multiple strategies toward reducing the burden of stormwater runoff on the property and surrounding area. The stormwater will run from the surrounding property to a detention pond. From the detention pond, the outgoing flow is split between a swale leading to a drainage ditch and an outlet control structure leading to wetlands surrounding the property. The swale will be sized to convey the 100-year storm.

The storm events used for the calculations in this report are the 10-year and 50-year (24-hour) storms. Additionally, the 2-year (24-hour) storm event was analyzed for the offsite portions of the closed drainage system. Watershed basin boundaries have been delineated using topographic maps prepared by Ambit Engineering and field observations to confirm.

SITE SPECIFIC INFORMATION

The existing site is Map 37, Lot 19 in the Town of Eliot, ME. The lot is approximately 3.10 acres in area and has cover varying from dense woods in undisturbed areas, marsh and dense brush to developed land. More than half of the lot has been previously cleared and developed.

Presently the site does not have any modern Stormwater Treatment BMP's in place. The majority of existing runoff flows off-site untreated.

In the proposed (or developed) condition, runoff from portions of the development as well as portions of the existing impervious surfaces will be captured in Stormwater BMPs such as a detention pond and outlet control structure before leaving the site. The existing drainage patterns will be maintained under the proposed conditions as closely as possible.

Based on the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS), Soil Survey of York County, Maine (Appendix D), and confirmed by field exploration conducted by Ambit Engineering, Inc., the site is made up of one soil type:

BuB – Buxton silt loam, 3 to 8 percent slopes. The soil has a hydrologic soil group classification D. The depth to the water table is 7 to 18 inches, and the depth to the restrictive feature is greater than 80 inches.

The physical characteristics of the site consist of (3-25%) grades that generally slope from the southwest to the northeast. Elevations on the site range from 22 to 36 feet above sea level. The existing site is developed and vacant. Vegetation around the developed portion of the lot consists of established grasses, shrubs and trees.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 2301490010 B (effective date June 5, 1989), the project site is located in Zone X

and is determined to be outside of the 0.2% annual chance floodplain (Appendix E). A copy of the FIRM map is included in the Appendix.

PRE-DEVELOPMENT DRAINAGE

Subcatchment ES1 consists of the west edge of the property, draining to the drainage ditch on the roadside. The property consists of mostly grass and part of the existing parking lot.

Subcatchment ES2 consists of the center portion of the property, draining to the northern edge of the site. The subcatchment contains part grass, the entire existing building (denoted in the Hydrocad analysis as subcatchments ES2a and ES2b), the majority of the existing parking lot, and some wetlands. Subcatchment ES3 occupies the eastern edge of the property and consists of mostly grass and wetlands, with a leach field in the middle. Subcatchment ES3 drains to the wetlands in the northeast edge of the property.

Table 1: Pre-Development Watershed Basin Summary

| Watershed Basin ID | Basin Area (SF) | Tc (MIN) | CN | 10-Year Runoff (CFS) | 50-Year Runoff (CFS) | To Design Point |
|---------------------------|------------------------|-----------------|-----------|-----------------------------|-----------------------------|------------------------|
| ES1 | 27756 | 5.0 | 84 | 2.63 | 4.08 | DP1 |
| ES2 | 54092 | 5.0 | 86 | 5.38 | 8.20 | DP2 |
| ES2a | 2011 | 5.0 | 98 | 0.24 | 0.34 | DP2 |
| ES2b | 1772 | 5.0 | 98 | 0.21 | 0.30 | DP2 |
| ES3 | 49314 | 5.0 | 81 | 4.29 | 6.88 | DP2 |

POST-DEVELOPMENT DRAINAGE

In the post-development model, the site is divided into five subcatchments much like in the pre development, with minor alterations. Subcatchment PS1 is on the west edge of the property and consists of the detention pond and surrounding grass area. Subcatchment PS2 consists of the northern edge of the property, as well as some wetlands. Subcatchments PS2a and PS2b have been altered to represent the west and east sides respectively of the building and parking lot. Subcatchment PS3 consists of the leach field, grass, and wetlands.

Table 2: Post-Development Watershed Basin Summary

| Watershed Basin ID | Basin Area (SF) | Tc (MIN) | CN | 10-Year Runoff (CFS) | 50-Year Runoff (CFS) | Design Point |
|---------------------------|------------------------|-----------------|-----------|-----------------------------|-----------------------------|---------------------|
| PS1 | 20096 | 5.0 | 80 | 1.76 | 2.84 | DP1 and DP2 |
| PS2 | 22417 | 5.0 | 80 | 1.97 | 3.16 | DP2 |
| PS2a | 25397 | 5.0 | 96 | 3.08 | 4.39 | DP1 and DP2 |
| PS2b | 19219 | 5.0 | 97 | 2.35 | 3.34 | DP1 and DP2 |
| PS3 | 47744 | 5.0 | 80 | 4.19 | 6.74 | DP2 |

The additional flows to the site were considered were able to be mitigated with the use of a detention pond west of the parking lot. The wetland outflow experienced a negligible rise in the 2-year event, but otherwise the system experienced significant reductions or maintained the peak flow in all other areas. The 100-year storm was also designed so that the site would not experience flooding during certain more extreme storm events.

Table 3 shows a summary of the comparison between pre-developed flows and post-developed flows for the design point.

Table 3: Pre-Development to Post-Development Comparison

| Design Point | Q2 (CFS) | | Q10 (CFS) | | Q50 (CFS) | | Description |
|--------------|----------|------|-----------|------|-----------|-------|------------------------|
| | Pre | Post | Pre | Post | Pre | Post | |
| DP 1 | 1.31 | 1.12 | 2.63 | 2.44 | 4.08 | 4.08 | Drainage from HFB |
| DP 2 | 5.10 | 5.11 | 10.15 | 9.87 | 15.71 | 15.13 | Drainage from Dry Well |

Design Point 1 (DP1) was designed to reflect any outgoing flows to the town infrastructure from the high flow bypass (HFB) in the ponding area. The pre-development flows were based off of any runoff from pre development subcatchment PS1. The high flow bypass would be a swale with a bottom width dimension of 0.8 feet, and 3:1 sidewall slopes.

Design Point 2 (DP2) reflects outgoing flows from the outlet control structure (OCS) and other contributing are into the wetlands to the east of the property. The stormwater flows from the outlet control structure to the edge of the property.

OFFSITE INFRASTRUCTURE CAPACITY

Stormwater will be redirected to the town stormwater infrastructure as a part of the development, specifically a roadside stormwater ditch. The impacts of the increased flow from the site have been estimated on the surrounding town infrastructure. It was determined that the likely impact on the surrounding infrastructure will be minimal.

EROSION AND SEDIMENT CONTROL PRACTICES

The erosion potential for this site as it exists is low due to the existing vegetation and the built-up nature of the surrounding sites. During construction, the major potential for erosion is wind and stormwater runoff. The contractor will be required to inspect and maintain all necessary erosion control measures, as well as installing any additional measures as required. All erosion control practices shall conform to “The Maine Stormwater Management Technical Design Manual.” Some examples of erosion and sediment control measures to be utilized for this project during construction may include:

- Silt Soxx (or approved alternative) located at the toe of disturbed slopes
- Catch Basin Filters
- Stabilized construction entrance at access point to the site
- Temporary mulching and seeding for disturbed areas
- Spraying water over disturbed areas to minimize wind erosion

After construction, permanent stabilization will be accomplished by permanent seeding, landscaping and surfacing the access drives and parking areas with asphalt paving and other areas with concrete walkways.

CONCLUSION

This analysis has calculated the runoff for the existing site and for the proposed developed site for Map 45, Lot 4 on Route 236 in Eliot, ME. The proposed development will not significantly impact either the town infrastructure or the surrounding wetlands. Erosion and sediment control practices will be implemented for both the temporary condition during construction and for final stabilization after construction. There are no negative impacts to downstream receptors or adjacent properties anticipated as a result of this project.

REFERENCES

1. State of Maine. *Maine Stormwater Management Design Manual* May 2016
2. HydroCAD Software Solution, LLC. *HydroCAD Stormwater Modeling System Version 10.0* copyright 2013.



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors

INSPECTION & MAINTENANCE PLAN
FOR
SITE DEVELOPMENT

7 MACLELLAN LANE
ELIOT, ME

Introduction

The intent of this plan is to provide Blake Dubin (herein referred to as “owner”) with a list of procedures that document the inspection and maintenance requirements of the stormwater management system for this development. Specifically, the detention pond, outlet control structure, storm drain and associated structures on the project site (collectively referred to as the “Stormwater Management System”).

The following inspection and maintenance program is necessary to keep the stormwater management system functioning properly. These measures will also help minimize potential environmental impacts. By following the enclosed procedures, the owner will be able to maintain the functional design of the stormwater management system and maximize its ability to remove sediment and other contaminants from site generated stormwater runoff.

Annual Report

The owner shall prepare an annual Inspection & Maintenance Report. The report shall include a summary of the system’s maintenance and repair by transmission of the Inspection & Maintenance Log and other information as required. A copy of the report shall be delivered annually to the Eliot Code Enforcement Officer, if required.

Inspection & Maintenance Checklist/Log

The following pages contain a Stormwater Management System Inspection & Maintenance Checklist and a blank copy of the Stormwater Management System Inspection & Maintenance Log. These forms are provided to the owner as a guideline for performing the inspection and maintenance of the Stormwater Management System. This is a guideline and should be periodically reviewed for conformance with current practice and standards.

Stormwater Management System Components

The Stormwater Management System is designed to mitigate both the quantity and quality of site-generated stormwater runoff. As a result, the design includes the following elements:

Non-Structural BMPs

Non-Structural best management practices (BMP's) include temporary and permanent measures that typically require less labor and capital inputs and are intended to provide protection against erosion of soils. Examples of non-structural BMP's on this project include but are not limited to:

- temporary and permanent mulching
- temporary and permanent grass cover
- trees
- shrubs and ground covers
- miscellaneous landscape plantings
- dust control
- tree protection
- topsoiling
- sediment barriers
- a stabilized construction entrance

Structural BMPs

Structural BMP's are more labor and capital-intensive structures or installations that require more specialized personnel to install. Examples on this project include but are not limited to:

- Detention Pond
- Outlet Control Structure
- Storm Drain
- Drainage Pipes
- Swale
- Rain gutters

Inspection and Maintenance Requirements

The following summarizes the inspection and maintenance requirements for the various BMP's that may be found on this project.

1. **Grassed areas:** After each rain event of 0.5" or more during a 24-hour period, inspect grassed areas for signs of disturbance, such as erosion. If damaged areas are discovered, immediately repair the damage. Repairs may include adding new topsoil, lime, seed, fertilizer and mulch.
2. **Plantings:** Planting and landscaping (trees, shrubs) shall be monitored bi-monthly during the first year to insure viability and vigorous growth. Replace dead or dying vegetation with new stock and make adjustments to the conditions that caused the dead or dying vegetation. During dryer times of the year, provide weekly watering or irrigation during the establishment period of the first year. Make the necessary adjustments to ensure long-term health of the vegetated covers, i.e. provide more permanent mulch or compost or other means of protection.
3. **Roadside Ditches and Swales:** After each rain event exceeding 0.5", inspect the roadside ditches for signs of damage. Repair damages similar to No. 1 above and provide additional protection in the way of additional mulch or anchored jute mesh. If damage is not controlled, then add temporary stone check dams along ditch inverts at every 2' of elevation drop. Remove stone check dams only after ditch invert is completely stabilized with vigorous grass growth. Repair underlying soil after check dams are removed with topsoil and seed, or sod.
4. **Outlet Control Structures and Storm Drains:** Monitor accumulation of debris in outlet control structures monthly or after significant rain events. Remove sediments when they accumulate within the outlet pipe. During construction, maintain inlet protection until all roadways and parking areas have been stabilized. Prior to the end of construction, inspect the drains and basins for accumulations and remove and clean by jet-vacuuming.
5. **Detention Pond:** After installation of the filter/detention ponds, perform the following inspections on a monthly basis:
 - a. Monitor for excessive or concentrated accumulations of debris, or excessive erosion below the various pipe inlets. Remove debris as required and replace or augment inlet fabric strips.
 - b. Monitor the outfall structure for problems with uneven flow or clogged pipes. Repair or remove clogs as required.
 - c. After significant rainfalls, monitor pond surface for ponding of water. If water remains flooded over the surface 24 hours after a 1" rainfall, then investigate the cause, if not related to pipe/drain blockage, then excavate and replace filter media.
 - d. Monitor vegetation on pond and replace dead or dying vegetation as required.
 - e. Monitor rodent screens and repair or replace as required.
 - f. Monitor side slopes of ponds for damage or erosion—repair, as necessary.
6. **Gutters:** Monitor accumulation of debris in gutters monthly. Remove debris when it accumulates in the gutters or the outflow pipe.

Invasive Species

Monitor Stormwater Management System for signs of invasive species growth. If caught earlier enough, their eradication is much easier. The most likely places where invasions start is in wetter, disturbed soils or detention ponds. Species such as phragmites and purple loose-strife are common invaders in these wetter areas. If they are found, then the owner shall contact a wetlands scientist with experience in invasive species control to implement a plan of action to eradicate the invaders. Measures that do not require the application of chemical herbicides should be the first line of defense.



Figure 1: Lythrum salicaria, Purple Loosestrife. Photo by Liz West. Figure 2: Phragmites australis. Photo by Le Loup Gris.

Stormwater Management System

Inspection & Maintenance Checklist for Post Construction Condition—for Blake Dubin, 7 Maclellan Lane, Eliot, ME

| BMP/System Component | Minimum Inspection Frequency | Minimum Inspection Requirements | Maintenance/Cleanout Threshold |
|---|---|---|--|
| Annual Report | Yearly | <i>Prepare Annual Report, including all Inspection & Maintenance Logs. Provide to Town (if required).</i> | N/A |
| Closed Drainage System | | | |
| -Outlet Control Structures -Drain Manholes | Every other Month | <i>Check for erosion or short-circuiting Check for sediment accumulation Check for floatable contaminants</i> | ≥ 2 in. sediment depth. |
| -Drainage Pipes | 1 time per 2 years | <i>Check for sediment accumulation/clogging, or soiled runoff.</i> | ≥ 2 in. sediment depth. |
| Seeded Slopes and Lawns | After significant rain events (>2"/day) | <i>Check for erosion or dead grass growth.</i> | Repair or re-seed & re-mulch as required. |
| Other Plantings | Monthly | <i>Check for vitality, drought, death or dying</i> | Replace dead or dying trees and shrubs. |
| Ditches and Swales | After significant rain events (>2"/day) | <i>Check for erosion, trash or sediment accumulations.</i> | Repair eroded areas with new loam & seed; remove trash/sediments and maintain grass at 4" ~6". |
| Filtration Pond | | | |
| -Filter or pond surface | After heavy rains Monthly | <i>Check for sediment accumulation/clogging of filter. Check for ponding water > 24 hours over the filter.</i> | ≥ Ensure that sediments do not enter and plug pond filter surface ≥ Replace dead or dying vegetation ≥ Remove Sediments When Required |

| | | | |
|----------------|----------------|---|--------------------------------------|
| Gutters | Monthly | <i>Check for debris accumulation/clogging of gutters or end of drain.</i> | ➤ Remove debris when required |
|----------------|----------------|---|--------------------------------------|



LETTER OF TRANSMITTAL

TO: Town of Eliot
1333 State Road
Eliot, ME
03903

FROM:
AMBIT ENGINEERING, INC.
Civil Engineers and Land Surveyors
200 Griffin Road, Unit 3
Portsmouth, NH 03801
Phone (603) 430-9282 Fax 436-2315

| | |
|---|---------------------|
| DATE: 12/1/2020 | JOB NO. 3152 |
| ATTENTION: Planning Department | |
| RE: Site Plan Permit Application (Preliminary) - Amended site plan | |
| 7 Maclellan Lane | |

WE ARE SENDING YOU

| | | |
|---|--|---|
| <input type="checkbox"/> SHOP DRAWING | <input checked="" type="checkbox"/> ATTACHED | <input type="checkbox"/> UNDER SEPARATE COVER VIA |
| <input checked="" type="checkbox"/> PLANS | <input checked="" type="checkbox"/> COPY OF LETTER | <input type="checkbox"/> PRINTS |
| <input type="checkbox"/> SAMPLES | <input type="checkbox"/> CHANGE ORDER | <input type="checkbox"/> SPECIFICATIONS |
| | <input type="checkbox"/> OTHER | |

| COPIES | DATE | REVISION | DESCRIPTION |
|-----------|-----------------|-------------------|---|
| 10 | 12/1/20 | | Cover Letter & Applications |
| 10 | 11/23/20 | | Site Plans (full size) |
| 1 | 11/23/20 | | Site Plans (11 x 17) |
| 10 | | | Abutter List & Supplemental information |
| 1 | 12-1-20 | 1318511846 | App fee check: \$ 400 (\$ 225 Fee - \$ 125 Public Hearing) |
| | | | |
| | | | |

THESE ARE TRANSMITTED AS CHECKED BELOW

FOR YOUR APPROVAL FOR YOUR USE AS REQUESTED
 FOR BIDS DUE
 FOR REVIEW AND COMMENT RETURNED AFTER LOAN TO US

REMARKS

Please schedule us for the next Planning Board Meeting.

COPY TO Blake Dubin, Mainley Renovations (via email)

If enclosures are not as noted, kindly notify us at once.

PROPOSED MIXED USE BUILDING MANUFACTURING & RETAIL 7 MACLELLAN LANE, ELIOT, MAINE AMENDED SITE PLAN

OWNER & APPLICANT:

BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, NH 03801

LAND SURVEYOR & CIVIL ENGINEER:

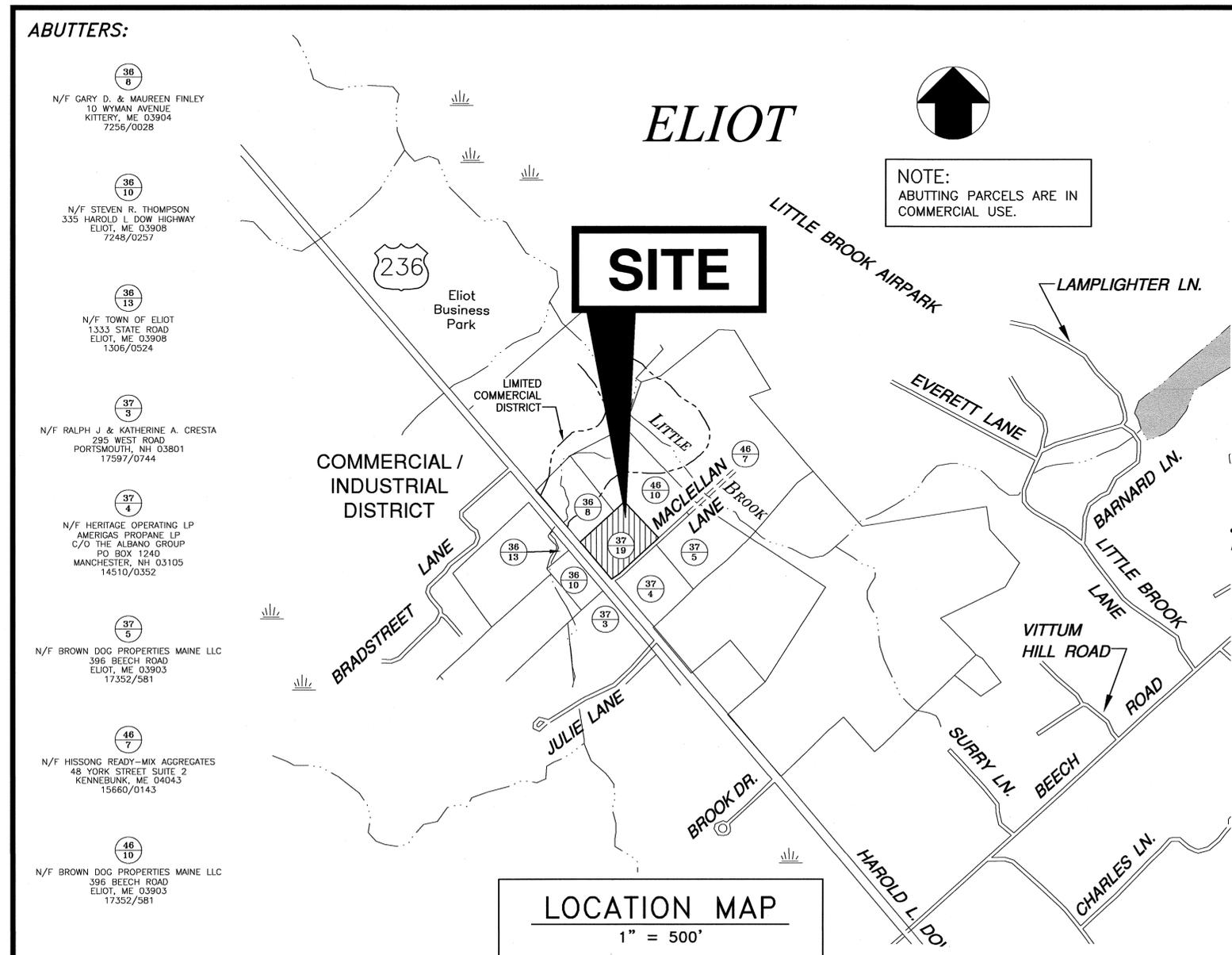
AMBIT ENGINEERING, INC.
200 GRIFFIN ROAD, UNIT 3
PORTSMOUTH, N.H. 03801-7114
TEL: (603) 430-9282
FAX: (603) 436-2315

INDEX OF SHEETS

- STANDARD BOUNDARY & TOPOGRAPHY SURVEY
- C1 EXISTING CONDITIONS & DEMOLITION PLAN
- C2 SITE LAYOUT PLAN
- C3 DRAINAGE AND GRADING PLAN
- C4 UTILITY PLAN
- D1 - D4 DETAILS

ABUTTERS:

- 36/8 N/F GARY D. & MAUREEN FINLEY
10 WYMAN AVENUE
KITTEERY, ME 03904
7256/0028
- 36/10 N/F STEVEN R. THOMPSON
335 HAROLD L. DOW HIGHWAY
ELIOT, ME 03908
7248/0257
- 36/13 N/F TOWN OF ELIOT
1333 STATE ROAD
ELIOT, ME 03908
1306/0524
- 37/3 N/F RALPH J & KATHERINE A. CRESTA
295 WEST ROAD
PORTSMOUTH, NH 03801
17597/0744
- 37/4 N/F HERITAGE OPERATING LP
AMERIGAS PROPANE LP
C/O THE ALBANO GROUP
PO BOX 1240
MANCHESTER, NH 03105
14510/0352
- 37/5 N/F BROWN DOG PROPERTIES MAINE LLC
396 BEECH ROAD
ELIOT, ME 03903
17352/581
- 46/7 N/F HISSONG READY-MIX AGGREGATES
48 YORK STREET SUITE 2
KENNEBUNK, ME 04043
15660/0143
- 46/10 N/F BROWN DOG PROPERTIES MAINE LLC
396 BEECH ROAD
ELIOT, ME 03903
17352/581



LEGEND:

| | | |
|-----------------|-------------------------------|----------------------------------|
| N/F | NOW OR FORMERLY | |
| RP | RECORD OF PROBATE | |
| YCRD | YORK COUNTY REGISTRY OF DEEDS | |
| (11/21) | MAP 11/LOT 21 | |
| RR SPK FND | RAILROAD SPIKE FOUND / SET | |
| IR FND | IRON ROD FOUND / SET | |
| IP FND | IRON PIPE FOUND / SET | |
| DH FND | DRILL HOLE FOUND | |
| BND w/DH | BOUND WITH DRILL HOLE | |
| ST BND w/DH | STONE BOUND WITH DRILL HOLE | |
| RR SPK SET | RAILROAD SPIKE FOUND / SET | |
| IR SET | IRON ROD FOUND / SET | |
| IP SET | IRON PIPE FOUND / SET | |
| DH SET | DRILL HOLE FOUND | |
| BND w/DH | BOUND WITH DRILL HOLE | |
| ST BND w/DH | STONE BOUND WITH DRILL HOLE | |
| EXISTING | PROPOSED | |
| FM | FM | FORCE MAIN |
| S | S | SEWER LINE |
| G | G | GAS LINE |
| D | D | STORM DRAIN |
| W | W | WATER LINE |
| UE | UE | UNDERGROUND ELECTRIC |
| OHW | OHW | OVERHEAD ELECTRIC/WIRES |
| --- | --- | EDGE/1/8 OF WATER BODY |
| --- | --- | EDGE OF WETLAND |
| --- | --- | EDGE OF RESOURCE PROTECTION AREA |
| --- | --- | AREA OF WETLAND DISTURBANCE |
| --- | --- | CENTER LINE OF DITCH/SWALE |
| 100 | 100 | CONTOUR |
| 97x3 | 98x0 | SPOT ELEVATION |
| --- | --- | EDGE OF PAVEMENT (EP) |
| --- | --- | WOODS / TREE LINE |
| --- | --- | SECURITY FENCE |
| --- | --- | WETLANDS |
| BuB | --- | SOIL SERIES |
| --- | --- | UTILITY POLE |
| --- | --- | WATER SHUT OFF/CURB STOP |
| --- | --- | GAS SHUT OFF |
| --- | --- | GATE VALVE |
| --- | --- | HYDRANT |
| --- | --- | CATCH BASIN |
| --- | --- | TELEPHONE MANHOLE |
| --- | --- | SEWER MANHOLE |
| --- | --- | DRAIN MANHOLE |
| --- | --- | WELL |
| --- | --- | ASBESTOS CEMENT PIPE CENTERLINE |
| --- | --- | CAST IRON PIPE |
| --- | --- | CORRUGATED METAL PIPE |
| --- | --- | COPPER PIPE |
| --- | --- | CORRUGATED PLASTIC PIPE |
| --- | --- | DUCTILE IRON PIPE |
| --- | --- | ELEVATION |
| --- | --- | EDGE OF PAVEMENT |
| --- | --- | FINISHED FLOOR |
| --- | --- | INVERT |
| --- | --- | POLYVINYL CHLORIDE PIPE |
| --- | --- | REINFORCED CONCRETE PIPE |
| --- | --- | TO BE DETERMINED |
| --- | --- | TEMPORARY BENCH MARK |
| --- | --- | TYPICAL |
| --- | --- | VITRIFIED CLAY PIPE |

PROPOSED SITE PLAN
TAX MAP 37, LOT 19
BLAKE DUBIN
7 MACLELLAN LANE
ELIOT, MAINE

AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors

200 Griffin Road, Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
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NOTES:

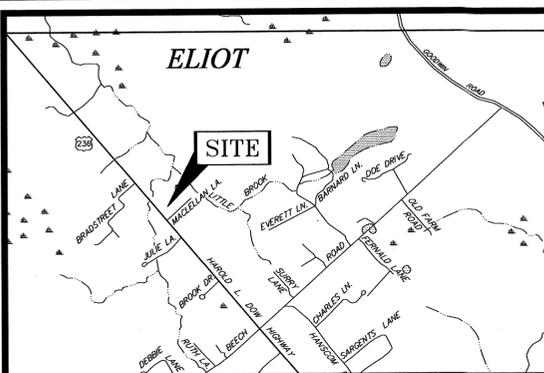
- 1) PARCEL IS SHOWN ON THE TOWN OF ELIOT ASSESSOR'S MAP 37 AS LOT 19.
- 2) OWNERS OF RECORD:
BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, NH 03801
17923/335
- 3) PARCEL IS NOT IN A FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 2301490010B. JUNE 5, 1989.
- 4) EXISTING LOT AREA:
134,859 S.F.
3.0959 ACRES
- 5) PARCEL IS LOCATED IN THE COMMERCIAL INDUSTRIAL DISTRICT, LIMITED COMMERCIAL DISTRICT, AND RESOURCE PROTECTION DISTRICT.
- 6) DIMENSIONAL REQUIREMENTS:
MIN. LOT AREA: 3 ACRES
FRONTAGE: 300 FEET
SETBACKS:
FRONT: 50 FEET ABUTTING A STATE OR TOWN ROAD, 30 FEET FROM AN INTERIOR STREET WITHIN THE PROPOSED SITE.
SIDE: 20 FEET, 100 FEET FROM AN EXISTING RESIDENTIAL USE.
REAR: 20 FEET, 100 FEET FROM AN EXISTING RESIDENTIAL USE.
MAXIMUM STRUCTURE HEIGHT: 55 FEET
MAXIMUM LOT COVERAGE: 50 %
- 7) DATUM IS MEAN SEA LEVEL NAVD88. BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS. ($\pm 0.2'$)
- 8) THE PURPOSE OF THIS PLAN IS TO SHOW THE RESULTS OF A STANDARD BOUNDARY AND TOPOGRAPHIC SURVEY.
- 9) EXISTING BUILDING USE: MANUFACTURING

| NO. | DESCRIPTION | DATE |
|-----|---------------------|----------|
| 1 | ISSUED FOR APPROVAL | 11/23/20 |
| 0 | ISSUED FOR COMMENT | 1/21/20 |

STANDARD BOUNDARY AND TOPOGRAPHIC SURVEY
TAX MAP 37 - LOT 19
FOR
BLAKE DUBIN
7 MACLELLAN LANE
TOWN OF ELIOT
COUNTY OF YORK
STATE OF MAINE

REFERENCE PLANS:

- 1) DIVISION OF LAND FOR HANS BAUMANN ROUTE 236 ELIOT, MAINE, SCALE 1 IN. = 100 FT., PREPARED BY ANDERSON LIVINGSTON ENGINEERS, INC., DATED SEPTEMBER 1998, YCRD PLAN BOOK 245 PAGE 46
- 2) REVISION TO PLAN BOOK 337 PAGE 39 HISSONG DEVELOPMENT CORP. 48 YORK STREET, SUITE 2, KENNEBUNK, MAINE 04043 OF PROPERTY LOCATED ON STATE ROUTE 236 IN ELIOT, MAINE, SCALE 1 IN. = 100 FT., PREPARED BY CORNER POST LAND SURVEYING, INC., DATED APRIL 6, 2009, YCRD PLAN BOOK 338 PAGE 45



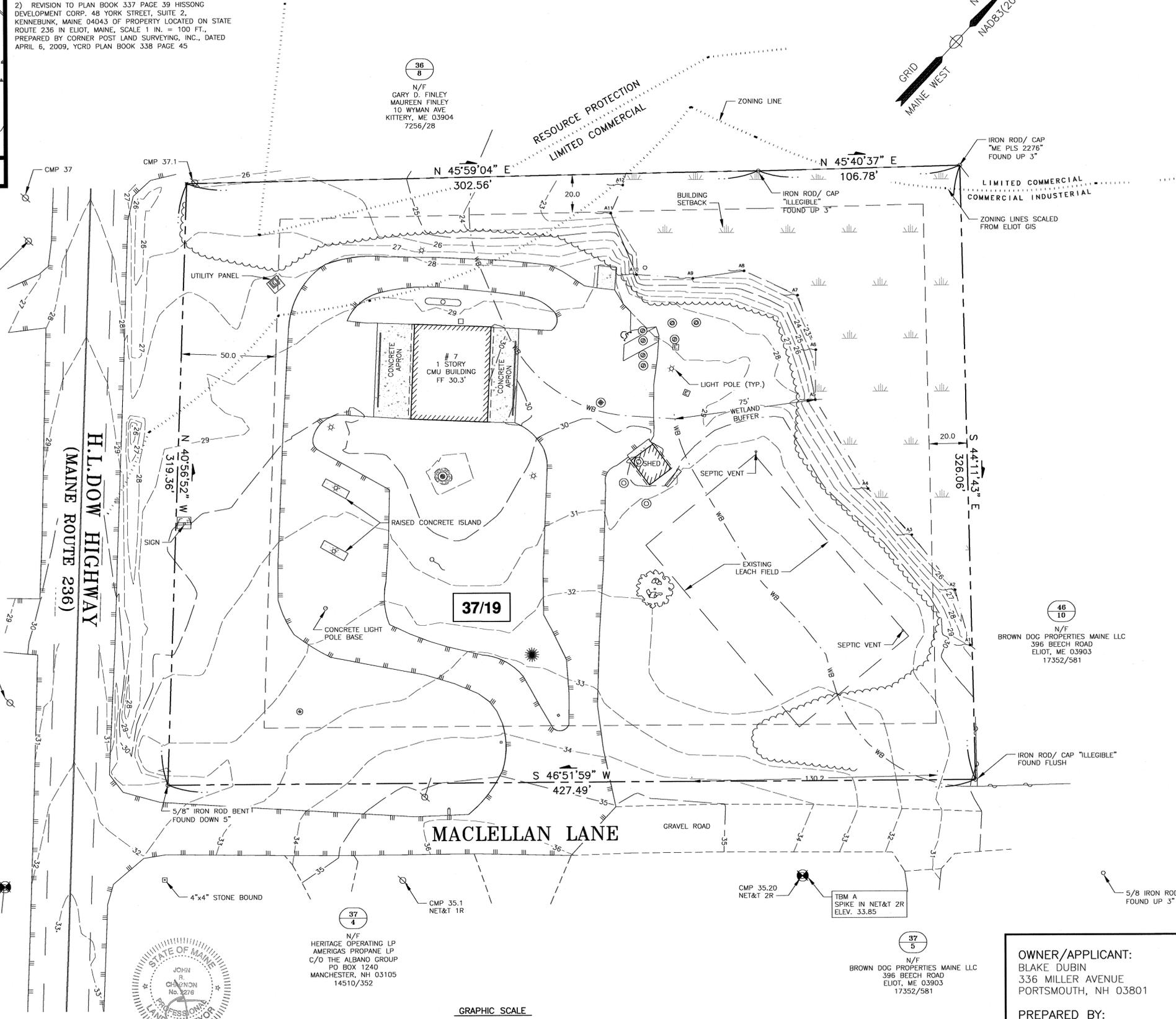
LOCATION MAP SCALE: 1" = 2000'

LEGEND:

- N/F: NOW OR FORMERLY RECORD OF PROBATE
- RP: RECORD OF PROBATE
- YCRD: YORK COUNTY REGISTRY OF DEEDS MAP 11 / LOT 21
- BOUNDARY: SETBACK, RAILROAD SPIKE FOUND/SET, IRON ROD FOUND/SET, IRON PIPE FOUND/SET, DRILL HOLE FOUND/SET, BOUND W/ DRILL HOLE, STORM DRAIN, WATER LINE, UNDERGROUND ELECTRIC, OVERHEAD ELECTRIC/WIRES, CONTOUR, SPOT ELEVATION, EDGE OF PAVEMENT (EP), WOODS / TREE LINE, UTILITY POLE (w/ GUY)
- WATER SHUT OFF/CURB STOP, GATE VALVE, HYDRANT, METER (GAS, WATER, ELECTRIC), CATCH BASIN, SIGNS, EDGE OF WETLAND FLAGGING, SWAMP / MARSH, TEMPORARY BENCHMARK, TYP.

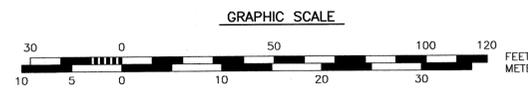
WETLAND NOTES:

- 1) WETLAND LINE DELINEATED BY STEVEN D. RIKER, CWS ON 01/07/20 IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
 - A) U.S. ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL. TECHNICAL REPORT Y-87-1 (JAN. 1987). AND REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2012.
 - B) FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, VERSION 8.2, USDA-NRCS, 2018 AND (FOR DISTURBED SITES) FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 4. NEWPCC WETLANDS WORK GROUP (2019).
 - C) NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS: NORTHEAST (REGION 1). USFWS (MAY 1988).
 - D) CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES. USFW MANUAL FWS/OBS-79/31 (1997).
 - E) "IDENTIFICATION AND DOCUMENTATION OF VERNAL POOLS IN NEW HAMPSHIRE" (1997). NEW HAMPSHIRE FISH AND GAME DEPARTMENT.
- 2) WETLAND FLAGS WERE FIELD LOCATED BY AMBIT ENGINEERING, INC.



THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CHAPTER 90 STANDARDS OF PRACTICE, EFFECTIVE DATE APRIL 1, 2001 EXCEPT AS NOTED ON THIS PLAN.

John R. Chagnon
JOHN R. CHAGNON, PLS #2276
DATE: 11/23/20



37/3
N/F
RALPH J. CRESTA
KATHERINE A. CRESTA
295 WEST ROAD
PORTSMOUTH, NH 03801
17597/744

TBM B SPIKE IN CMP 35
ELEV 33.52

37/4
N/F
HERITAGE OPERATING LP
AMERICAS PROPANE LP
C/O THE ALBANO GROUP
PO BOX 1240
MANCHESTER, NH 03105
14510/352

37/5
N/F
BROWN DOG PROPERTIES MAINE LLC
396 BEECH ROAD
ELIOT, ME 03903
17352/581

OWNER/APPLICANT:
BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, NH 03801

PREPARED BY:
AMBIT ENGINEERING
200 GRIFFIN ROAD UNIT 3
PORTSMOUTH, N.H. 03801



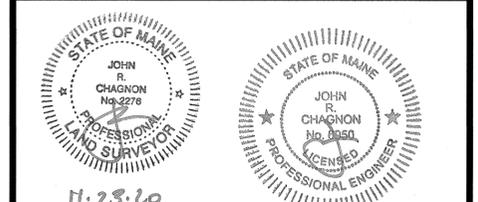
AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

WETLAND NOTES:

- 1) WETLAND LINE DELINEATED BY STEVEN D. RIKER, CWS ON 1/7/2020 IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
 - A) U.S. ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, TECHNICAL REPORT Y-87-1 (JAN. 1987), AND REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2012.
 - B) FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, VERSION 8.1, USDA-NRCS, 2017 AND (FOR DISTURBED SITES) FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 4. NEWPCC WETLANDS WORK GROUP (2017).
 - C) NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS: NORTHEAST (REGION 1). USFWS (MAY 1988).
 - D) CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES. USFW MANUAL FWS/OBS-79/31 (1997).
- 2) WETLAND FLAGS WERE FIELD LOCATED BY AMBIT ENGINEERING, INC.

**SITE DEVELOPMENT
7 MACLELLAN LANE
ELIOT, MAINE**

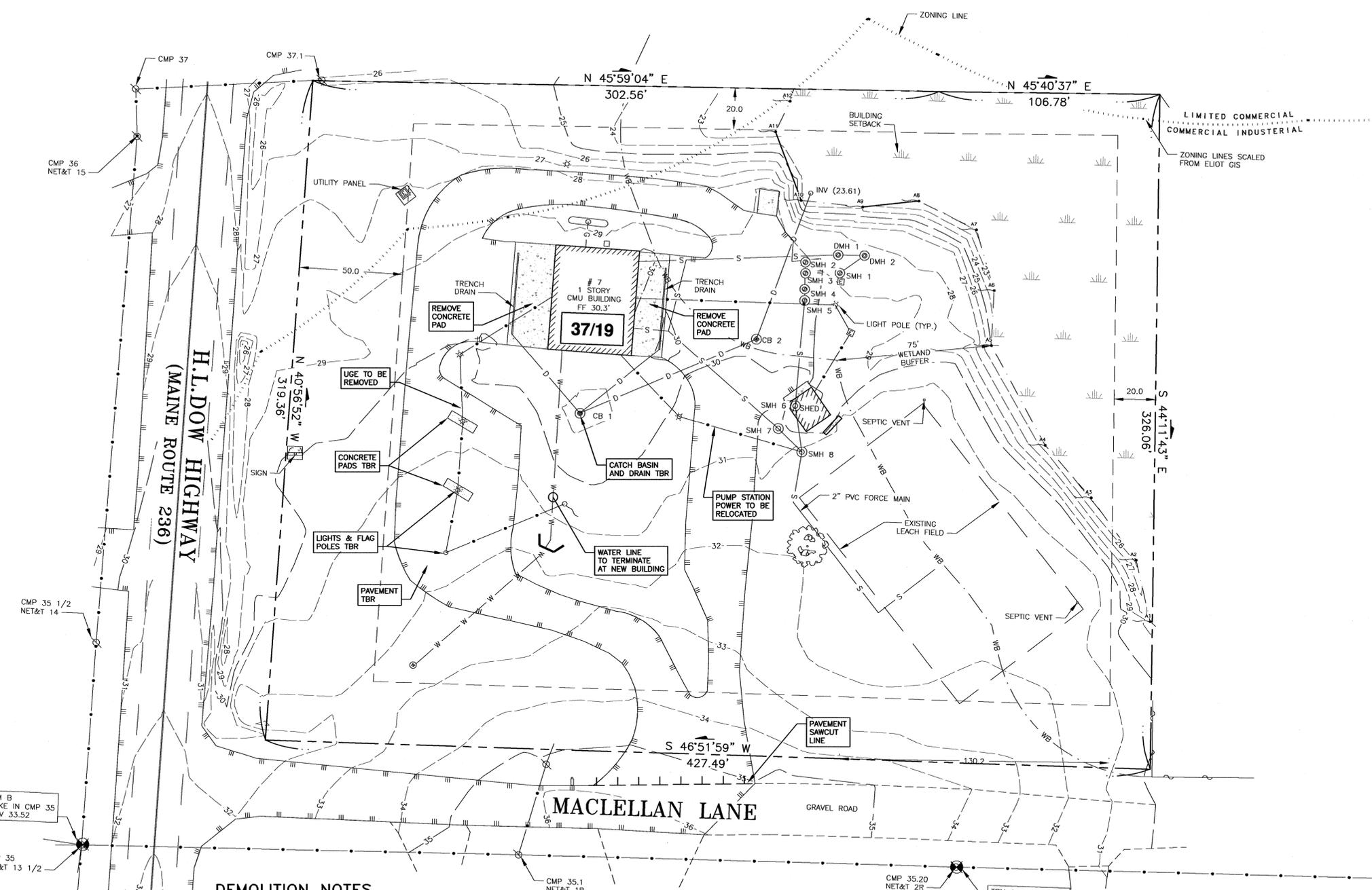
| NO. | DESCRIPTION | DATE |
|-----------|---------------------|----------|
| 1 | ISSUED FOR APPROVAL | 11/23/20 |
| 0 | ISSUED FOR COMMENT | 1/21/20 |
| REVISIONS | | |



11-23-20
SCALE 1"=30' JANUARY 2020

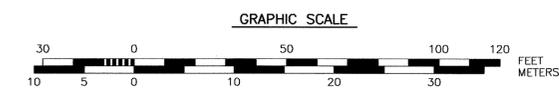
EXISTING CONDITIONS AND DEMOLITION PLAN **C1**

| STRUCTURE TABLE | | | |
|--|-----------|---|--------------------------|
| STRUCTURE | RIM ELEV. | INV. ELEV. IN INV. ELEV. OUT | DOWN STREAM STRUCTURE |
| PIPE | | | |
| PIPE LENGTH, PIPE SLOPE | | | |
| CB 1 | 28.70 | IN:(W) 26.35 IN:(N) 26.35 OUT: 24.70 | CB 2 |
| 12" HDPE PIPE L = 92', SLOPE = .007 ft./ft. | | | |
| CB 2 | 29.86 | IN:(SW) 24.06 OUT:(NW) 23.91 | INV. 1 |
| 12" HDPE PIPE L = 72', SLOPE = 0.004 ft./ft. | | | |
| DMH 1 | 28.58 | IN:(SW) 25.26 | |
| TREATMENT TANK | | | |
| DMH 2 | 28.49 | OUT:(S) 25.14 | SMH 1 |
| 4" PVC | | | |
| SMH 1 | 28.86 | IN:(N) 24.06 OUT:(NW) 25.61 | SMH 2 |
| 2" PVC | | | |
| SMH 2 | 28.48 | IN:(N) 26.58 | SMH 3 |
| TREATMENT TANK | | | |
| SMH 3 | 28.45 | | |
| TREATMENT TANK | | | |
| SMH 4 | 29.39 | | |
| TREATMENT TANK | | | |
| SMH 5 | 29.41 | OUT:(SE) 25.11 | SMH 6 |
| SMH 6 | | | SMH 7 |
| SMH 7 | 30.82 | | SMH 8 |
| SMH 8 | 31.34 | IN:(NW) 18.99 IN:(W) 22.89 OUT:(SE) 23.92 | LEACH FIELD D-BOX |
| 2" PVC FORCE MAIN TO LEACH FIELD | | | |



DEMOLITION NOTES

- A) THE LOCATIONS OF UNDERGROUND UTILITIES ARE APPROXIMATE AND THE LOCATIONS ARE NOT GUARANTEED BY THE OWNER OR THE DESIGNER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE UTILITIES AND ANTICIPATE CONFLICTS. CONTRACTOR SHALL REPAIR EXISTING UTILITIES DAMAGED BY THEIR WORK AND RELOCATE EXISTING UTILITIES THAT ARE REQUIRED TO BE RELOCATED PRIOR TO COMMENCING ANY WORK IN THE IMPACTED AREA OF THE PROJECT.
- B) ALL MATERIALS SCHEDULED TO BE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR UNLESS OTHERWISE SPECIFIED. THE CONTRACTOR SHALL DISPOSE OF ALL MATERIALS OFF-SITE IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS, ORDINANCES AND CODES. THE CONTRACTOR SHALL COORDINATE REMOVAL, RELOCATION, DISPOSAL, OR SALVAGE OF UTILITIES WITH THE OWNER AND APPROPRIATE UTILITY COMPANY.
- C) ANY EXISTING WORK OR PROPERTY DAMAGED OR DISRUPTED BY CONSTRUCTION/ DEMOLITION ACTIVITIES SHALL BE REPLACED OR REPAIRED TO THE ORIGINAL EXISTING CONDITIONS BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
- D) THE CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES AND CALL DIG SAFE AT LEAST 72 HOURS PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION/CONSTRUCTION ACTIVITIES.
- E) SAWCUT AND REMOVE PAVEMENT ONE FOOT OFF PROPOSED EDGE OF PAVEMENT TRENCH IN AREAS WHERE PAVEMENT IS TO BE REMOVED.
- F) IT IS THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE THEMSELVES WITH THE CONDITIONS OF ALL THE PERMIT APPROVALS.
- G) THE CONTRACTOR SHALL OBTAIN AND PAY FOR ADDITIONAL CONSTRUCTION PERMITS, NOTICES AND FEES NECESSARY TO COMPLETE THE WORK AND ARRANGE FOR AND PAY FOR ANY INSPECTIONS AND APPROVALS FROM THE AUTHORITIES HAVING JURISDICTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL AND OFF-SITE DISPOSAL OF MATERIALS REQUIRED TO COMPLETE THE WORK.
- H) THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL EXISTING STRUCTURES, CONCRETE, UTILITIES, VEGETATION, PAVEMENT, AND CONTAMINATED SOIL WITHIN THE WORK LIMITS SHOWN UNLESS SPECIFICALLY IDENTIFIED TO REMAIN. ANY EXISTING DOMESTIC / IRRIGATION SERVICE WELLS IN THE PROJECT AREA IDENTIFIED DURING THE CONSTRUCTION AND NOT CALLED OUT ON THE PLANS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER AND ENGINEER FOR PROPER CAPPING / RE-USE.
- I) ALL WORK WITHIN THE MACLELLAN LANE RIGHT OF WAY SHALL BE COORDINATED WITH THE OTHER RIGHT OF WAY USERS.
- J) REMOVE TREES AND BRUSH AS REQUIRED FOR COMPLETION OF WORK. CONTRACTOR SHALL GRUB AND REMOVE ALL SLUMPS WITHIN LIMITS OF WORK AND DISPOSE OF OFF-SITE IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS.
- K) CONTRACTOR SHALL PROTECT ALL PROPERTY MONUMENTATION THROUGHOUT DEMOLITION AND CONSTRUCTION OPERATIONS. SHOULD ANY MONUMENTATION BE DISTURBED, THE CONTRACTOR SHALL EMPLOY A ME LICENSED LAND SURVEYOR TO REPLACE THEM.
- L) PROVIDE INLET PROTECTION BARRIERS AT ALL CATCH BASINS WITHIN CONSTRUCTION LIMITS AND MAINTAIN FOR THE DURATION OF THE PROJECT. INLET PROTECTION BARRIERS SHALL BE HIGH FLOW SILT SACK BY ACF ENVIRONMENTAL OR APPROVED EQUAL. INSPECT BARRIERS WEEKLY AND AFTER EACH RAIN OF 0.25 INCHES OR GREATER. CONTRACTOR SHALL COMPLETE A MAINTENANCE INSPECTION REPORT AFTER EACH INSPECTION. SEDIMENT DEPOSITS SHALL BE REMOVED AFTER EACH STORM EVENT OR MORE OFTEN IF WARRANTED OR FABRIC BECOMES CLOGGED. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY CLEARING OR DEMOLITION ACTIVITIES.
- M) THE CONTRACTOR SHALL PAY ALL COSTS NECESSARY FOR TEMPORARY PARTITIONING, BARRICADING, FENCING, SECURITY AND SAFETY DEVICES REQUIRED FOR THE MAINTENANCE OF A CLEAN AND SAFE CONSTRUCTION SITE.
- N) ANY CONTAMINATED MATERIAL REMOVED DURING THE COURSE OF THE WORK WILL REQUIRE HANDLING IN ACCORDANCE WITH MEDEP REGULATIONS. CONTRACTOR SHALL HAVE A HEALTH AND SAFETY PLAN IN PLACE, AND COMPLY WITH ALL APPLICABLE PERMITS, APPROVALS, AUTHORIZATIONS, AND REGULATIONS.



OWNER & APPLICANT:
BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, NH 03801

PREPARED BY:
AMBIT ENGINEERING
200 GRIFFIN ROAD UNIT 3
PORTSMOUTH, N.H. 03801

THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CHAPTER 90 STANDARDS OF PRACTICE, EFFECTIVE DATE APRIL 1, 2001 EXCEPT AS NOTED ON THIS PLAN.

LANDSCAPE SCHEDULE

| I.D. No. | ITEM | SIZE | QTY |
|----------|--------------------------|------------|--------|
| 1 | ACER RUBROM | 2-2.5" CAL | 7 |
| | RED OAK "OCTOBER GLORY" | | |
| 2 | CRATAEGUS VIRIDIS | 2-2.5" CAL | 4 |
| | "WINTER KING" | | |
| 3 | QUERCUS PALUSTRIS | 2" CAL | 4 |
| | PIN OAK | | |
| 4 | SCHIZACHYRIUM SCORPARIUM | #1 GALLON | 18" OC |
| | "THE BLUES" GRASS | | |
| 5 | VIBURNUM DILATATUM | 3-4' HT. | 21 |
| | "ASIAN BEAUTY" | | |
| 6 | BAPTISIA AUSTRALIS | #1 GALLON | 19 |
| | BLUE FALSE INDIGO | | |

**IMPERVIOUS SURFACE AREAS
(TO PROPERTY LINE)**

| STRUCTURE | PRE-CONSTRUCTION IMPERVIOUS (S.F.) | POST-CONSTRUCTION IMPERVIOUS (S.F.) |
|----------------|------------------------------------|-------------------------------------|
| STRUCTURE | 2,000 | 10,000 |
| PAVEMENT | 23,967 | 31,566 |
| CONCRETE | 1,983 | 1,924 |
| RETAINING WALL | 21 | 21 |
| GRAVEL | 62 | 0 |
| SHED | 280 | 280 |
| TOTAL | 28,313 | 43,791 |
| LOT SIZE | 134,859 | 134,859 |
| % LOT COVERAGE | 21.0% | 32.5% |

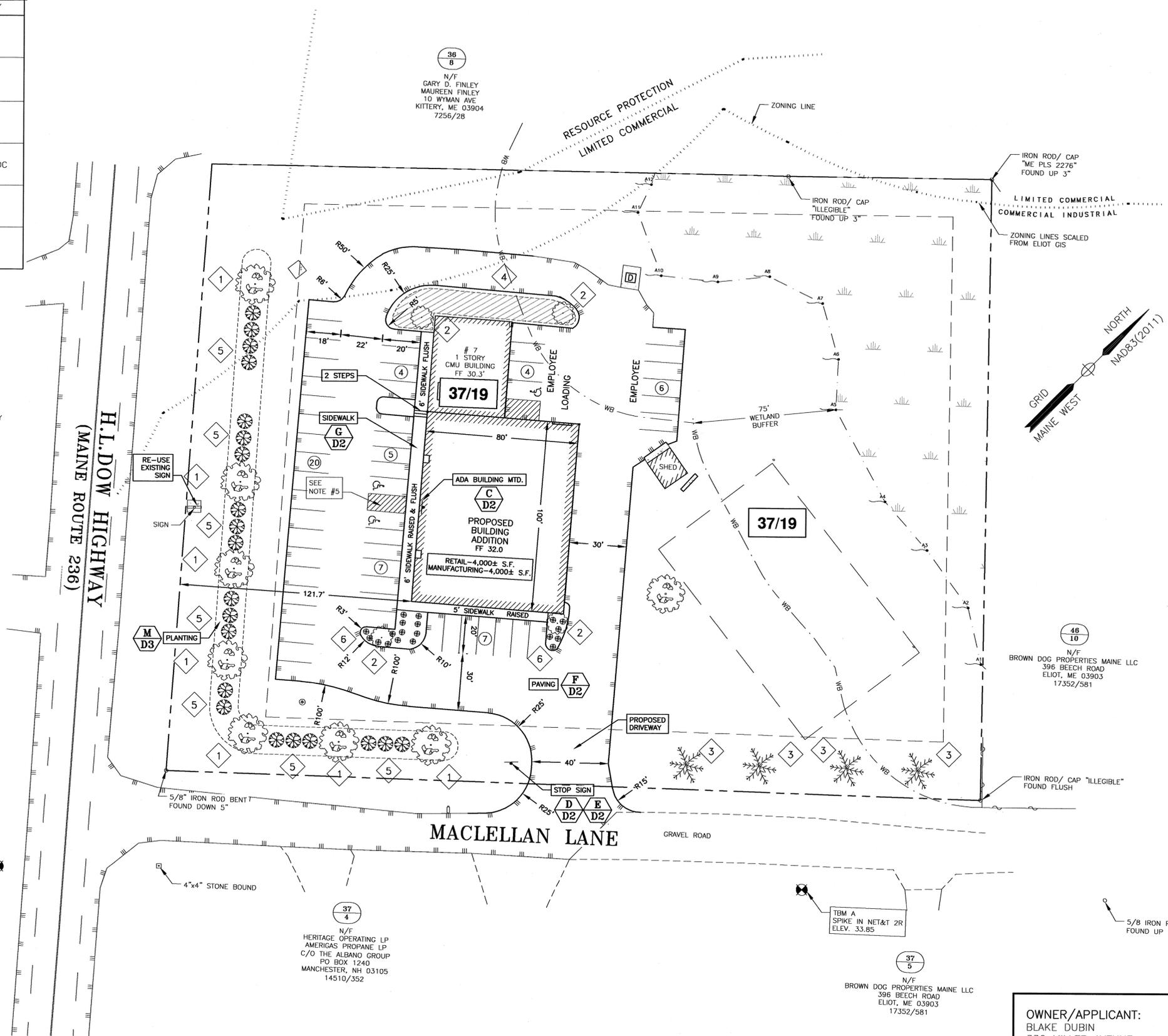


AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

NOTES:

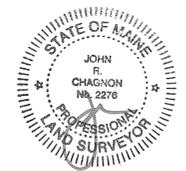
- 1) PARCEL IS SHOWN ON THE TOWN OF ELIOT ASSESSOR'S MAP 37 AS LOT 19.
- 2) OWNER OF RECORD & APPLICANT:
BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, NH 03801
17923/335
- 3) PARKING CALCULATIONS:
PROPOSED USES:
6,000 S.F. MANUFACTURING: 1 SPACE/EMPLOYEE
15 EMPLOYEES = 15 SPACES
4,000 S.F. RETAIL: 1 SPACE/150 S.F.
4,000 S.F./150 S.F. = 27 SPACES
TOTAL REQUIRED SPACES = 42 SPACES

PROPOSED PARKING:
40 REGULAR SPACES
3 ADA SPACES
10 DESIGNATED EMPLOYEE SPACES
53 TOTAL SPACES
- 4) PROJECT DISTURBED AREA: 51,755 SF.
- 5) CURB REVEAL DROPS TO 0 INCHES AT ADA ACCESS POINT.



**SITE DEVELOPMENT
7 MACLELLAN LANE
ELIOT, MAINE**

| NO. | DESCRIPTION | DATE |
|-----|---------------------|----------|
| 1 | ISSUED FOR APPROVAL | 11/23/20 |
| 0 | ISSUED FOR COMMENT | 1/21/20 |



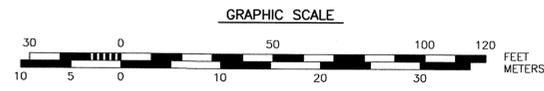
11-23-20

SCALE 1"=30' JANUARY 2020

SITE LAYOUT PLAN
C2

APPROVED BY THE ELIOT PLANNING BOARD

CHAIRMAN _____ DATE _____



OWNER/APPLICANT:
BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, N.H.03801

PREPARED BY:
AMBIT ENGINEERING
200 GRIFFIN ROAD UNIT 3
PORTSMOUTH, N.H. 03801

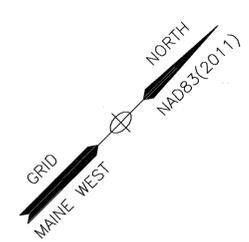
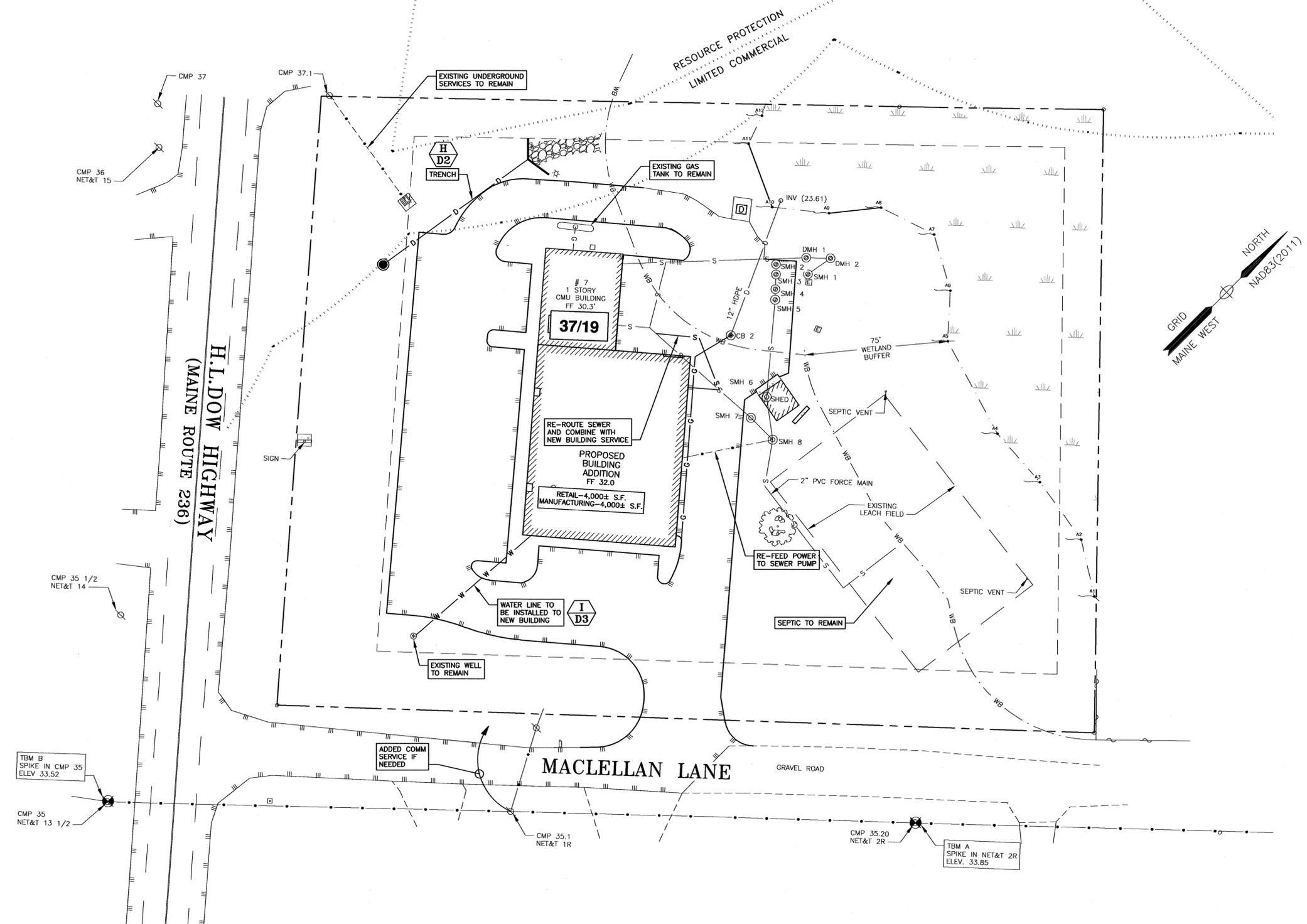


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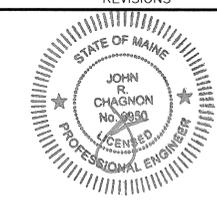
NOTES:

- 1) THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY.
- 2) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.
- 3) CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL BMP's" PUBLISHED BY THE MAINE D.E.P. IN 2016.
- 4) CONTRACTOR SHALL FIELD VERIFY THE DEPTH OF EXISTING UTILITIES AND COORDINATE WITH THE ENGINEER PRIOR TO CONSTRUCTION OF THE PROPOSED UTILITIES.
 - A) ALL UTILITIES SHOWN ARE TO REMAIN UNLESS NOTED OTHERWISE.
 - B) COORDINATE UTILITY CONNECTIONS AND INSTALLATIONS WITH RESPECTIVE UTILITY COMPANIES AND SERVICE PROVIDERS.
 - C) CONTRACTOR SHALL MAINTAIN EXISTING UTILITY SERVICES TO ADJACENT PROPERTIES DURING CONSTRUCTION. PROVIDE PROPER NOTIFICATION OF ANY SERVICE INTERRUPTIONS.



**SITE DEVELOPMENT
7 MACLELLAN LANE
ELIOT, MAINE**

| NO. | DESCRIPTION | DATE |
|-----|---------------------|----------|
| 1 | ISSUED FOR APPROVAL | 11/23/20 |
| 0 | ISSUED FOR COMMENT | 1/21/20 |



11-23-20

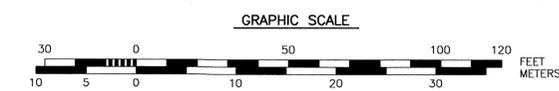
SCALE 1"=30' JANUARY 2020

UTILITY PLAN

C4

OWNER/APPLICANT:
BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, N.H. 03801

PREPARED BY:
AMBIT ENGINEERING
200 GRIFFIN ROAD UNIT 3
PORTSMOUTH, N.H. 03801



APPROVED BY THE KITTERY PLANNING BOARD

CHAIRMAN _____ DATE _____

EROSION CONTROL NOTES

CONSTRUCTION SEQUENCE

DO NOT BEGIN CONSTRUCTION UNTIL ALL LOCAL, STATE, AND FEDERAL PERMITS HAVE BEEN APPLIED FOR AND RECEIVED.

INSTALL PERIMETER CONTROLS, I.E., SILT FENCING OR SILT/SOXX AROUND THE LIMITS OF DISTURBANCE BEFORE ANY EARTH MOVING OPERATIONS. THE USE OF HAY BALES IS NOT ALLOWED.

CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE.

PERFORM CLEARING & GRUBBING

CUT AND GRUB ALL TREES, SHRUBS, SAPLINGS, BRUSH, VINES AND REMOVE OTHER DEBRIS AND RUBBISH AS REQUIRED.

DEMOLISH CONCRETE ISLANDS & REMOVE PAVEMENT AS NEEDED.

BULLDOZE TOPSOIL INTO STOCKPILES, AND CIRCLE WITH SILT FENCING OR SILT/SOXX. IF EROSION IS EXCESSIVE, THEN COVER WITH MULCH.

CONSTRUCT SWALE, BUT DO NOT ALLOW INFLOW UNTIL ALL CONTRIBUTING AREAS ARE STABILIZED AND EROSION-FREE. ROUGH GRADE SITE IN LANDSCAPED AREAS OUT OF THE WAY OF SUBSEQUENT CONSTRUCTION ACTIVITY, INSTALL TOPSOIL, MULCH, SEED AND FERTILIZER. STABILIZE STEEPER SLOPES PER DETAILS.

CONSTRUCT FOUNDATIONS.

LAYOUT AND INSTALL ALL BURIED UTILITIES AND SERVICES TO THE PROPOSED BUILDING FOUNDATIONS. CAP AND MARK TERMINATIONS OR LOG SWING TIES.

CONSTRUCT BUILDING FRAMES.

FINISH GRADE SITE, BACKFILL DRIVEWAY & PARKING SUBBASE GRAVEL IN TWO, COMPACTED LIFTS. PROVIDE TEMPORARY EROSION PROTECTION TO DITCHES AND SWALES IN THE FORM OF MULCHING, JUTE MESH OR DITCH DAMS. CONSTRUCT BINDER COURSE.

CONSTRUCT WALKWAYS.

ALL PERMANENT FILTRATION BASINS, DITCHES AND SWALES SHALL BE STABILIZED PRIOR TO DIRECTING RUNOFF TO THEM.

AFTER BUILDING IS COMPLETED FINISH ALL REMAINING LANDSCAPED WORK.

CONSTRUCT ASPHALT WEARING COURSE.

REMOVE TRAPPED SEDIMENTS FROM COLLECTION DEVICES AS APPROPRIATE, AND THEN REMOVE TEMPORARY EROSION CONTROL MEASURES UPON COMPLETION OF FINAL STABILIZATION OF THE SITE.

GENERAL CONSTRUCTION NOTES

THE EROSION CONTROL PROCEDURES SHALL CONFORM TO "MAINE EROSION AND SEDIMENT CONTROL BMP'S" PUBLISHED BY THE MAINE D.E.P. IN 2016.

DURING CONSTRUCTION AND THEREAFTER, EROSION CONTROL MEASURES ARE TO BE IMPLEMENTED AS NOTED. THE SMALLEST PRACTICAL AREA OF LAND SHOULD BE EXPOSED AT ANY ONE TIME DURING CONSTRUCTION, BUT IN NO CASE SHALL EXCEED 5 ACRES AT ANY ONE TIME BEFORE DISTURBED AREAS ARE STABILIZED.

AN AREA SHALL BE CONSIDERED STABLE IF ONE OF THE FOLLOWING HAS OCCURRED:

- BASE COURSE GRAVELS HAVE BEEN INSTALLED IN AREAS TO BE PAVED;
- A MINIMUM OF 85% VEGETATED GROWTH HAS BEEN ESTABLISHED;
- A MINIMUM OF 3" OF NON-EROSIVE MATERIAL SUCH AS STONE OR RIPRAP HAS BEEN INSTALLED; OR,
- EROSION CONTROL BLANKETS HAVE BEEN PROPERLY INSTALLED.

ANY DISTURBED AREAS WHICH ARE TO BE LEFT TEMPORARILY, AND WHICH WILL BE REGRADED LATER DURING CONSTRUCTION SHALL BE MACHINE HAY MULCHED AND SEEDED WITH RYE GRASS TO PREVENT EROSION.

DUST CONTROL: IF TEMPORARY STABILIZATION PRACTICES, SUCH AS TEMPORARY VEGETATION AND MULCHING, DO NOT ADEQUATELY REDUCE DUST GENERATION, APPLICATION OF WATER OR CALCIUM CHLORIDE SHALL BE APPLIED IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES.

ALL EROSION CONTROLS SHALL BE INSPECTED WEEKLY DURING THE LIFE OF THE PROJECT AND AFTER EACH STORM OF 0.5" OR GREATER. ALL DAMAGED SILT FENCES SHALL BE REPAIRED. SEDIMENT DEPOSITS SHALL PERIODICALLY BE REMOVED AND DISPOSED IN A SECURED LOCATION.

AVOID THE USE OF FUTURE OPEN SPACES (LOAM AND SEED AREAS) WHEREVER POSSIBLE DURING CONSTRUCTION. CONSTRUCTION TRAFFIC SHALL USE THE ROADBEDS OF FUTURE ACCESS DRIVES AND PARKING AREAS.

TOPSOIL REQUIRED FOR THE ESTABLISHMENT OF VEGETATION SHALL BE STOCKPILED IN AMOUNTS NECESSARY TO COMPLETE FINISHED GRADING OF ALL EXPOSED AREAS. CONSTRUCT SILT FENCE AROUND TOPSOIL STOCKPILE.

AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS OR OTHER OBJECTIONABLE MATERIAL. STUMPS SHALL BE DISPOSED BY GRINDING OR FILL IN AN APPROVED FACILITY.

ALL FILLS SHALL BE PLACED AND COMPACTED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS.

ALL FILL SHALL BE PLACED AND COMPACTED IN LAYERS NOT EXCEEDING 8 INCHES IN THICKNESS UNLESS OTHERWISE NOTED.

FROZEN MATERIAL OR SOFT, MUCKY OR HIGHLY COMPRESSIBLE MATERIAL SHALL NOT BE INCORPORATED INTO FILLS.

FILL MATERIAL SHALL NOT BE PLACED ON FROZEN FOUNDATION SUBGRADE.

DISTURBED AREAS SHALL BE SEEDED WITHIN 72 HOURS FOLLOWING FINISHED GRADING.

AT NO TIME SHALL ANY DISTURBED AREA REMAIN UNSTABILIZED FOR LONGER THAN 72 HOURS. ALL AREAS WHERE CONSTRUCTION IS NOT COMPLETE WITHIN THIRTY DAYS OF THE INITIAL DISTURBANCE SHALL BE MACHINE HAY MULCHED AND SEEDED WITH RYE GRASS TO PREVENT EROSION.

VEGETATIVE PRACTICE

FOR PERMANENT MEASURES AND PLANTINGS:

LIMESTONE SHALL BE THOROUGHLY INCORPORATED INTO THE LOAM LAYER AT A RATE OF 2 TONS PER ACRE.

FERTILIZER SHALL BE SPREAD ON THE TOP LAYER OF LOAM AND WORKED INTO THE SURFACE. FERTILIZER APPLICATION RATE SHALL BE 500 POUNDS PER ACRE OF 10-20-20 FERTILIZER.

SEED SHALL BE SOWN AT THE RATES SHOWN IN THE TABLE BELOW. IMMEDIATELY BEFORE SEEDING, THE SOIL SHALL BE LIGHTLY RAKED. ONE HALF THE SEED SHALL BE SOWN IN ONE DIRECTION AND THE OTHER HALF AT RIGHT ANGLES TO THE ORIGINAL DIRECTION. IT SHALL BE LIGHTLY RAKED INTO THE SOIL TO A DEPTH NOT OVER 1/4 INCH AND ROLLED WITH A HAND ROLLER WEIGHING NOT OVER 100 POUNDS PER LINEAR FOOT OF WIDTH. HAY MULCH SHALL BE APPLIED IMMEDIATELY AFTER SEEDING AT A RATE OF 1.5 TO 2 TONS PER ACRE, AND SHALL BE HELD IN PLACE USING APPROPRIATE TECHNIQUES FROM THE EROSION AND SEDIMENT CONTROL HANDBOOK.

THE SURFACE SHALL BE WATERED AND KEPT MOIST WITH A FINE SPRAY AS REQUIRED, WITHOUT WASHING AWAY THE SOIL, UNTIL THE GRASS IS WELL ESTABLISHED. ANY AREAS WHICH ARE NOT SATISFACTORILY COVERED SHALL BE RESEEDED, AND ALL NOXIOUS WEEDS REMOVED.

A GRASS SEED MIXTURE CONTAINING THE FOLLOWING SEED REQUIREMENTS SHALL BE:

| GENERAL COVER | PROPORTION | SEEDING RATE |
|---------------|------------|--------------|
|---------------|------------|--------------|

| | | |
|---------------------|-----|--------------|
| CREeping RED FESCUE | 50% | 100 LBS/ACRE |
| KENTUCKY BLUEGRASS | 50% | |

SLOPE SEED (USED ON ALL SLOPES GREATER THAN OR EQUAL TO 3:1)

| | | |
|---------------------|-----|-------------|
| CREeping RED FESCUE | 42% | |
| TALL FESCUE | 42% | 48 LBS/ACRE |
| BIRDSFOOT TREFLOIL | 16% | |

IN NO CASE SHALL THE WEED CONTENT EXCEED ONE PERCENT BY WEIGHT. ALL SEED SHALL COMPLY WITH APPLICABLE STATE AND FEDERAL SEED LAWS.

FOR TEMPORARY PROTECTION OF DISTURBED AREAS:

MULCHING AND SEEDING SHALL BE APPLIED AT THE FOLLOWING RATES:
PERENNIAL RYE: 0.7 LBS/1,000 S.F.
MULCH: 1.5 TONS/ACRE

MAINTENANCE AND PROTECTION

THE CONTRACTOR SHALL MAINTAIN ALL LOAM & SEED AREAS UNTIL FINAL ACCEPTANCE AT THE COMPLETION OF THE CONTRACT. MAINTENANCE SHALL INCLUDE WATERING, WEEDING, REMOVAL OF STONES AND OTHER FOREIGN OBJECTS OVER 1/2 INCHES IN DIAMETER WHICH MAY APPEAR AND THE FIRST TWO (2) CUTTINGS OF GRASS NO CLOSER THEN TEN (10) DAYS APART. THE FIRST CUTTING SHALL BE ACCOMPLISHED WHEN THE GRASS IS FROM 2 1/2 TO 3 INCHES HIGH. ALL BARE AND DEAD SPOTS WHICH BECOME APPARENT SHALL BE PROPERLY PREPARED, LIMED AND FERTILIZED, AND RESEEDED BY THE CONTRACTOR AT HIS EXPENSE AS MANY TIMES AS NECESSARY TO SECURE GOOD GROWTH. THE ENTIRE AREA SHALL BE MAINTAINED, WATERED AND CUT UNTIL ACCEPTANCE OF THE LAWN BY THE OWNER'S REPRESENTATIVE.

THE CONTRACTOR SHALL TAKE WHATEVER MEASURES ARE NECESSARY TO PROTECT THE GRASS WHILE IT IS DEVELOPING.

TO BE ACCEPTABLE, SEEDED AREAS SHALL CONSIST OF A UNIFORM STAND OF AT LEAST 90 PERCENT ESTABLISHED PERMANENT GRASS SPECIES, WITH UNIFORM COUNT OF AT LEAST 100 PLANTS PER SQUARE FOOT.

SEEDED AREAS WILL BE FERTILIZED AND RESEEDED AS NECESSARY TO INSURE VEGETATIVE ESTABLISHMENT.

THE SWALES WILL BE CHECKED WEEKLY AND REPAIRED WHEN NECESSARY UNTIL ADEQUATE VEGETATION IS ESTABLISHED.

THE SILT FENCE BARRIER SHALL BE CHECKED AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL.

SILT FENCING SHALL BE REMOVED ONCE VEGETATION IS ESTABLISHED, AND DISTURBED AREAS RESULTING FROM SILT FENCE REMOVAL SHALL BE PERMANENTLY SEEDED.

WINTER NOTES

ALL PROPOSED VEGETATED AREAS WHICH DO NOT EXHIBIT A MINIMUM OF 85% VEGETATIVE GROWTH BY OCTOBER 15TH, OR WHICH ARE DISTURBED AFTER OCTOBER 15TH, SHALL BE STABILIZED BY SEEDING AND INSTALLING EROSION CONTROL BLANKETS ON SLOPES GREATER THAN 3:1, AND SEEDING AND PLACING 3 TO 4 TONS OF MULCH PER ACRE, SECURED WITH ANCHORED NETTING, ELSEWHERE. THE INSTALLATION OF EROSION CONTROL BLANKETS OR MULCH AND NETTING SHALL NOT OCCUR OVER ACCUMULATED SNOW OR ON FROZEN GROUND AND SHALL BE COMPLETED IN ADVANCE OF THAW OR SPRING MELT EVENTS.

ALL DITCHES OR SWALES WHICH DO NOT EXHIBIT A MINIMUM OF 85% VEGETATIVE GROWTH BY OCTOBER 15TH, OR WHICH ARE DISTURBED AFTER OCTOBER 15TH, SHALL BE STABILIZED TEMPORARILY WITH STONE OR EROSION CONTROL BLANKETS APPROPRIATE FOR THE DESIGN FLOW CONDITIONS.

AFTER NOVEMBER 15TH, INCOMPLETE ROAD OR PARKING SURFACES, WHERE WORK HAS STOPPED FOR THE WINTER SEASON, SHALL BE PROTECTED WITH A MINIMUM OF 3 INCHES OF CRUSHED GRAVEL PER NHDOT ITEM 304.3.

INSPECTION AND MAINTENANCE PLAN

INTRODUCTION

THE INTENT OF THIS IS TO PROVIDE BLAKE DURBIN A LIST OF PROCEDURES THAT DOCUMENT THE INSPECTION AND MAINTENANCE REQUIREMENTS OF THE STORMWATER MANAGEMENT SYSTEM FOR THIS DEVELOPMENT. SPECIFICALLY, THE SWALE AND ASSOCIATED STRUCTURES ON THE PROJECT SITE (COLLECTIVELY REFERRED TO AS THE "STORMWATER MANAGEMENT SYSTEM")

THE FOLLOWING INSPECTION AND MAINTENANCE PROGRAM IS NECESSARY TO KEEP THE STORMWATER MANAGEMENT SYSTEM FUNCTIONING PROPERLY. THESE MEASURES WILL ALSO HELP MINIMIZE POTENTIAL ENVIRONMENTAL IMPACTS. BY FOLLOWING THE ENCLOSED PROCEDURES, THE OWNER WILL BE ABLE TO MAINTAIN THE FUNCTIONAL DESIGN OF THE STORMWATER MANAGEMENT SYSTEM AND MAXIMIZED ITS ABILITY TO REMOVE SEDIMENT AND OTHER CONTAMINANTS FROM THE SITE GENERATED STORMWATER RUNOFF.

STORMWATER MANAGEMENT SYSTEM COMPONENTS

THE STORMWATER MANAGEMENT SYSTEM IS DESIGNED TO MITIGATE BOTH THE QUANTITY AND QUALITY OF SITE-GENERATED RUNOFF. AS THE RESULT, THE DESIGN INCLUDES THE FOLLOWING ELEMENTS:

NON-STRUCTURAL BMP'S

NON-STRUCTURAL BEST MANAGEMENT PRACTICES (BMP'S) INCLUDE TEMPORARY AND PERMANENT MEASURES THAT TYPICALLY REQUIRE LESS LABOR AND CAPITAL INPUTS AND ARE INTENDED TO PROVIDE PROTECTION AGAINST EROSION OF SOILS. EXAMPLES OF NON-STRUCTURAL BMP'S ON THIS PROJECT INCLUDE BUT ARE NOT LIMITED TO: TEMPORARY AND PERMANENT MULCHING, TEMPORARY AND PERMANENT GRASS COVER, TREES, SHRUBS AND GROUND OVERS, MISCELLANEOUS LANDSCAPE PLANTINGS, DUST CONTROL, TREE PROTECTION, TOPSOILING, SEDIMENT BARRIERS, AND DURING CONSTRUCTION, STABILIZED CONSTRUCTION ENTRANCES. IN THIS SITE TOTAL IMPERVIOUS AREA IS REDUCED.

STRUCTURAL BMP'S

STRUCTURAL BMP'S REQUIRE MORE SPECIALIZED PERSONNEL TO INSTALL. EXAMPLES ON THE PROJECT INCLUDE BUT ARE NOT LIMITED TO: STORM DRAINS, SWALE AND ASSOCIATED OUTLET CONTROL STRUCTURES.

INSPECTION AND MAINTENANCE REQUIREMENTS

THE FOLLOWING SUMMARIZES THE INSPECTION AND MAINTENANCE REQUIREMENTS FOR THE VARIOUS BMP'S THAT MAY BE FOUND ON THIS PROJECT:

1. GRASSED AREAS: AFTER EACH RAIN EVEN OF 0.5" OR MORE DURING A 24 HOUR PERIOD, INSPECT GRASSED AREAS FOR SIGNS OF DISTURBANCE, SUCH AS EROSION. IF DAMAGED AREAS ARE DISCOVERED, IMMEDIATELY REPAIR THE DAMAGE. REPAIRS MAY INCLUDE ADDING NEW TOPSOIL, LIME, SEED, FERTILIZER AND MULCH.

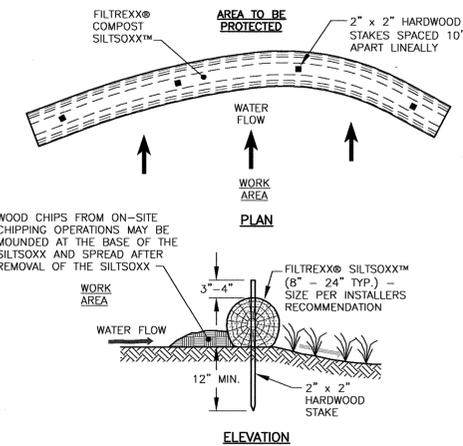
2. PLANTINGS: PLANTING AND LANDSCAPING (TREES, SHRUBS) SHALL BE MONITORED BI-MONTHLY DURING THE FIRST YEAR TO INSURE VIABILITY AND VIGOROUS GROWTH. REPLACE DEAD OR DYING VEGETATION WITH NEW STOCK AND MAKE ADJUSTMENTS TO THE CONDITIONS THAT CAUSED THE DEAD OR DYING VEGETATION. DURING DRYER TIMES OF THE YEAR, PROVIDED WEEKLY WATERING OR IRRIGATION DURING THE ESTABLISHMENT PERIOD OF THE FIRST YEAR. MAKE NECESSARY ADJUSTMENTS TO ENSURE LONG-TERM HEALTH OF VEGETATED COVER, I.E. PROVIDE MORE PERMANENT MULCH OR COMPOST OR OTHER MEANS OF PROTECTION.

3. STORM DRAIN OUTLETS AND OUTLET CONTROL STRUCTURES: MONITOR DRAIN INLETS AND OUTLET APRONS FOR EXCESSIVE ACCUMULATION OF SEDIMENTS OR MISSING STONE. REMOVE SEDIMENTS AS REQUIRED TO MAINTAIN FILTERING CAPABILITIES OF THE STONE.

4. SWALE: AFTER ACCEPTANCE OF THE SWALE, PERFORM THE FOLLOWING INSPECTIONS ON A SEMI-ANNUAL BASIS OR AFTER SIGNIFICANT RAINFALL EVENTS (10 YEAR, 24 HR STORMS, OR BACK TO BACK 2 YEAR, 24 HOUR STORMS):
a. MONITOR FOR EXCESSIVE OR CONCENTRATED ACCUMULATIONS OF DEBRIS, OR EXCESSIVE EROSION. REMOVE DEBRIS AS REQUIRED.
b. MONITOR THE OVERFLOW FOR PROBLEMS WITH EROSION. REPAIR REQUIRED AFTER DETERMINED CAUSE OF EROSION. PIPES SHOULD BE INSPECTED ANNUALLY AND AFTER EVERY MAJOR RAINSTORM. BROKEN OR DAMAGE PIPES SHOULD BE REPAIRED OR REPLACED AS NECESSARY.
c. MONITOR SIDE SLOPES OF SWALE FOR DAMAGES OR EROSION - REPAIR AS NECESSARY.
d. MONITOR TURF HEALTH AND KEEP PROTECTED FROM FIRE, GRAZING, TRAFFIC AND DENSE WEED GROWTH. LIME AND FERTILIZER SHOULD BE APPLIED AS NECESSARY TO PROMOTE GOOD GROWTH AS DETERMINED BY SOIL TESTS. MOWING THE VEGETATED AREAS OF THE BASIN SHOULD BE CARRIED OUT AS NECESSARY.
e. SEDIMENT ACCUMULATION SHOULD BE CONTINUALLY CHECKED IN THE SWALE. SEDIMENT SHOULD BE REMOVED AS IT IS DISCOVERED PARTICULARLY IF IT HAS ACCUMULATED NEAR THE OUTLET OF THE BASIN.

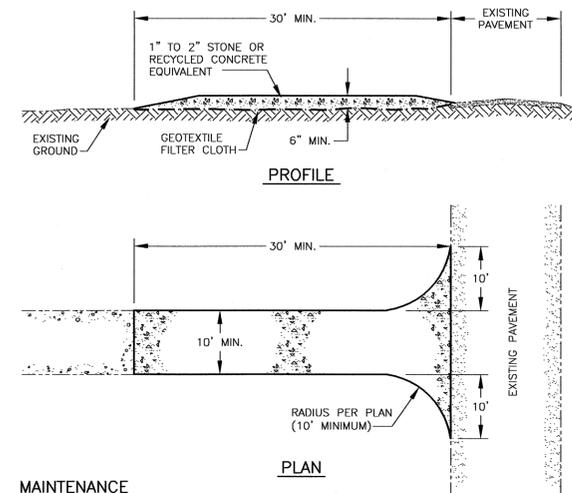
5. INVASIVE SPECIES

MONITOR SITE FOR SIGNS OF INVASIVE SPECIES GROWTH. IF CAUGHT EARLIER ENOUGH, THEIR ERADICATION IS MUCH EASIER. THE MOST LIKELY PLACES WHERE INVASIONS START ARE IN WETTER, DISTURBED SOILS OR SWALES. SPECIES SUCH AS PHRAGMITES AND PURPLE LOOSE-STRIPE ARE COMMON INVADERS IN THESE WETTER AREAS. IF THEY ARE FOUND THEN THE OWNER SHALL CONTACT A WETLAND SCIENTIST WITH EXPERIENCE IN INVASIVE SPECIES CONTROL TO IMPLEMENT A PLAN OF ACTION TO ERADICATE THE INVADERS. MEASURES THAT DO NOT REQUIRE THE APPLICATION OF CHEMICAL HERBICIDES SHOULD BE THE FIRST LINE OF DEFENSE.



- NOTES:
1. ALL MATERIAL TO MEET FILTREXX SPECIFICATIONS.
 2. FILTREXX SYSTEM SHALL BE INSTALLED BY A CERTIFIED FILTREXX INSTALLER.
 3. THE CONTRACTOR SHALL MAINTAIN THE COMPOST FILTRATION SYSTEM IN A FUNCTIONAL CONDITION AT ALL TIMES. IT WILL BE ROUTINELY INSPECTED AND REPAIRED WHEN REQUIRED.
 4. SILT/SOXX DEPICTED IS FOR MINIMUM SLOPES, GREATER SLOPES MAY REQUIRE ADDITIONAL PLACEMENTS.
 5. THE COMPOST FILTER MATERIAL WILL BE DISPERSED ON SITE WHEN NO LONGER REQUIRED, AS DETERMINED BY THE ENGINEER.

A C3 FILTREXX® SILT/SOXX™ FILTRATION SYSTEM (AS NEEDED) NTS



MAINTENANCE

- 1) MUD AND SOIL PARTICLES WILL EVENTUALLY CLOG THE VOIDS IN THE GRAVEL AND THE EFFECTIVENESS OF THE GRAVEL PAD WILL NOT BE SATISFACTORY. WHEN THIS OCCURS, THE PAD SHOULD BE TOP DRESSED WITH NEW STONE. COMPLETE REPLACEMENT OF THE PAD MAY BE NECESSARY WHEN THE PAD BECOMES COMPLETELY CLOGGED.
- 2) IF WASHING FACILITIES ARE USED, THE SEDIMENT TRAPS SHOULD BE CLEANED OUT AS OFTEN AS NECESSARY TO ASSURE THAT ADEQUATE TRAPPING EFFICIENCY AND STORAGE VOLUME IS AVAILABLE. VEGETATIVE FILTER STRIPS SHOULD BE MAINTAINED TO INSURE A VIGOROUS STAND OF VEGETATION AT ALL TIMES. SEE CONSTRUCTION SPECIFICATIONS FOR ENTRANCE NOTES.

B C3 STABILIZED CONSTRUCTION ENTRANCE (AS NEEDED) NTS

OWNER & APPLICANT:
BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, N.H. 03801

PREPARED BY:
AMBIT ENGINEERING
200 GRIFFIN ROAD UNIT 3
PORTSMOUTH, N.H. 03801



NOTES:

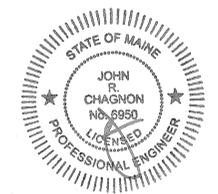
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- 2) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.
- 3) CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL BMP'S" PUBLISHED BY THE MAINE D.E.P. IN 2016.

CONSTRUCTION SPECIFICATIONS FOR ENTRANCE

- 1) STONE FOR A STABILIZED CONSTRUCTION ENTRANCE SHALL BE 2 TO 4 INCH STONE, RECLAIMED STONE, OR RECYCLED CONCRETE EQUIVALENT
- 2) THE LENGTH OF THE STABILIZED ENTRANCE SHALL NOT BE LESS THAN 30 FEET FOR A SINGLE RESIDENTIAL LOT.
- 3) THE THICKNESS OF THE STONE FOR THE STABILIZED ENTRANCE SHALL NOT BE LESS THAN 6 INCHES.
- 4) THE WIDTH OF THE ENTRANCE SHALL NOT BE LESS THAN THE FULL WIDTH OF THE ENTRANCE WHERE INGRESS OR EGRESS OCCURS OR 10 FEET, WHICHEVER IS GREATER.
- 5) GEOTEXTILE FILTER CLOTH SHALL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING THE STONE. FILTER CLOTH IS NOT REQUIRED FOR A SINGLE FAMILY RESIDENCE LOT.
- 6) ALL SURFACE WATER THAT IS FLOWING TO OR DIVERTED TOWARD THE CONSTRUCTION ENTRANCE SHALL BE PIPED BENEATH THE ENTRANCE. IF PIPING IS IMPRACTICAL, A BERM WITH 5:1 SLOPES THAT CAN BE CROSSED BY VEHICLES MAY BE SUBSTITUTED FOR THE PIPE.
- 7) THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, WASHED, OR TRACKED ONTO PUBLIC RIGHT-OF-WAY MUST BE REMOVED PROMPTLY.
- 8) WHEELS SHALL BE CLEANED TO REMOVE MUD PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.

SITE DEVELOPMENT 7 MACLELLAN LANE ELLIOT, ME

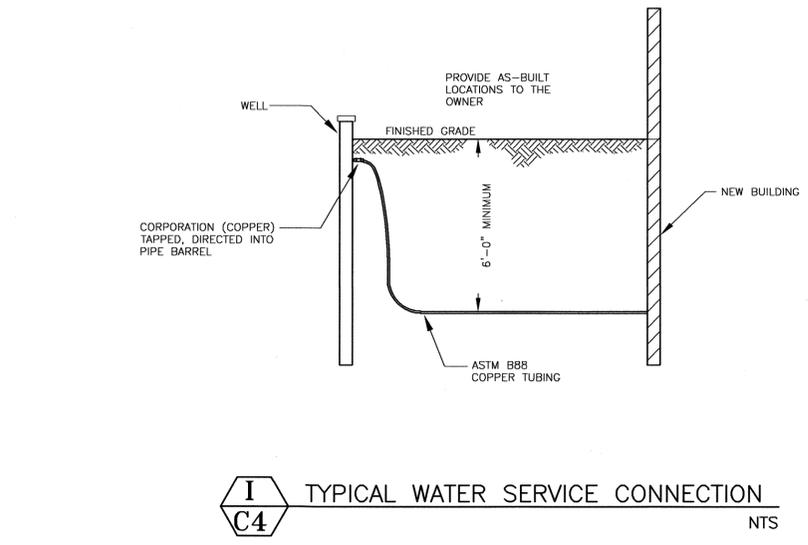
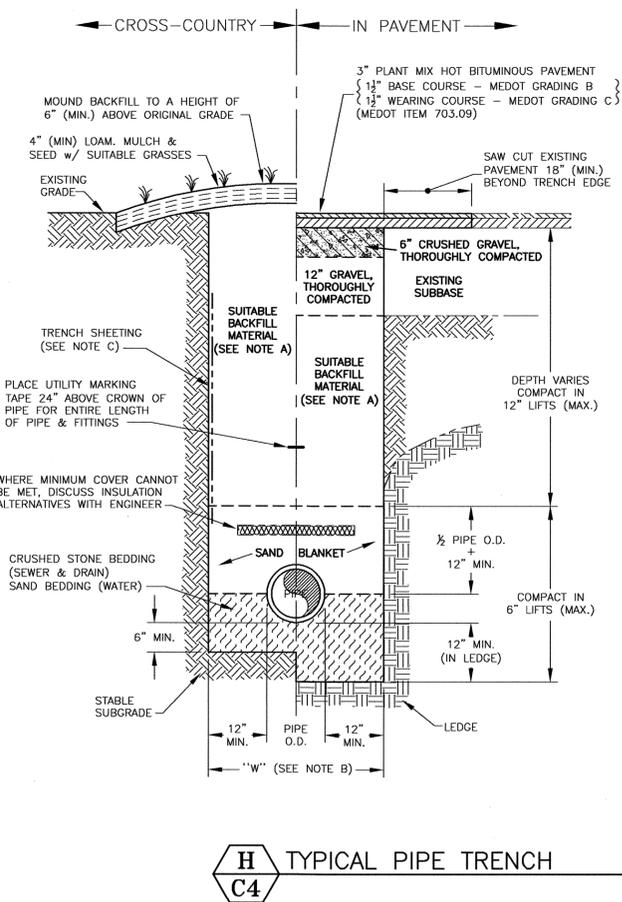
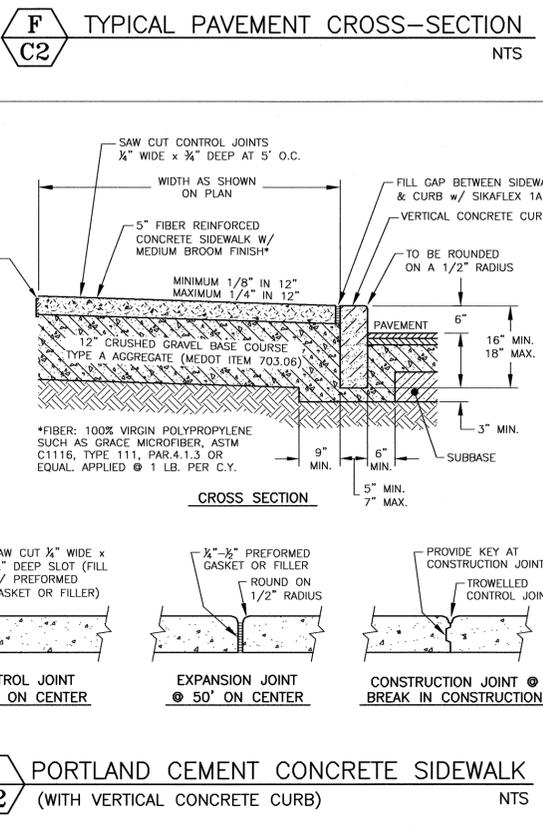
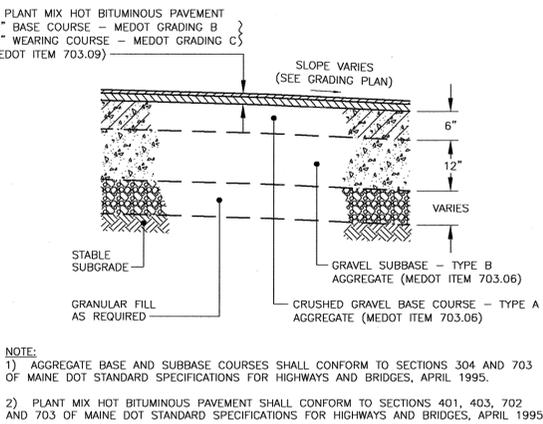
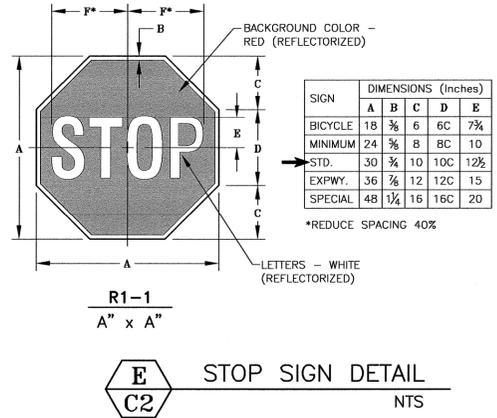
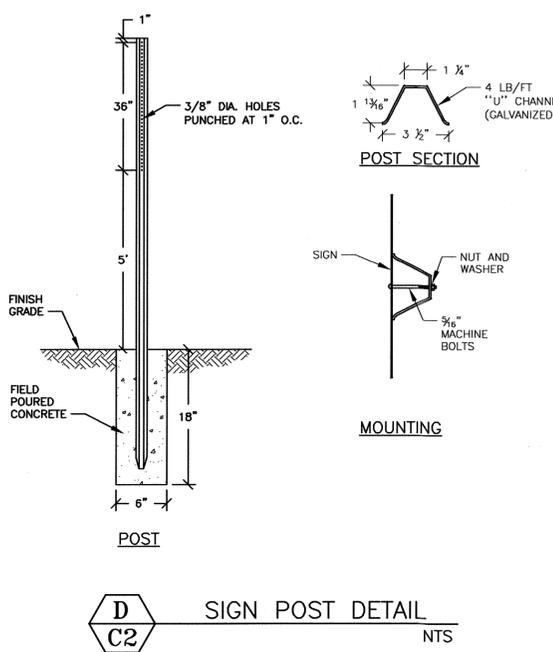
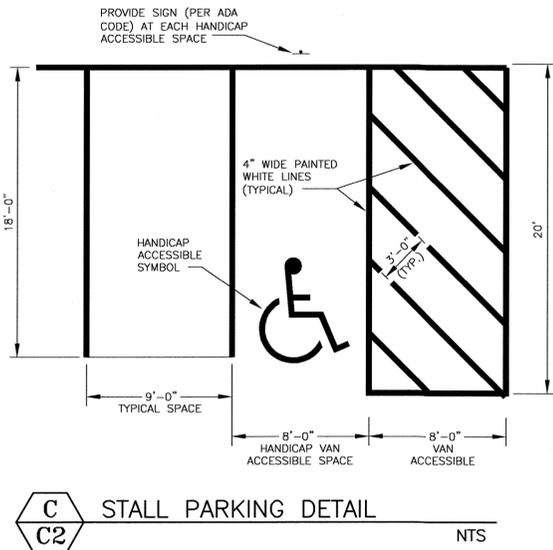
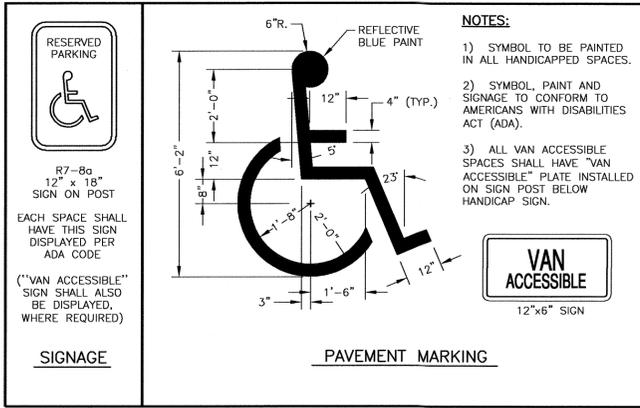
| NO. | DESCRIPTION | DATE |
|-----------|---------------------|----------|
| 0 | ISSUED FOR APPROVAL | 11/23/20 |
| REVISIONS | | |



SCALE AS SHOWN NOVEMBER 2020

DETAILS

D1



OWNER & APPLICANT:
BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, N.H. 03801

PREPARED BY:
AMBIT ENGINEERING
200 GRIFFIN ROAD UNIT 3
PORTSMOUTH, N.H. 03801

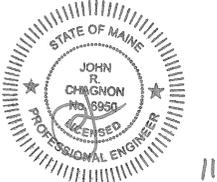
AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

NOTES:

- 1) THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY WITHIN 100 FEET OF UNDERGROUND UTILITIES. THE EXCAVATOR IS RESPONSIBLE TO MAINTAIN MARKS. DIG SAFE TICKETS EXPIRE IN THIRTY DAYS.
- 2) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.
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SITE DEVELOPMENT
7 MACLELLAN LANE
ELLIOT, ME

| NO. | DESCRIPTION | DATE |
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| REVISIONS | | |



SCALE AS SHOWN NOVEMBER 2020

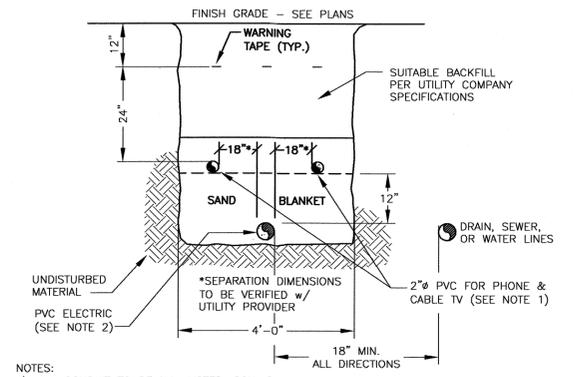
DETAILS **D2**



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
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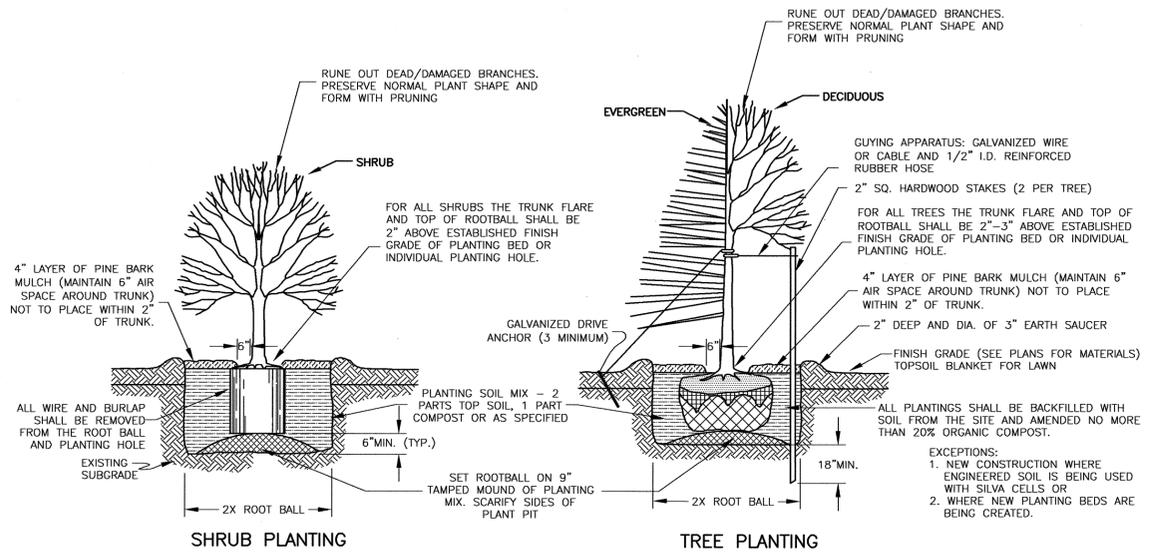
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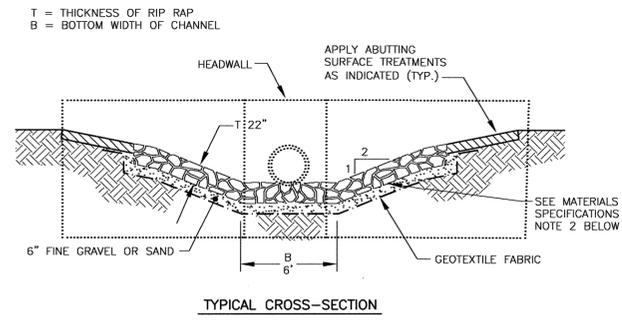


- NOTES:**
- 1) ALL CONDUIT TO BE U.L. LISTED, SCH. 80 UNDER ALL TRAVEL WAYS, & SCH. 40 FOR THE REMAINDER.
 - 2) NORMAL CONDUIT SIZES FOR PSNH ARE 3 INCH FOR SINGLE PHASE PRIMARY AND SECONDARY VOLTAGE CABLES, 4 INCH FOR THREE PHASE SECONDARY, AND 5 INCH FOR THREE PHASE PRIMARY.
 - 3) ALL WORK TO CONFORM TO THE NATIONAL ELECTRICAL CODE (LATEST REVISION)
 - 4) INSTALL A 200# PULL ROPE FOR EACH CONDUIT
 - 5) VERIFY ALL CONDUIT SPECIFICATIONS WITH UTILITY COMPANIES PRIOR TO ANY CONSTRUCTION.

L UTILITY TRENCH
ELECTRIC/PHONE/CABLE (IF NEEDED) NTS



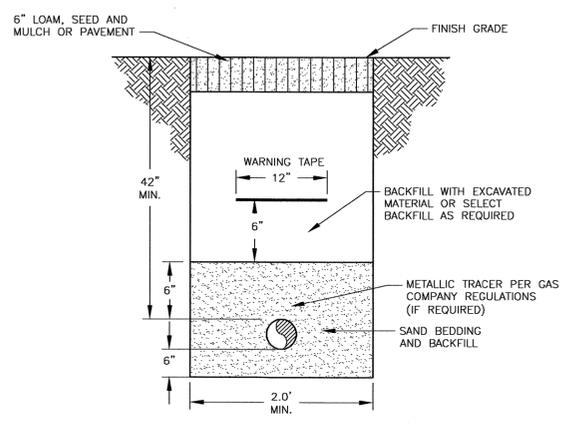
M SHRUB & TREE PLANTING DETAIL
C2 (SHRUB PLANTING DETAIL APPLIES TO EVERGREEN AND DECIDUOUS SHRUBS) NTS



- MATERIALS SPECIFICATIONS:**
1. GEOTEXTILE FABRIC SHALL MEET THE REQUIREMENTS OF THE MAINE STORMWATER MANAGEMENT BMP MANUAL FOR ROCK RIP RAP.
 2. ANCHOR PINS FOR FABRIC SHALL MEET THE REQUIREMENTS OF THE MANUFACTURER OF THE FABRIC.
 3. RIP RAP SHALL BE A WELL GRADED MIX OF DURABLE ANGULAR OR SUBANGULAR STONES. FLAT ROCKS SHALL NOT BE USED FOR RIP RAP.
- CONSTRUCTION SPECIFICATIONS:**
1. THE SUBGRADE FOR THE RIP RAP SHALL BE CLEARED AND GRUBBED TO REMOVE ALL ROOTS, VEGETATION, AND DEBRIS AND PREPARED TO THE LINES AND GRADES SHOWN ON THE PLANS.
 2. THE THICKNESS OF THE RIP RAP LAYER (T) SHALL BE 2.25 TIMES THE ROCK d₅₀ AS DETERMINED BY THE METHOD IN BEST MANAGEMENT PRACTICE FOR ROCK RIP RAP.
 3. GEOTEXTILE FABRIC SHALL BE PROTECTED FROM PUNCTURES OR TEARING DURING PLACEMENT OF THE ROCK RIP RAP BY PLACING A CUSHION OF SAND OR FINE GRAVEL OVER THE FABRIC. DAMAGED AREAS IN THE FABRIC SHALL BE REPAIRED BY PLACING A PIECE OF FABRIC OVER THE DAMAGED AREA OR BY COMPLETE REPLACEMENT OF THE FABRIC. ALL OVERLAPS REQUIRED FOR REPAIRS OR JOINING TWO PIECES OF FABRIC, SHALL BE A MINIMUM OF 12 INCHES.
 4. STONE FOR RIP RAP MAY BE PLACED BY EQUIPMENT AND SHALL BE CONSTRUCTED TO THE FULL LAYER THICKNESS IN ONE OPERATION AND IN SUCH A MANNER AS TO PREVENT DISPLACEMENT OF THE UNDERLYING MATERIALS. HAND PLACEMENT MAY BE REQUIRED TO PREVENT DAMAGE TO ANY PERMANENT STRUCTURES.
 5. VOIDS IN RIP RAP SHOULD BE FILLED WITH SMALLS AND SMALLER ROCKS.

K RIP RAP LINED OUTLET
C3 NTS

| RIPRAP GRADATION TABLE | | |
|---|-------------------------------|--|
| RIPRAP - 3" | | |
| % OF WEIGHT SMALLER THAN THE GIVEN SIZE | SIZE OF STONE RANGE IN INCHES | |
| 100 | 4.5 TO 6 | |
| 85 | 3.9 TO 5.4 | |
| 50 | 3 TO 4.5 | |
| 15 | 0.9 TO 1.5 | |
| RIPRAP - 4" | | |
| % OF WEIGHT SMALLER THAN THE GIVEN SIZE | SIZE OF STONE RANGE IN INCHES | |
| 100 | 6 TO 8 | |
| 85 | 5.2 TO 7.2 | |
| 50 | 4 TO 6 | |
| 15 | 1.2 TO 2 | |
| RIPRAP - 6" | | |
| % OF WEIGHT SMALLER THAN THE GIVEN SIZE | SIZE OF STONE RANGE IN INCHES | |
| 100 | 9 TO 12 | |
| 85 | 7.8 TO 10.8 | |
| 50 | 6 TO 9 | |
| 15 | 1.8 TO 3 | |
| RIPRAP - 9" | | |
| % OF WEIGHT SMALLER THAN THE GIVEN SIZE | SIZE OF STONE RANGE IN INCHES | |
| 100 | 13.5 TO 18 | |
| 85 | 11.7 TO 16.2 | |
| 50 | 9 TO 13.5 | |
| Z15 | 2.7 TO 4.5 | |



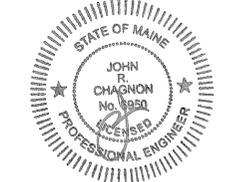
N GAS SERVICE TRENCH
(IF NEEDED) NTS

OWNER & APPLICANT:
BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, N.H. 03801

PREPARED BY:
AMBIT ENGINEERING
200 GRIFFIN ROAD UNIT 3
PORTSMOUTH, N.H. 03801

SITE DEVELOPMENT
7 MACLELLAN LANE
ELLIOT, ME

| NO. | DESCRIPTION | DATE |
|-----------|---------------------|----------|
| 0 | ISSUED FOR APPROVAL | 11/23/20 |
| REVISIONS | | |



SCALE AS SHOWN NOVEMBER 2020

DETAILS **D3**



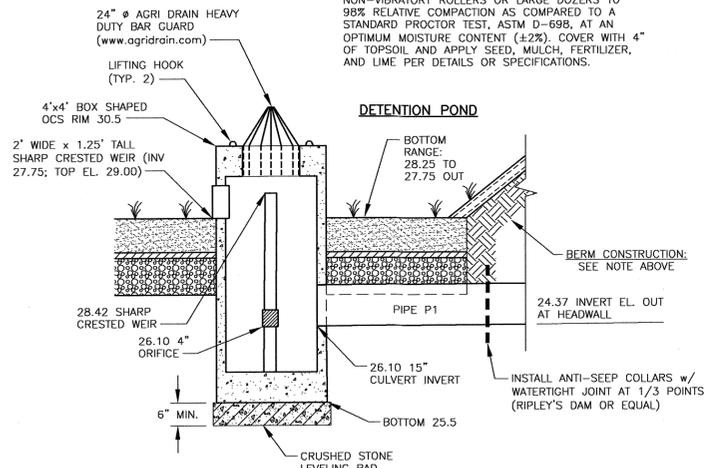
AMBIT ENGINEERING, INC.
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200 Griffin Road - Unit 3
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NOTES:

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BERM CONSTRUCTION NOTE:

CONSTRUCT BERM WITH EXCAVATED SANDY-LOAM SOIL. PLACE IN 8" LIFTS AND COMPACT w/ NON-VIBRATORY ROLLERS OR LARGE DOZERS TO 98% RELATIVE COMPACTION AS COMPARED TO A STANDARD PROCTOR TEST, ASTM D-698, AT AN OPTIMUM MOISTURE CONTENT (+2%). COVER WITH 4" OF TOPSOIL AND APPLY SEED, MULCH, FERTILIZER, AND LIME PER DETAILS OR SPECIFICATIONS.



DETENTION POND WETLAND SEED MIX *

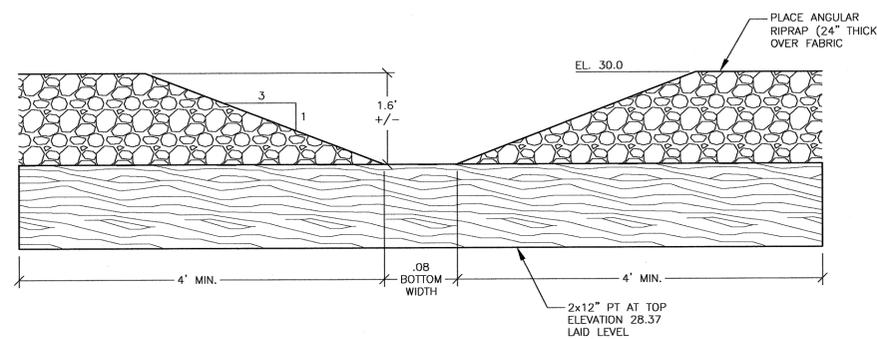
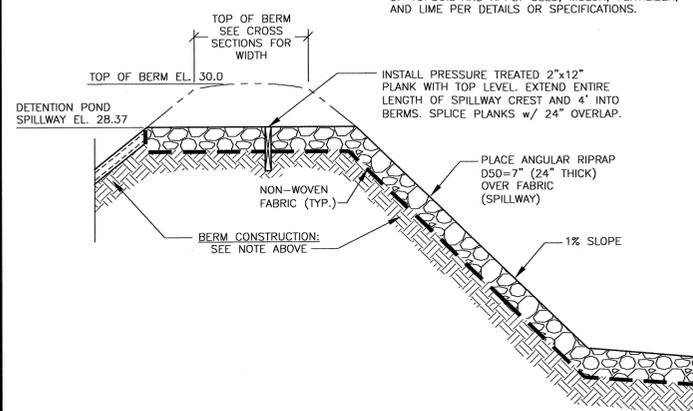
| SCIENTIFIC NAME | COMMON NAME |
|--|------------------------|
| Carex vulpinoidea | Fox Sedge |
| Carex comosa | Bearded Sedge |
| Carex lurida | Lurid Sedge |
| Juncus effusus | Soft Rush |
| Euthamia graminifolia | Grass-leaved Goldenrod |
| Eupatorium perfoliatum | Boneset |
| Carex lupulina | Hop Sedge |
| Verbena hastata | Blue Vervain |
| Carex gynandra | Nodding Sedge |
| Scirpus atrovirens | Green Bulrush |
| Onoclea sensibilis | Sensitive Fern |
| Iris versicolor | Blue Flag Iris |
| Scirpus cyperinus | Woolgrass |
| Eupatorium maculatum | Spotted Joe Pye Weed |
| Asclepias incarnata | Swamp Milkweed |
| Mimulus ringens | Monkey Flower |
| Shoenoplectus tabernaemontani (ex. S. validus) | Soft-Stem Bulrush |
| Schoenoplectus oculus (ex. Scirpus oculus) | Hard-Stem Bulrush |
| Bidens cernua | Nodding Bur Marigold |
| Aster umbellatus | Flat-top Aster |

* A minimum of 8 varieties shall be selected from the list

0
C3 DETENTION POND OUTLET STRUCTURE
NTS

BERM CONSTRUCTION NOTE:

CONSTRUCT BERM WITH EXCAVATED SANDY-LOAM SOIL. PLACE IN 8" LIFTS AND COMPACT w/ NON-VIBRATORY ROLLERS OR LARGE DOZERS TO 98% RELATIVE COMPACTION AS COMPARED TO A STANDARD PROCTOR TEST, ASTM D-698, AT AN OPTIMUM MOISTURE CONTENT (+2%). COVER WITH 4" OF TOPSOIL AND APPLY SEED, MULCH, FERTILIZER, AND LIME PER DETAILS OR SPECIFICATIONS.



P
C3 DETENTION POND SPILLWAY DETAIL
NTS

RIPRAP GRADATION TABLE

| RIPRAP - 3" | |
|---|-------------------------------|
| % OF WEIGHT SMALLER THAN THE GIVEN SIZE | SIZE OF STONE RANGE IN INCHES |
| 100 | 4.5 TO 6 |
| 85 | 3.9 TO 5.4 |
| 50 | 3 TO 4.5 |
| 15 | 0.9 TO 1.5 |

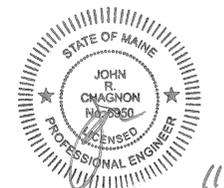
| RIPRAP - 4" | |
|---|-------------------------------|
| % OF WEIGHT SMALLER THAN THE GIVEN SIZE | SIZE OF STONE RANGE IN INCHES |
| 100 | 6 TO 8 |
| 85 | 5.2 TO 7.2 |
| 50 | 4 TO 6 |
| 15 | 1.2 TO 2 |

| RIPRAP - 6" | |
|---|-------------------------------|
| % OF WEIGHT SMALLER THAN THE GIVEN SIZE | SIZE OF STONE RANGE IN INCHES |
| 100 | 9 TO 12 |
| 85 | 7.8 TO 10.8 |
| 50 | 6 TO 9 |
| 15 | 1.8 TO 3 |

| RIPRAP - 9" | |
|---|-------------------------------|
| % OF WEIGHT SMALLER THAN THE GIVEN SIZE | SIZE OF STONE RANGE IN INCHES |
| 100 | 13.5 TO 18 |
| 85 | 11.7 TO 16.2 |
| 50 | 9 TO 13.5 |
| 15 | 2.7 TO 4.5 |

SITE DEVELOPMENT
7 MACLELLAN LANE
ELLIOT, ME

| NO. | DESCRIPTION | DATE |
|-----|---------------------|----------|
| 0 | ISSUED FOR APPROVAL | 11/23/20 |



OWNER & APPLICANT:
BLAKE DUBIN
336 MILLER AVENUE
PORTSMOUTH, N.H. 03801

PREPARED BY:
AMBIT ENGINEERING
200 GRIFFIN ROAD UNIT 3
PORTSMOUTH, N.H. 03801

SCALE AS SHOWN NOVEMBER 2020

DETAILS

D4

PB20-25: 114 Harold L. Dow Hwy. (Map 23/Lot 11): Site Plan Amendment to add a 36 ft. by 70 ft. pole barn to the existing structure



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
 From: Jeff Brubaker, AICP, Town Planner
 Cc: Sandra L. Guay, Esq., Woodman Edmands Danylik Austin Smith & Jacques, P.A.,
 Applicant's Representative
 Chris Tymula, GPI, Applicant's Representative
 Shelly Bishop, Code Enforcement Officer
 Kearsten Metz, Land Use Administrative Assistant
 Date: December 8, 2020 (report date)
 December 15, 2020 (meeting date)
 Re: PB20-25: 114 Harold L. Dow Hwy. (Map 23/Lot 11): Site Plan Amendment to add
 a 36 ft. by 70 ft. pole barn to the existing structure

| Application Details/Checklist Documentation | |
|---|--|
| ✓ Address: | 114 Harold L. Dow Highway |
| ✓ Map/Lot: | 23/11 |
| ✓ PB Case#: | PB20-25 |
| ✓ Zoning District: | Commercial/Industrial (C/I) |
| ✓ Shoreland Zoning District(s): | N/A |
| ✓ Owner Name: | ENI 114 HLD HWY, LLC |
| ✓ Applicant Name: | ENI 114 HLD HWY, LLC |
| ✓ Proposed Project: | Site Plan Amendment – Addition of pole barn |
| ✓ Application Received by Staff: | November 17, 2020 |
| ✓ Application Fee Paid and Date: | \$275 (\$100 – Site Plan Amendment; \$175 – Public Hearing) November 23, 2020 |
| ✓ Application Sent to Staff Reviewers: | November 25, 2020 |
| Application Heard by PB | December 15, 2020 (scheduled) |
| Found Complete by PB | TBD |
| Deliberation | TBD |
| Notice of Decision | TBD |
| ✓ Reason for PB Review: | Site Plan Amendment |

PB20-25: 114 Harold L. Dow Hwy. (Map 23/Lot 11): Site Plan Amendment to add a 36 ft. by 70 ft. pole barn to the existing structure

Overview

ENI 114 HLD HWY, LLC (agents: Woodman Edmands Danylik Austin Smith & Jacques and GPI) is applying for a site plan amendment to add a 36 ft. by 70 ft. pole barn to the existing structure at 114 Harold L. Dow Highway (Map 23, Lot 11). The site currently has a fuel oil sales business, Jenkins Fuels. The lot is just over 1 acre, a nonconforming lot of record.

As stated in the applicant's project description:

The pole barn is an open-sided structure, providing a cover for the parked fuel delivery vehicles...The purpose of the pole barn is to provide a safe area for required daily inspections of the vehicles, which includes the need to climb on top of the vehicles, in all weather conditions.

The project narrative includes a statement from the applicant about the benefits of the pole barn.

The application includes a Request for Planning Board Action; agent authorization letter; right title and interest (quitclaim deed); tax and zoning maps; project description; original site plan approval; amended site plan; and an illustration and schematic.

Zoning

The site is in the Commercial/Industrial (C/I) district, and it abuts the Suburban zoning district to the north.

Type of review needed

Sec. 33-140 allows for amended site plan review by the Planning Board. Subsection (b) states, in part:

...if the planning board determines that the proposed revisions are minor and do not result in any substantial changes to the approved development or further impact abutters, the planning board may approve the amended site plan. If the planning board determines that the changes are substantial, then the planning board shall process the application for the amended site plan in the same fashion as an application for review of a site plan under division 4 of this article III.

The applicant is seeking approval as a minor site plan revision.

Variance

The applicant previously sought to locate the pole barn toward the rear of the site. An appeal for a variance from the rear setback (100 ft.) to allow this location was denied by the Board of Appeals in September 2020.

PB20-25: 114 Harold L. Dow Hwy. (Map 23/Lot 11): Site Plan Amendment to add a 36 ft. by 70 ft. pole barn to the existing structure

Previous Planning Board approvals

In June 1993, the Planning Board approved a conditional use permit (CUP) for an automotive repair facility, and about a year later the Board approved another CUP for a building expansion. The NODs for these decisions are included in Tab 6 of the application packet.

The 1993-94 CUP applications included hand-drawn site plans, which are now proposed to be amended and updated with the CAD-drawn plans included in the agenda packet.

Uses

While the 1993 approval was for an automotive repair facility, the longtime established use of the property has been fuel oil sales. Ann and Thomas Jenkins owned the property from late 1999 to early 2019. A change of use approval to fuel oil sales has not been found in the Town's files. With this review, there is an opportunity to make the property file up-to-date by considering approval of the established uses as a formality, in addition to consideration of site plan approval. The applicant proposed "Commercial Establishment", and the planner review letter recommended, and the applicant agreed, that approval also be sought for other established uses on the site: "Bulk oil fuel tanks" and "Truck terminals and storage". All three are SPR uses in the C/I district in the 45-290 land use table.

Section 1-2 definitions:

- *Commercial establishment* means any structure or land or combination used for the sale, purchase, or lease of any goods such as gas stations, restaurants, or grocery stores and services, but not home occupations.
- *Bulk oil fuel tank* means single or multiple compartment tanks with or without supports. The intended use of tanks is to receive and store oil products for the purpose of redistribution.
- *Equipment storage, trucks, three or more*, means semi-permanent or long-term containment, holding, leaving, or placement of goods, materials, or three or more trucks; usually with the intention of retrieving them at a later time. It does not include the interim accumulation of a limited material amount during processing, maintenance, or repair. [no definition of "terminal" in the Town Code]

Further description of the use is included in Note 5 on the site plan: Garage and Bulk Fuel Oil Facility.

Setbacks

This lot faces some existing constraints as a nonconforming lot of record of only about an acre in area, and with a 100 ft. rear yard/setback requirement. The site plan shows the

PB20-25: 114 Harold L. Dow Hwy. (Map 23/Lot 11): Site Plan Amendment to add a 36 ft. by 70 ft. pole barn to the existing structure

building envelope created by the setbacks and how the proposed pole barn structure stays within that.

Truck turn plan

Note the truck turn plan at the end of the site plan set showing how the fuel trucks would maneuver through the site, into and out of the pole barn, and to and from Route 236.

Screening and vegetative cover

Section 33-175(b) has a screening and vegetative cover standard for properties on Route 236. The site plan includes the planting of an additional vegetative buffer in the western corner of the site, between the pole barn and roadway. Shrub and evergreen tree details are on Sheet 5 of 5 of the site plan set.

Drainage

The applicant states: “There will be no drainage system and no activities such as washing of the vehicles.”

Stormwater

The site is in the MS4 urbanized area. Low Impact Development (LID) measures are encouraged; however, the site will not require a stormwater permit from DEP because the disturbance is less than 1 acre (it is about 5,000 sq. ft.).

Erosion control measures and maintenance are specified on Sheet 5 of 5 of the site plan set.

Floodplain Management Ordinance (Ch. 25)

The property is located in a special flood hazard area. See Note 12 on the site plan. A flood hazard development permit will need to be obtained from the code enforcement officer prior to construction (25-16). The applicant has acknowledged this need and committed to submitting a permit application prior to construction. A recommended condition of approval is below.

Fire Department review

Fire Department review was sought by the Planning office and by the applicant. Any communications received prior to the meeting will be conveyed to the Planning Board. One of the details to be confirmed is whether the roof is proposed to have, or should have, a fire suppression system, as looks to be the case in one of the illustrations in Tab 8.

PB20-25: 114 Harold L. Dow Hwy. (Map 23/Lot 11): Site Plan Amendment to add a 36 ft. by 70 ft. pole barn to the existing structure

Conservation Commission review

At their December meeting, the Conservation Commission reviewed the application and provided the following comment:

The Commission is concerned about the proximity of the proposed pole barn to wetlands (within 25-feet) depicted on the plans. We would like to see the wetland delineation survey report referenced on the drawings and request that consideration of a 75' setback from wetland boundaries should be considered.

Lighting and heaters

The applicant states: "The pole barn will have no external lighting and only downward lighting below the roof." See note 15 of the site plan regarding canopy soffit lighting and electric block heaters.

Motion templates

The following motion text options are meant to guide the Planning Board depending on its decision.

Approval as a minor site plan amendment, with conditions

Motion to approve PB20-25 as a Minor Site Plan Amendment to add a 36 ft. by 70 ft. pole barn to the existing structure, and to approve already-established uses to update the file with these approved uses: Commercial Establishment, Bulk Oil Fuel Tanks, and Truck Terminals and Storage. The Planning Board finds that the proposed revisions are minor and do not result in any substantial changes to the approved development or further impact abutters. The following are conditions of approval:

1. [Standard conditions]
2. The additional structures on the site plan are to be constructed in accordance with Article VI of Ch. 25 of the Town Code – Floodplain Management Ordinance. A flood hazard development permit shall be obtained from the code enforcement officer prior to beginning construction. The Town of Eliot may enforce any violation of the construction requirement. These requirements and enforcement information shall be included in any deed, lease, purchase and sale agreement, or document transferring or expressing an intent to transfer any interest in real estate or structure. The construction requirement shall also be clearly stated on the approved site plan.

Major Site Plan Amendment needing to go through the Site Plan Review process

Motion to find that the revisions proposed in PB20-25 are substantial. The applicant must seek approval through a site plan review process, beginning with submittal of a Site Plan Review application.

PB20-25: 114 Harold L. Dow Hwy. (Map 23/Lot 11): Site Plan Amendment to add a 36 ft. by 70 ft. pole barn to the existing structure

Disapproval

Motion to disapprove PB20-25 for the following reasons:

1. _____
2. _____
3. _____

Respectfully submitted,

Jeff Brubaker, AICP
Town Planner

TOWN OF ELIOT PLANNING BOARD

REQUEST FOR PLANNING BOARD ACTION Minor Revision to Previously Approved Site Plan

APPLICANT: ENI 114 HLD HWY, LLC

AGENT: Sandra L. Guay, Esquire
Woodman Edmands Danylik Austin Smith & Jacques, P.A.
234 Main Street, P.O. Box 468
Biddeford, Maine 04005

ENGINEERS: Greenman-Pedersen, Inc.
44 Stiles Road, Suite One
Salem, NH 03079

DATE: November 16, 2020

**Request for Planning Board Action
ENI 114 HLD HWY, LLC
114 Harold L. Dow Highway**

TABLE OF CONTENTS

1. Request for Planning Board Action (minor revision to previously approved site plan)
2. Authorization
3. Right Title and Interest
4. Tax Map
5. Project Description
6. Original Site Plan Approval
7. Amended Site Plan
8. Illustration & Schematic of Pole Barn



TOWN OF ELIOT

1333 STATE RD., ELIOT, ME 03903

REQUEST FOR PLANNING BOARD ACTION

(FOR MISCELLANEOUS USES OR CHANGES)

□ Applicant ENI 114 HLD HWY, LLC
 Mailing Address 2 International Way City Lawrence State MA Zip 01843
 Telephone # (207) 284-4581 Email address slg@woodedlaw.com

(TO RECEIVE MEETING NOTICES)

□ Property Owner ENI 114 HLD HWY, LLC
 Mailing Address 2 International Way City Lawrence State MA Zip 01843

□ Property address 114 Harold L. Dow Highway Tax Map # 23 Lot # 11
 Size (acres) 1.10 Zoning District C/I Shoreland Overlay District? no

□ Conforming Lot? YES/ NO Conforming Use? YES/ NO Conforming Structure? YES/ NO

- Legal interest in property identified by applicant by:
- Owner (copy of deed &/or tax records)
 - Pending Owner (copy of purchase & sale agreement)
 - Lease (copy of lease agreement with owners & applicants signature)
 - Corporate Officer (letter from corporation)
 - Other (identify: _____)

□ Nature of action requested:
 (Example: *Request to amend a a previously approved site plan by adding a 10' x 20' addition*)
Request to amend a previously approved site plan by adding a 36' x 70' pole barn to the existing structure.

□ Attach ten (10) copies of sketch plan of property showing in approximate dimensions, all zoning districts, existing/proposed structures, parking areas, streets, entrances, existing and proposed setbacks, proposed lot divisions, proposed open space to be preserved, common areas, site & public improvements and facilities, any areas of excavation and grading, and any other criteria needed to evaluate request. Sketch plan is not required if so advised by the Planning Assistant.

□ Applicants signature [Signature] Date 11/16/20
 □ Property owners signature [Signature] Date 11/16/20

| TO BE COMPLETED BY PLANNING ASSISTANT | |
|---------------------------------------|---|
| Date application received by PA _____ | PA signature _____ |
| Sketch plan required? YES NO | |
| FEE AMOUNT \$ _____ | DATE PAID: _____ FORM OF PAYMENT: _____ |

AUTHORIZATION

I, Kenneth H. Black, on behalf of myself and my company ENI 114 HLD HWY, LLC (“ENI”), hereby authorize our attorneys, Woodman Edmands Danylik Austin Smith & Jacques, P.A. and our engineers, Greenman-Pedersen, Inc., to sign any and all Town of Eliot permit and appeal applications on our behalf with regard to the proposed ENI development located at 114 Harold L. Dow Highway, Eliot, Maine. I further authorize any of the attorneys or engineers in the above referenced firms to appear on our behalf and to represent the company before any department, board, committee or agency of said Town, including, but not limited to, the Eliot Board of Appeals.

DATED: August 18, 2020

ENI 114 HLD HWY, LLC

DocuSigned by:

Kenneth H. Black

AB02E57FBBC54CC

By: Kenneth H. Black

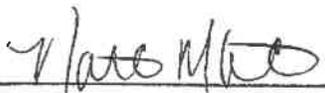
Its: Manager

QUITCLAIM DEED
Maine Statutory Short Form

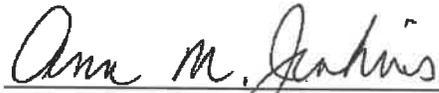
KNOW ALL PERSONS BY THESE PRESENTS, That we, **Ann M. Jenkins and Thomas B. Jenkins**, married to each other of Eliot, County of York and State of Maine, for consideration paid, grant to **ENI 114 HLD HWY LLC**, a Maine limited liability company, with a mailing address of 2 International Way, Lawrence, MA 01843, with **QUITCLAIM COVENANT**, the real property situated in the Town of Eliot, County of York and State of Maine more particularly described in Exhibit A attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 31st day of January, 2019.

Maine R.E. Transfer Tax Paid

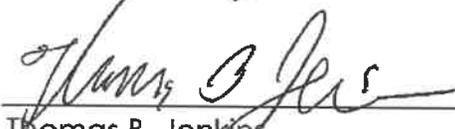


Witness Nathan M. Cote



Ann M. Jenkins

Witness



Thomas B. Jenkins

State of Maine
County of Cumberland

January 31, 2019

Personally appeared before me the above named Ann M. Jenkins and Thomas B. Jenkins and acknowledged the foregoing instrument to be their free act and deed.



Robert E. Danielson
Attorney at Law

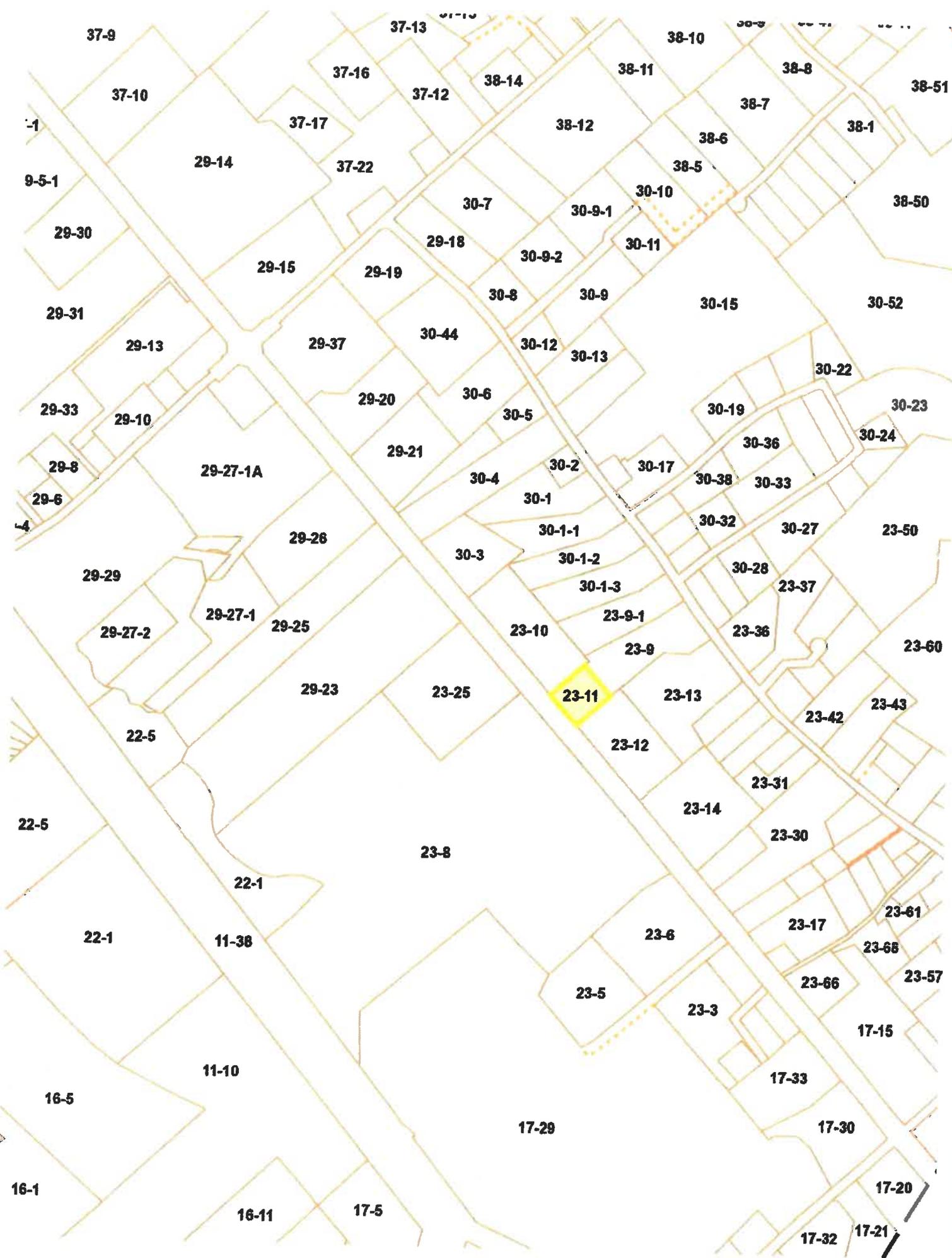
DLN: 1001940049591

Exhibit A

A certain lot or parcel of land located in Eliot, York County, Maine, with the buildings thereon, situated just north of the Kittery town line in said Eliot, bounded and described as follows:

On the easterly side of Route 236, beginning at a hub set in the ground at said Route 236, said hub being in the dividing line between this lot and land now or formerly of Donald E. Day and thence running easterly by line of land of said Day two hundred twenty-five (225) feet to a pipe hub set in the ground; thence turning and running southerly by other land now or formerly of Robert M. Seeley and Karen R. Seeley, two hundred (200) feet to a hub set in the ground; thence turning and running westerly by said other land of Francis A. Young et al two hundred twenty-five (225) feet to a pipe hub set in the ground at said Route 236; thence turning and running northerly by the easterly sideline of said Route 236 two hundred (200) feet to a pipe hub set in the ground and the point of beginning.

Meaning and intending to convey and hereby conveying the same premises as set forth in deed from Edmond C. Loyot, Jr., as Personal Representative of the Estate of Edmond C. Loyot to Ann M. Jenkins and Thomas B. Jenkins dated October 15, 1999 and recorded in the York County Registry of Deeds in Book 9756, Page 187.



Applicant: ENI 114 HLD HWY, LLC (“ENI”)
Planning Board/Minor Revision Application
114 Harold L. Dow Highway
Eliot, Maine

Description of Proposed Project

This Minor Revision to an Approved Site Plan Application is concerned with a proposed 36 x 70-foot “pole barn” to be located within the building envelope/setbacks at the ENI property located at 114 Harold L. Dow Highway (Tax Map 23, Lot 11) (the “Property”) (Amended Site Plan; Application at Tab 7). The Property is the location of Jenkin’s Fuels and the pole barn is for that use. ENI purchased the Property in 2019. (Deed; Tab 3).

The property received Planning Board approval on June 11, 1993 as an Automotive Repair Facility and on August 17, 1994 the Planning Board approved an addition to the then existing building on the Property (Tab 6). At some point the use changed to the Jenkins Fuel use however the Town’s files do not have that information. The Town’s Ordinance does not specifically address trucking or delivery commercial establishments, however it does have a catch-all category of “Commercial Establishment” defined as “any structure or land or combination used for the sale, purchase, or lease of any goods such as gas stations, restaurants, or grocery stores and services, but not home occupations.” Commercial Establishments are permitted in the C/I with Planning Board approval. The ENI Application, which provides a modern site plan for an established existing use, is an opportunity for the Town to update its file for this property.

The pole barn is an open-sided structure, providing a cover for the parked fuel delivery vehicles (Tab 8). The purpose of the pole barn is to provide a safe area for required daily inspections of the vehicles, which includes the need to climb on top of the vehicles, in all weather conditions (see statement of ENI Safety Direction, Bob Sexton; attached to this Project Description).

The 1.033 acre Property is located in the Commercial Industrial District (C/I) and is not located in the town’s shoreland zone. (Tab 4).

Statement from Bob Sexton, Safety Director, Energy North Incorporated

Dated: August 14, 2020

Energy North Group (ENG) takes pride in maintaining a "Safety First" culture. At ENG we are constantly working to improve the safety of its employees. Currently ENG staffs and maintains a fleet of delivery trucks in Eliot, Maine. The Department of Transportation requires that the delivery trucks be thoroughly inspected every business day. This includes walking around the vehicles, lifting and opening hatches, as well as climbing on top of the trucks to inspect the tanks.

CDC statistics indicate that the medical costs for winter slips-and-fall injuries top out at \$50 billion every year, with hospital costs amounting to two thirds of the total.

A Snow and Ice Management Association study indicates that the average claim for a snow-or ice-related slip-and-fall injury is \$36,000. A worker's compensation claim for the same injury averages \$48,000.

Weather Characteristics for Eliot, Maine are:

Temperature

The warm season lasts for 3.4 months, from June 2 to September 15, with an average daily high temperature above 71°F. The hottest day of the year is July 20, with an average high of 81°F and low of 64°F.

The cold season lasts for 3.3 months, from December 2 to March 13, with an average daily high temperature below 43°F. The coldest day of the year is January 29, with an average low of 19°F and high of 33°F.

Precipitation

A wet day is one with at least 0.04 inches of liquid or liquid-equivalent precipitation. The chance of wet days in Eliot varies throughout the year.

The wetter season lasts 9.4 months, from March 18 to December 29, with a greater than 28% chance of a given day being a wet day. The chance of a wet day peaks at 33% on June 14.

The drier season lasts 2.6 months, from December 29 to March 18. The smallest chance of a wet day is 23% on January 29.

Among wet days, we distinguish between those that experience rain alone, snow alone, or a mixture of the two. Based on this categorization, the most common form of precipitation in Eliot changes throughout the year.

Rain alone is the most common for 11 months, from January 30 to December 31. The highest chance of a day with rain alone is 33% on June 14.

Snow alone is the most common for 4.1 weeks, from January 1 to January 30. The highest chance of a day with snow alone is 11% on January 9.

In 2016, The Bureau of Labor Statistic (BLS) published a study on Occupational injuries and illnesses resulting from same-level falls involving ice, sleet, or snow, all ownerships, 2014. **The national average incident rate per 10,000 people is 3.2. Maine is almost 2.5 time greater than the national average at 11.2.**

Based on the above information, ENG recognizes that having an overhead enclosure provides helps in 2 different areas. ENG believes the enclosure will help provide a workplace free of hazards and minimize risk and financial liabilities allowing ENG to competitive in the home delivery industry.

TOWN OF ELIOT

INCORPORATED 1810
141 STATE ROAD
ELIOT, MAINE 03903
439-1813

Planning Board

August 17, 1994

Allan Dame
24 Dow Highway, Route 236
Eliot, Maine 03903

Dear Mr. Dame:

This is to inform you that the Planning Board has acted on your application for a Conditional Use as follows:

Findings of Fact:

1. The owners of the property are Ann D. Nadel & Edmond Loyot.
2. The property is located at 24 Dow Highway, Route 236, in the Commercial/Industrial Zoning District, identified as Assessor's Map 23, Lot 11, and containing 1 acre.
3. The applicant is Allan Dame who demonstrated a legal interest in the property by providing a copy of a Deed and/or Tax Records.
4. The applicant proposes to build a 26'X32' addition to existing building on the subject property.
5. The application was accepted as complete on June 21, 1994.
6. A Site Review was waived due to Board's familiarity with property.
7. A Public Hearing was held on July 19, 1994.
8. The one abutter or member of the public who spoke during the Public Hearing had no objections to application.
9. Addition will be used for office area and prep area for cars that are done.

Conclusions:

1. 26'X32' addition will not change the character of the neighborhood.
2. The standards of Section 207 and 305 of the Eliot Zoning Ordinance have been or will be met.

Decision:

Based on the above facts and conclusions, on July 19, 1994, the Planning Board voted to approve your application for a Conditional Use Permit.

If Approved:

Conditions of Approval:

In order 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:

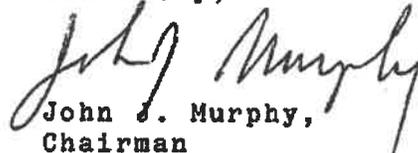
1. None

The Code Enforcement Officer is now authorized to grant you the necessary building permits or certificates of occupancy, as appropriate. It is your responsibility to apply for these permits. Be aware, however, that this decision can be appealed to the Board of Appeals within 30 days by others opposed to the decision.

If Denied:

In accordance with Section 507.5.1 of the Eliot Zoning Ordinance, you have the right to appeal this decision to the Eliot Board of Appeals within thirty days of this notice.

Sincerely,


John J. Murphy,
Chairman
Eliot Planning Board

JJM/bat

CC: Code Enforcement Officer
Municipal Officers

PB-02(12/05/90)

TOWN OF ELIOT

INCORPORATED 1810

141 STATE ROAD
ELIOT, MAINE 03903
439-1813

Planning Board

CONDITIONAL USE NOTICE OF DECISION

June 11, 1993

Allan Dame
24 Brixham Road
Eliot, Maine 03903

Dear Mr. Dame:

This is to inform you that the Planning Board has acted on your application for a Conditional Use as follows:

Findings of Fact:

1. The owner of the property is Francis Young.
2. The property is located at Route 236, in the Commercial/Industrial District, identified as Assessor's Map 23, Lot 11, and containing 1 acre.
3. The applicant is Allan Dame, who demonstrated a legal interest in the property by providing a copy of an agreement to purchase.
4. The applicant proposes to establish an Automotive Repair Facility on the subject property.
5. The application was accepted as complete on April 18, 1993.
6. A Site Review was waived due to Board's familiarity with property.
7. A Public Hearing was held on June 1, 1993.
8. Two abutters who spoke during Public Hearing supported application.
9. CEO waived front setback and parking by 25% as authorized in Section 404.3.2 of Eliot Zoning Ordinance for non-conforming lots.
10. Structure will be built on a floating slab.

Conclusions:

1. Automotive Repair Facility will not change the character of the neighborhood.
2. The standards of Sections 207, and 304 of the Eliot Zoning Ordinance have been or will be met.

Decision:

Based on the above facts and conclusions, on June 1, 1993, the Planning Board voted to approve your application for a Conditional Use Permit.

If Approved:

Conditions of Approval:

In order 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:

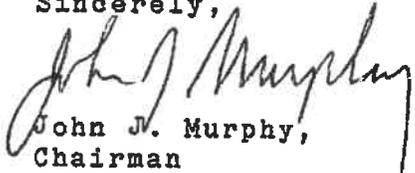
1. The setback for parking be reduced by 25% in accordance with Section 404.3.2.
2. All fees relating to application be paid.

(The Code Enforcement Officer is now authorized to grant you the necessary building permits or certificates of occupancy, as appropriate. It is your responsibility to apply for these permits). Be aware, however, that this decision can be appealed to the Board of Appeals within 30 days by others opposed to the decision.

If Denied:

(In accordance with Section 507.5.1 of the Eliot Zoning Ordinance, you have the right to appeal this decision to the Eliot Board of Appeals within thirty days of this notice).

Sincerely,


John J. Murphy,
Chairman
Eliot Planning Board

JJM/bat

CC: Code Enforcement Officer
Municipal Officers

PB-02(12/05/90)

Application Date: 6/7/94

Tax Map 023 Lot 011

APPLICATION FOR CONDITIONAL USE PERMIT

Applicant ALLAN DAME

Mailing Address 24 Dow Hwy Rt. 236

City/Town Eliot State ME Zip Code 03903

District Commercial/Industrial Telephone 439-8546

Property Owner ANN D. Nadel/Edmond Loyot

Property (Location) Address 24 Dow Hwy, Rt 236 Eliot, ME

The undersigned hereby requests the Eliot Planning Board to consider a Conditional Use as provided by Article 207-302.2-302.3-508.

NATURE OF CONDITIONAL USE REQUESTED:

addition to existing building

Check list of applicable factors:

Applicant: Measure and/or Estimate Impact on the Following:

No change
Filtering Air Air Quality

Board:

No change The prevention and control of surface water flow

No change The control of pollution and sedimentation

above Flood elevation The location of the site with respect to flood plains and floodways of river and streams

C/I zone The need of a particular location for the proposed use _____

no change Traffic flow, pedestrian and vehicular safety _____

meets zoning off street parking and loading _____

no change On adjoining properties i.e. noise, odor, glare, and economic _____

Boulevard Waste Removal Refuse and service area _____

only power available Availability, location, and compatibility of utilities _____

meets zoning Conformance to sign ordinance _____

yes Conformance to yard and open space requirements _____

In addition a sketch plan of the property is required, drawn to a scale of not smaller than 1 inch equals 20 feet, showing the following information: 1-4 MANDATORY; 5-11 may be required by the Planning Board at a future date.

1. An appropriate place for the signatures of the Board;
2. A date, scale, and arrow showing both true and magnetic north;
3. The zoning district where the premise in question is located;
4. All existing and proposed setback dimensions;
5. All landscaped areas, fencing, and size and type of plant material upon the premise in question;

6. All proposed signs and their size, location, and direction of illumination;
7. All existing and/or proposed buildings if any, with dimensions showing finished grade elevations at all corners and entrances, plus all existing or proposed parking areas, walkways, piers, and open spaces.
8. All existing contours and proposed finished grade elevations of the entire site, and the system of drainage proposed to be constructed.
9. A high-intensity soils report by a state-certified Soils Scientist identifying the soils boundaries and names in the proposed development, with the soils information super-imposed upon the plot plan in accord with the USDA Soil Conservation Service National Cooperative Soil Classification;
10. Plans of buildings, sewage disposal facilities, and water supply systems; and
11. Other pertinent information necessary to determine if the proposed use meets the provisions of this Ordinance. In evaluating each application, the Board may request the assistance of the Regional Planning Commission, County Soil and Water Conservation District and any other State or Federal agency which can provide technical assistance.

A Conditional Use Permit secured under the provisions of this Ordinance by vote of the Board shall expire if the work or change involved is not commenced within one year of the date on which the Conditional Use is authorized, or if the work or change is not substantially completed within two years of authorization.

I certify that the information contained in this application and its supplements is true and correct.

Date: 6/7/94

Allen Davis
Appellant

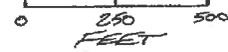
DENKINS
114 DOW HIGHWAY
ELIOT, ME

SUBJECT



LEGEND
PARCEL NUMBER 2
METRE LINE

DATE OF AERIAL PHOTOGRAPHY 4-22-50
DATE OF INSPECTION
DATE OF REVISION 12-21-51
REV. 31
REV. 32



For Assessment Purposes
Not to be used for Easements

Map No. 100
JAMES W. SEWALL COMPANY, INC.
207-563-2272

TOWN MAP
TOWN OF ELIOT
YORK COUNTY, MAINE
PREPARED BY
JAMES W. SEWALL COMPANY, OLD TOWN, MAINE
SCALE 1" = 100' FEET

| | | |
|----|----|----|
| 22 | 23 | 24 |
| | 17 | |

216
71Y
200
200
212

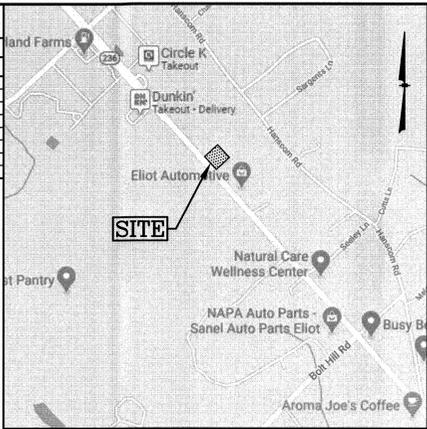
| PLANTING SCHEDULE | | | | | |
|-------------------|------|--|----------------------------|------------------|---|
| PLANT | QNTY | BOTANICAL NAME | COMMON NAME | MIN. INSTAL SIZE | MATURE SIZE/REMARKS |
| CS | 7 | CORNUS SERICEA 'ALLEMAN'S COMPACTA' | ALLEMAN'S COMPACT DOGWOOD | 2'-2 1/2' HT. | 5' HT. MAX./RED TWIG/COMPACT FORM |
| IV | 3 | ILEX VERTICILLATA 'SPARKLEBERRY' | SPARKLEBERRY WINTERBERRY | 4'-6' HT. | 8'-10' HT. MAX./FEMALE/BERRIES |
| VM | 1 | ILEX VERTICILLATA 'SOUTHERN GENTLEMAN' | SOUTHERN GENT. WINTERBERRY | 2'-2 1/2' HT. | 6'-8' HT. MAX./MALE POLLINATOR |
| TO | 5 | TRIALIA OCCIDENTALIS 'NIGRA' | DARK AMERICAN ARBORVITAE | 7'-8' HT. | 30' HT. MAX./LARGE UPRIGHT/SCREEN/HEDGE |

- 1 PLANT QUANTITY
- XX PLANT DESIGNATION

LANDSCAPE NOTES:

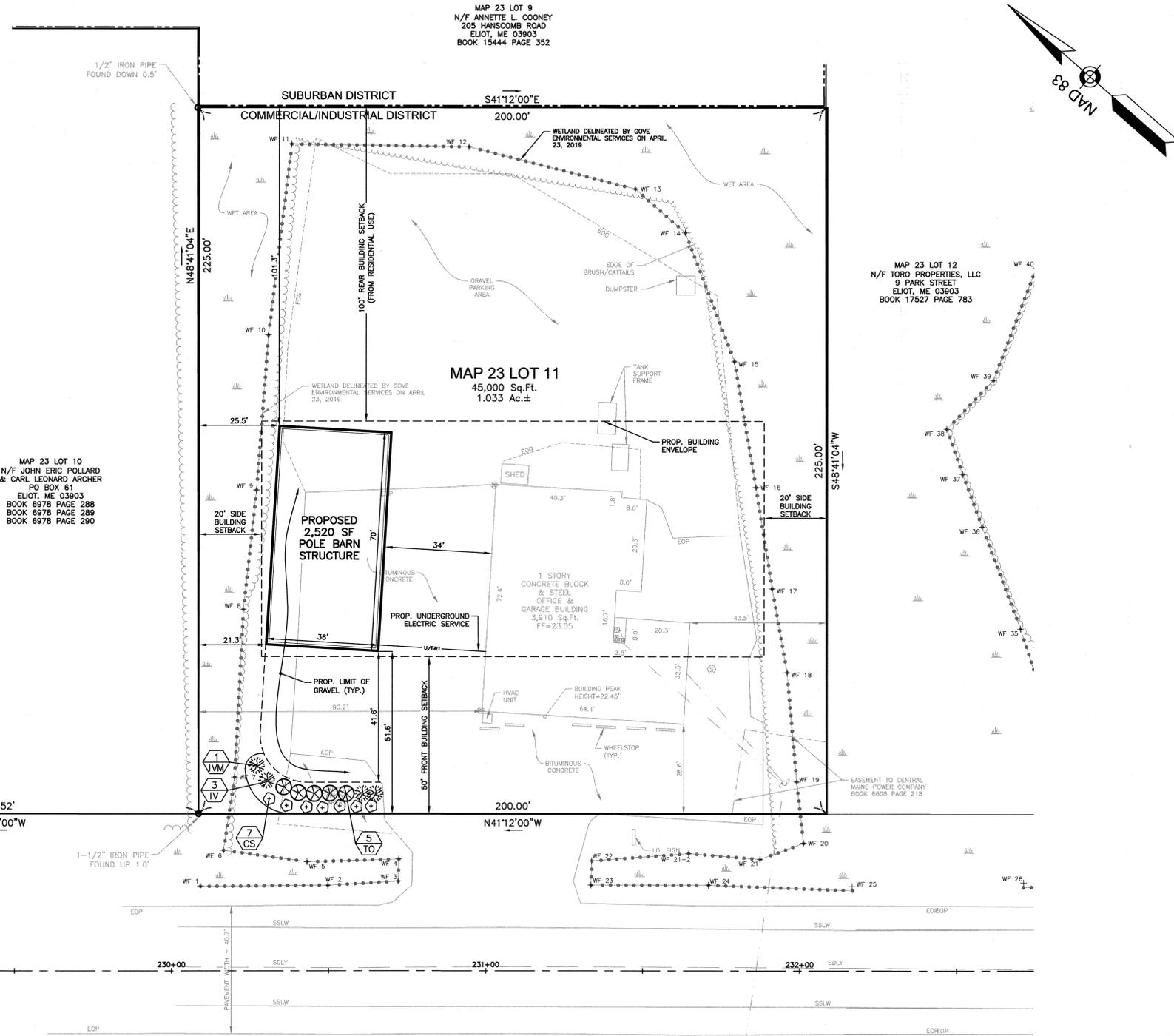
- ALL PLANT STOCK SHALL CONFORM TO ANSI Z260.1 - NURSERY STOCK, LATEST EDITION (AMERICAN ASSOCIATION OF NURSERYMEN, INC.).
- 4" AGED PINEBARK MULCH AND A WEED BARRIER (TY-PAR FABRIC OR APPROVED EQUAL) SHALL BE APPLIED TO ALL SHRUB AND GROUNDCOVER BEDS. INSTALL WEED BARRIER AS PER MANUFACTURERS RECOMMENDATIONS.
- PLANT PIT BACKFILL SHALL BE MIXED AT A RATE OF 7 PARTS OF TOPSOIL TO 2 PART OF DEHYDRATED COW MANURE. SLOW RELEASE FERTILIZER SHALL BE APPLIED AS PER MANUFACTURERS RECOMMENDATIONS. USE EXISTING ON-SITE TOPSOIL AS PART OF BACKFILL WHEN AVAILABLE.
- ALL SHRUB AREAS SHALL RECEIVE 6" PH CORRECTED TOPSOIL. AFTER TOPSOIL IS SPREAD EVENLY OVER ENTIRE AREA, ALL CLODS, LUMPS, STONES AND OTHER DELETERIOUS MATERIAL SHALL BE RAKED UP AND REMOVED.
- APPLICATION OF FERTILIZERS AND MULCH SHALL BE ACCOMPLISHED BY BROADCAST SEEDING OR HYDROSEEDING AT THE RATES OUTLINED BELOW.
 LIMESTONE: 100 LBS./1,000 SQUARE FEET
 FERTILIZER: 500 LBS./ACRE OF 10-20-20 OR 1000 LBS./ACRE OF 5-10-10.
 MULCH: HAY MULCH APPROXIMATELY 3 TONS/ACRE
- FOR TEMPORARY EROSION CONTROL NOTES, SEE DETAIL SHEET.
- ANY CHANGES IN PLANT LOCATIONS OR TYPES SHALL BE APPROVED BY THE DEVELOPER, LANDOWNER AND TOWN PRIOR TO INSTALLATION.
- CLEAR AND GRUB (TO LIMITS REQUIRED ON GRADING PLAN) TO REMOVE VEGETATION, TREES, ROCKS, DEBRIS, ROOTS, ETC. STUMPS SHALL BE REMOVED AND DISPOSED OF OFF SITE IN ACCORDANCE WITH STATE REGULATIONS. AFTER CLEARING, ROTOTILL, STRIP AND STOCKPILE ALL ON-SITE TOPSOIL FOR REUSE TO THE MAXIMUM EXTENT POSSIBLE.
- PLANTINGS SHALL BE GUARANTEED BY THE CONTRACTOR FOR ONE YEAR AFTER WRITTEN ACCEPTANCE OF THE DEVELOPER.

| TABLE OF ZONING REGULATIONS - ELIOT, ME | | |
|--|-----------------------------------|---------------------------|
| ZONE: COMMERCIAL INDUSTRIAL DISTRICT (C/I) | | |
| DESCRIPTION | REQUIRED | PROVIDED |
| MINIMUM LOT AREA Sq. Ft. | 130,680 SF | 45,000 SF |
| MINIMUM LOT FRONTAGE | 300' | 200.00' |
| MINIMUM FRONT YARD BUILDING SETBACK | 50' | 28.6' (EXISTING BUILDING) |
| MINIMUM SIDE YARD BUILDING SETBACK | 20'/100' ABUTTING RESIDENTIAL USE | 21.3' (POLE BARN) |
| MINIMUM REAR YARD BUILDING SETBACK | 20'/100' ABUTTING RESIDENTIAL USE | 101.3' (POLE BARN) |
| MAXIMUM BUILDING HEIGHT | 35' | 29' |
| TOTAL LOT COVERAGE (STRUCTURES) | 50% MAX. | 6.430/45,000 (14.2%) |
| PARKING SPACE DIMENSIONS | 180 SF | EXISTING TO REMAIN |



GPI Engineering Design Planning Construction Management
 603.893.0720 GPINET.COM
 Greenman-Pedersen, Inc.
 44 Stiles Road, Suite One
 Salem, NH 03079

PREPARED FOR
ENERGY NORTH INC.
 2 INDUSTRIAL WAY
 LAWRENCE, MA 01843



- NOTES:**
- EXISTING BOUNDARY AND PLANIMETRIC INFORMATION AS SHOWN IS THE RESULT OF AN ON-THE-GROUND FIELD SURVEY PERFORMED BY THIS OFFICE ON NOVEMBER 15, 2018.
 - TAX MAP 23 LOT 11
 - ZONING DISTRICT: COMMERCIAL INDUSTRIAL DISTRICT (C/I)
 - LOT AREA = 45,000 Sq.Ft. (1.033 Ac.±)
 - EXISTING USE: GARAGE AND BULK FUEL OIL FACILITY. PROPOSED USE: GARAGE AND BULK FUEL OIL FACILITY
 - THE PURPOSE OF THIS PLAN IS TO SHOW THE LOCATION OF A POLE BARN STRUCTURE FOR ON-SITE STORAGE/SHELTER OF FLEET VEHICLES.
 - ALL BUILDINGS AND SITE CONSTRUCTION SHALL COMPLY WITH THE RULES AND REGULATIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA) AS REVISED IN 2010.
 - THE LOCATIONS OF EXISTING SUBSURFACE UTILITIES SHOWN ON THIS PLAN WERE COMPILED FROM AVAILABLE RECORD DRAWINGS AND ARE NOT WARRANTED TO BE CORRECT. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING SUBSURFACE UTILITIES PRIOR TO PERFORMING ANY WORK.
 - WRITTEN DIMENSIONS ON THIS PLAN TAKE PRECEDENCE OVER SCALED DIMENSIONS. THE CONTRACTOR SHALL USE CAUTION WHEN SCALING REPRODUCED PLANS. IN THE EVENT OF A CONFLICT BETWEEN THIS PLAN SET AND ANY OTHER DRAWINGS AND/OR SPECIFICATIONS, THE ENGINEER SHALL BE NOTIFIED BY THE CONTRACTOR.
 - THE CONTRACTOR SHALL CALL AND COORDINATE WITH DIGSAFE 1-888-344-7233 PRIOR TO ANY EXCAVATION.
 - ALL CONSTRUCTION SHALL CONFORM TO THE APPLICABLE REGULATIONS AND STANDARDS OF THE TOWN OF ELIOT AND THE STATE OF MAINE.
 - THE SURVEY TRACT IS LOCATED ENTIRELY WITHIN A SPECIAL FLOOD HAZARD AREA (100 YEAR FLOOD, ZONE A, NO BASE ELEVATION DETERMINED) PER FLOOD INSURANCE RATE MAP NUMBER 2301490010B, WITH AN EFFECTIVE DATE OF JUNE 5, 1988.
 - ALL CONSTRUCTION SHALL CONFORM TO THESE PLANS AND THE STANDARD CONSTRUCTION DRAWINGS AS SUPPLIED BY THE DEVELOPER.
 - THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION AND FOR CONDITIONS AT THE SITE. THESE PLANS, PREPARED BY GREENMAN-PEDERSEN, INC. (GPI), DO NOT EXTEND TO OR INCLUDE SYSTEMS PERTAINING TO THE SAFETY OF THE CONSTRUCTION CONTRACTOR OR THEIR EMPLOYEES, AGENTS OR REPRESENTATIVES IN THE PERFORMANCE OF THE WORK. THE SEAL OF THE SURVEYOR AND/OR ENGINEER AS INCLUDED IN THE PLAN SET DOES NOT EXTEND TO ANY SUCH SAFETY SYSTEMS THAT MAY NOW OR HEREAFTER BE INCORPORATED INTO THESE PLANS. THE CONSTRUCTION CONTRACTOR SHALL PREPARE AND/OR OBTAIN THE APPROPRIATE SAFETY SYSTEMS WHICH MAY BE REQUIRED BY THE U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) AND/OR LOCAL REGULATIONS.
 - POLE BARN TO BE EQUIPPED WITH CANOPY SOFFIT LIGHTING AND ELECTRIC BLOCK HEATERS.

- PLAN REFERENCES:**
 YORK COUNTY REGISTRY OF DEEDS
- PLAN BOOK 58 PAGE 36
 - PLAN BOOK 152 PAGE 40
 - PLAN BOOK 181 PAGE 32
 - PLAN BOOK 203 PAGE 25
 - MAINE STATE HIGHWAY COMMISSION RIGHT OF WAY MAP STATE HIGHWAY 100 KITTEERY-ELIOT YORK COUNTY FEDERAL AID SECONDARY PROJECT S-0100(5) DATED JANUARY 1956 S.H.C. FILE NO. 16-112 PROVIDED BY MAINE DOT.

LEGEND

- PROPERTY LINE
- EASEMENT LINE
- ZONE LINE
- DITCH LINE
- GRAVEL
- EDGE OF PAVEMENT
- SETBACK LINE
- GAS LINE
- UTILITY POLE
- OVERHEAD WIRE
- TREELINE
- ROOF DRAIN
- SEWER MANHOLE
- ELECTRIC METER

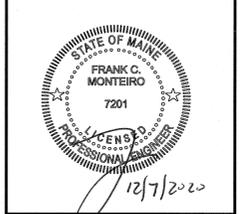


OWNER OF RECORD:
 MAP 23 LOT 11
 ENI 114 HLD HWY, LLC (ENI)
 2 INTERNATIONAL WAY
 LAWRENCE, MA 01843
 ELIOT, ME 03903
 BOOK 17888 PAGE 692

APPROVED CONDITIONALLY BY THE TOWN OF ELIOT PLANNING BOARD ON

PLANNING BOARD CHAIR: _____

ASSESSORS MAP 23 LOT 11
114 HAROLD L. DOW HIGHWAY-ROUTE 236
ELIOT, MAINE 03903



| REVISIONS | | |
|-------------------|------------|------------|
| NO. | REVISION | DATE |
| 1. | MISC REV'S | 12/14/20 |
| NOVEMBER 17, 2020 | | |
| DRAWN/DESIGN BY | | CHECKED BY |
| CCC/CMT | | FCM |

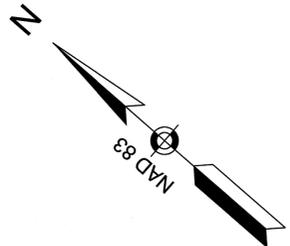
SITE PLAN

SCALE: 1"=20'

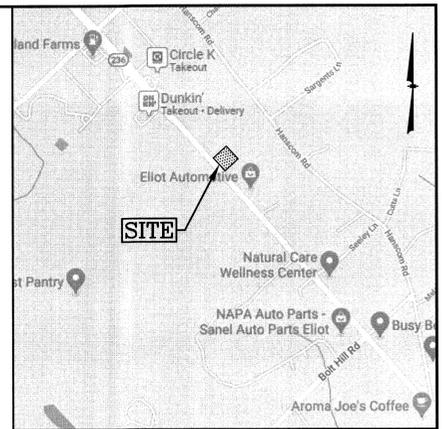
PROJECT NO. NEX-452318

3 OF 5

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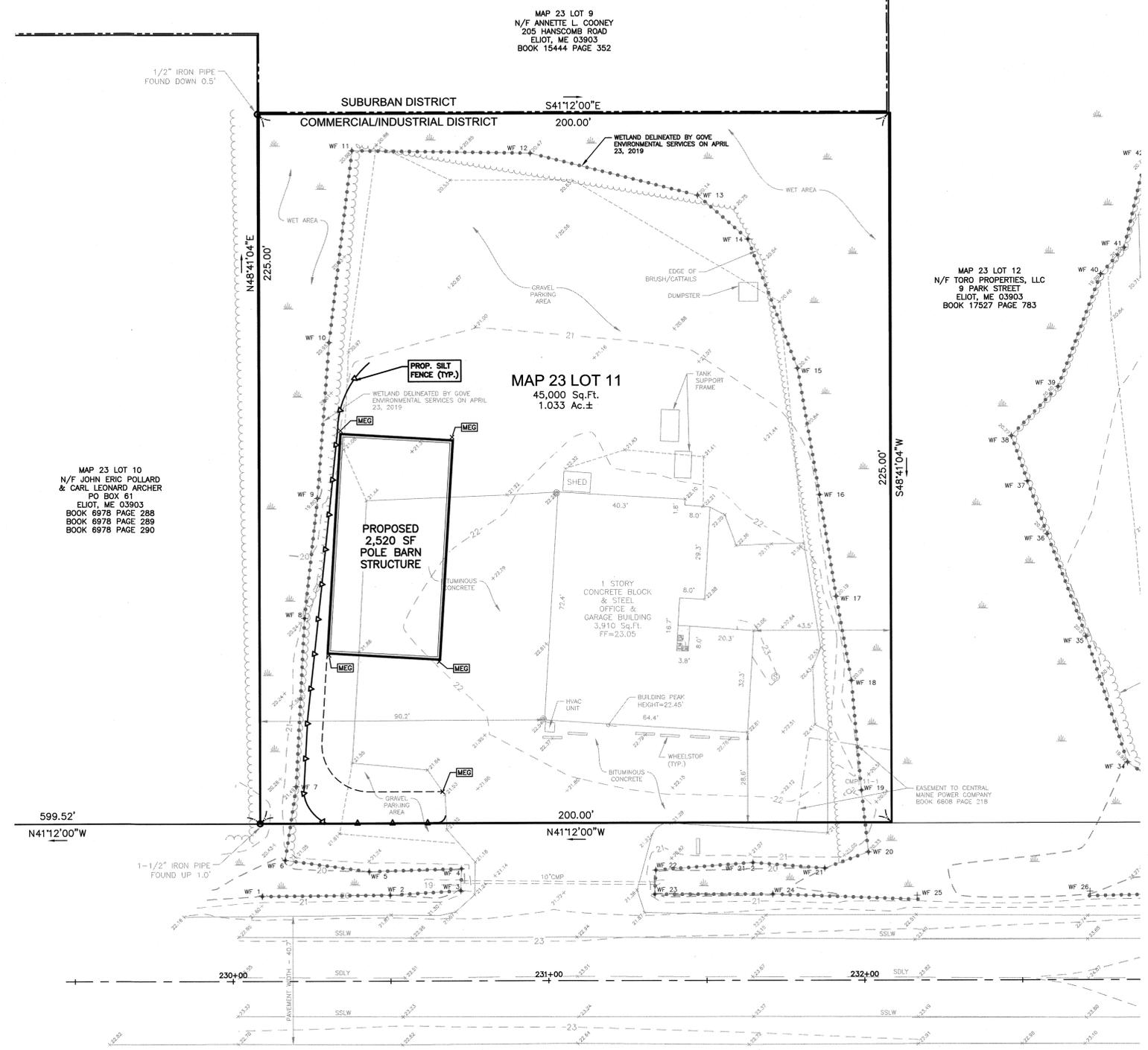
SEE DETAIL SHEET FOR ADDITIONAL
CONSTRUCTION SEQUENCE,
TEMPORARY EROSION CONTROL
MEASURES AND MAINTENANCE NOTES



GPI Engineering
Design
Construction Management
603.883.0720 GPINET.COM
Greenman-Pedersen, Inc.
44 Stiles Road, Suite One
Salem, NH 03079

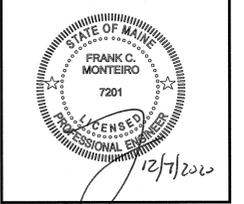
PREPARED FOR
ENERGY NORTH INC.
2 INDUSTRIAL WAY
LAWRENCE, MA 01843

ASSESSORS MAP 23 LOT 11
114 HAROLD L. DOW HIGHWAY-ROUTE 236
ELIOT, MAINE 03903



NOTES:

- ELEVATIONS ARE BASED ON NAVD88.
- ALL PROPOSED ELEVATIONS AS SHOWN ARE FINISH GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
- ANY UTILITY FIELD ADJUSTMENTS SHALL BE APPROVED BY THE LOCAL AUTHORITIES AND THE DEVELOPER PRIOR TO INSTALLATION.
- THE LOCATIONS OF UNDERGROUND UTILITIES ARE APPROXIMATE ONLY. THE CONTRACTOR IS TO VERIFY EXACT LOCATION PRIOR TO CONSTRUCTION. THE CONTRACTOR IS TO NOTIFY THE DESIGN ENGINEER OF ANY DISCREPANCIES. CONSTRUCTION SHALL COMMENCE BEGINNING AT THE LOWEST INVERT (POINT OF CONNECTION) AND PROGRESS UP GRADIENT. PROPOSED INTERFACE POINTS (CROSSINGS) WITH EXISTING UNDERGROUND INSTALLATIONS SHALL BE FIELD VERIFIED BY TEST PIT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL CONSTRUCTION SHALL CONFORM TO MUNICIPAL DPW AND ALL APPLICABLE STATE AND FEDERAL STANDARDS.
- THE CONTRACTOR SHALL CALL AND COORDINATE WITH DIG-SAFE (DIAL 811) PRIOR TO COMMENCING ANY EXCAVATION.
- ALL ELECTRIC, TELEPHONE AND CABLE TV LINES ARE TO BE UNDERGROUND AND INSTALLED IN CONFORMANCE WITH APPLICABLE UTILITY CO. SPECIFICATIONS.
- THIS SITE WILL NOT REQUIRE A MAINE CONSTRUCTION GENERAL PERMIT FOR STORMWATER DISCHARGE FOR THE SITE CONSTRUCTION SINCE THE DISTURBANCE DOES NOT EXCEED ONE ACRE (ACTUAL DISTURBANCE = 5,000 SF±).
- ANY UTILITIES TO BE TAKEN OUT OF SERVICE SHALL BE DISCONNECTED AS DIRECTED BY UTILITY COMPANY AND LOCAL DPW.
- ALL TRAFFIC CONTROL AND TEMPORARY CONSTRUCTION SIGNAGE ARRANGEMENTS, ACCEPTABLE TO MAINE DOT AND TOWN DEPARTMENT OF PUBLIC WORKS, SHALL BE EMPLOYED DURING OPERATIONS WITHIN THE PUBLIC RIGHT-OF-WAY.



| REVISIONS | | |
|-----------|------------|---------|
| NO. | REVISION | DATE |
| 1. | MISC REV'S | 12/4/20 |

NOVEMBER 17, 2020
DRAWN/DESIGN BY TSL/CMT CHECKED BY FCM

**GRADING,
DRAINAGE &
EROSION
CONTROL PLAN**

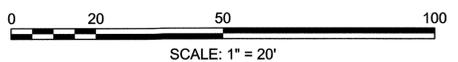
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PROJECT NO. NEX-452318
4 OF 5

LEGEND

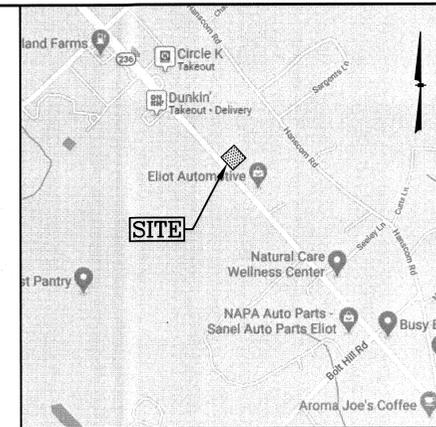
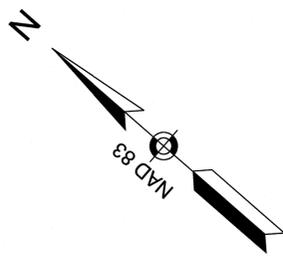
- PROPERTY LINE
- - - EASEMENT LINE
- ZONE LINE
- - - DITCH LINE
- GRAVEL
- - - EDGE OF PAVEMENT
- - - SETBACK LINE
- GAS LINE
- UTILITY POLE
- OVERHEAD WIRE
- TREELINE
- ROOF DRAIN (EXISTING)
- SEWER MANHOLE
- ELECTRIC METER
- MEET EXISTING GRADE
- PROP. SPOT ELEVATION
- PROP. CONTOUR ELEVATION
- PROP. SILT FENCE



OWNER OF RECORD:
MAP 23 LOT 11
ENI 114 HLD HWY, LLC (ENI)
2 INTERNATIONAL WAY
LAWRENCE, MA 01843
ELIOT, ME 03903
BOOK 17888 PAGE 692



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LOCATION MAP
(NOT TO SCALE)

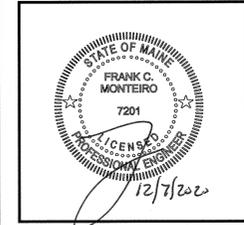


SU-30
feet
Width : 8.00
Truck : 8.00
Lock to Lock Time : 6.0
Steering Angle : 31.8

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Construction Management
603.893.0720 GPINET.COM
Greenman-Pedersen, Inc.
44 Stiles Road, Suite One
Salem, NH 03079

PREPARED FOR
ENERGY NORTH INC.
2 INDUSTRIAL WAY
LAWRENCE, MA 01843

ASSESSORS MAP 23 LOT 11
114 HAROLD L. DOW HIGHWAY-ROUTE 236
ELIOT, MAINE 03903



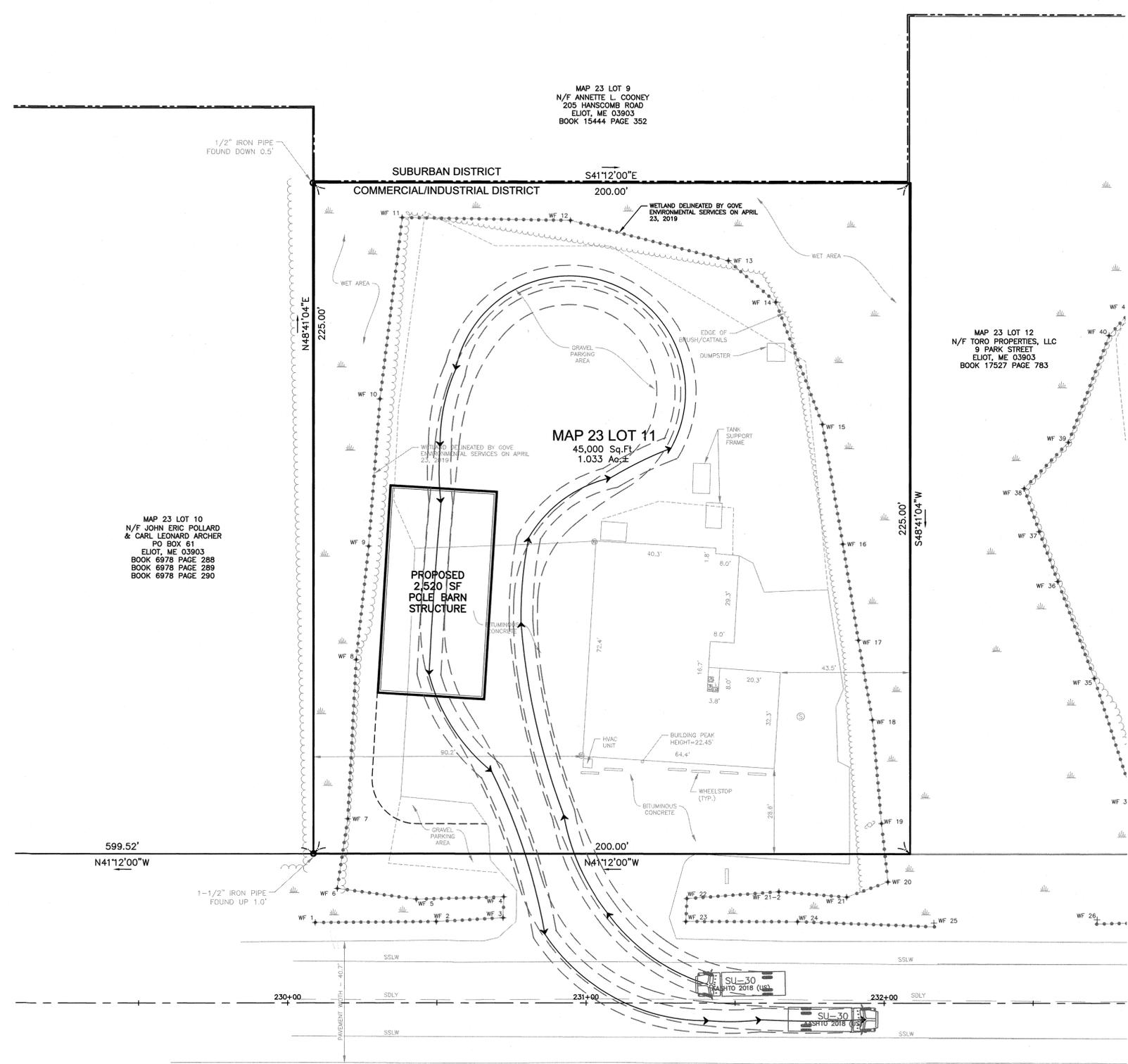
| REVISIONS | | |
|-------------------|------------|---------|
| NO. | REVISION | DATE |
| 1. | MISC REVS | 12/4/20 |
| NO. | REVISION | DATE |
| NOVEMBER 17, 2020 | | |
| DRAWN/DESIGN BY | CHECKED BY | |
| TSL/CMT | FCM | |

TRUCK TURN PLAN

SCALE: 1"=20'

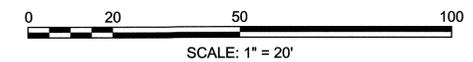
PROJECT NO.
NEX-452318

1 OF 1



HAROLD DOW HIGHWAY - ROUTE 236
(PUBLIC - 100' WIDE - 1956 STATE LAYOUT)

OWNER OF RECORD:
MAP 23 LOT 11
ENI 114 HLD HWY, LLC (ENI)
2 INTERNATIONAL WAY
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BOOK 17888 PAGE 692



LEGEND

- PROPERTY LINE
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- - - TREELINE
- ROOF DRAIN
- SEWER MANHOLE
- ELECTRIC METER



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WOODMAN EDMANDS DANYLIK AUSTIN
SMITH & JACQUES, P.A.

ATTORNEYS-AT-LAW

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THOMAS DANYLIK
RALPH W. AUSTIN
JAMES B. SMITH
KEITH R. JACQUES
HARRY B. CENTER II
SANDRA L. GUAY
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234 MAIN STREET
P.O. BOX 468
BIDDEFORD, ME 04005-0468
TELEPHONE: 207-284-4581
FAX: 207-284-2078
E-MAIL: SLG@woodedlaw.com

Retired
PETER L. EDMANDS
MICHAEL J. O'TOOLE

December 8, 2020

Jeff Brubaker, AICP, Town Planner
Town of Eliot
1333 State Road
Eliot, Maine 03903

Re: Request for Planning Board Action
ENI 100 HLD HWY, LLC
100 Harold L. Dow Highway, Eliot, Maine

Dear Mr. Brubaker:

This letter responds to your November 24, 2020 review letter in this matter. Responses that are noted to be from Chris Tymula, Project Engineer, have been sent under separate cover:

1. **Title Sheet.** This comment has been addressed on an amended site plan to be submitted by the Project Engineer.
2. **Screening.** This comment has been addressed on an amended site plan to be submitted by the Project Engineer.
3. **Proposed Use.** We agree that bringing the approved uses up to date in this Application makes sense. As such, the Applicant requests that the following additional Chapter 45, Sect. 45-290 land uses, both permitted uses in the C/I zone with Site Plan Approval, be added to the Application:
 - Bulk Oil Fuel Tanks
 - Truck Terminals and Storage
4. **Ch. 25 - Floodplain Management Ordinance.** An application for a flood hazard development permit shall be submitted to the code enforcement prior to construction.

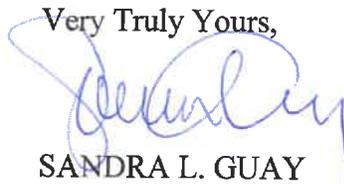
WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.

Jeff Brubaker, AICP, Town Planner
Town of Eliot
December 8, 2020
Page 2 of 2

5. **Stormwater.** This comment will be addressed by the Project Engineer.
6. **Lighting.** The pole barn will have no external lighting and only downward lighting below the roof.
7. **Drainage.** There will be no drainage system and no activities such as washing of vehicles.
8. **Fire Department Review.** On December 4, 2020, a copy of the Application was forwarded to the Fire Chief for his review and comment.
9. **Planning Board Review.** While the Applicant anticipates that this plan amendment will be considered a minor review by the Planning Board, the Applicant understands the Planning Board Review comments in your review letter.

Thank you for your attention to this matter.

Very Truly Yours,



SANDRA L. GUAY

SLG/lb

Copy to:

Matthew Lalone
Chris Tymula