

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

AGENDA ELIOT BOARD OF APPEALS

TYPE OF MEETING: REGULAR MEETING

DATE: April 18, 2024

TIME 7:00 P.M.

LOCATION: ELIOT TOWN HALL & REMOTE (OPTION)

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

**Bill Hamilton, Chairman
Board of Appeals**

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

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



FEB 29 2024

February 28, 2024
10380

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

Digital submittal: sbishop@eliotme.org

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

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

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

Assessor: Map 37/Lot3-1

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

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

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

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

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

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

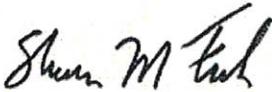
Should the BOA agree with the enclosed memorandum and the State of Maine Department of Environmental Protection's opinion, per the attached December 4, 2023, email from Mr. Kalinich stating that it appears there is a substantial difference between what was mapped and what is currently present on the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

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

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

Sincerely,

SEBAGO TECHNICS, INC.



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

enc.

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT		PREVIOUS ASSESSMENTS (HISTORY)		VISION	
Level	Well	Septic	Paved	Suburban	Description	Code	Appraised	Assessed	Year	Code	Assessed
1					COMMER.	3160	444,500	444,500	2022	3160	435,000
					COM LAND	3160	282,000	282,000		3160	165,400
					COMMERC.	3160	2,500	2,500		3160	2,500
299 HAROLD L DOW HWY					PRECINC						
ELIOT ME 03903					HEART						
PHOTO					TIF						
GIS ID 37-3-1					Assoc Pld#						
Total							729,000	729,000			

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)		
Year	Code	Description	Amount	Code	Description	Number	Amount	Year	Code	Assessed
		NATURAL ROCKS SPRING WATER ICE CO I	16400 0290	08-22-2012	U	1A	0			
		TISCHNER STEVEN V	11558 0317	04-17-2002	Q	00	252,000			
		HOSUE AUBREY REVOCABLE TRUST	9411 0037	02-04-1999	U	1A	0			
		HOSUE AUBREY	7754 0002	03-19-1996	U	1P	65,000			
Total			0.00							

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

ASSESSING NEIGHBORHOOD		NOTES	
Nbhd	Nbhd Name	B	Tracing
0001			
NATURAL ROCKS ICE CO			

BUILDING PERMIT RECORD		APPRAISED VALUE SUMMARY												
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpose/Result
12-11	03-06-2012	NC	New Construct	130,600	11-06-2012	100	11-06-2012		10-08-2014	MP			00	Measur+Listed
02-145	08-27-2002	NC	20X36 WALKIN	20,000	06-13-2003	100			06-19-2003	MP			00	Measur+Listed
02-33	04-03-2002	NC	LOADING DOC	13,000	06-19-2003	100			05-08-1997	FG			00	Measur+Listed
Total Appraised Parcel Value				729,000.00										

LAND LINE VALUATION SECTION		VISIT / CHANGE HISTORY												
Use Code	Description	Zone	Land Type	Land Units	Unit Price	I. Factor	Site Index	Cond.	Nbhd.	Nbhd Adj	Notes	Location Adjustment	Adj Unit Pric	Land Value
1	3160 COMM WHSE	C/I	C/I	43,560	SF	2.45	1.80000	G	0.90	1,000	TOPO	0	3.97	172,900
1	3160 COMM WHSE	C/I	C/I	1,000	AC	8,000	1.80000	G	0.90	1,000		0	12,960	13,000
Total Card Land Units				2,000	AC									282,000
Parcel Total Land Area:				3,0000										

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

TOTALS	
Total Appraised Parcel Value	729,000.00

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)							
Element	Cd	Description	Element	Cd	Description	Element	Description				
Style: Model Grade	48	Warehouse Commercial Average									
Stories: 1	1.00		MIXED USE								
Occupancy	08	Wood on Sheath	Code	Description	Percentage						
Exterior Wall 1	25	Vinyl Siding	3160	COMM WHSE	100						
Exterior Wall 2	03	Gable/Hip			0						
Roof Structure	01	Metal/Tin			0						
Roof Cover	05	Drywall/Sheet	COST / MARKET VALUATION								
Interior Wall 1	03	Concr-Finished	RCN		239,011						
Interior Wall 2											
Interior Floor 1											
Interior Floor 2											
Heating Fuel	02	Oil	Year Built		1996						
Heating Type	05	Hot Water Central	Effective Year Built		2001						
AC Type	03	COMM WHSE	Remodel Rating		G						
Bldg Use	3160		Year Remodeled								
Total Rooms	00		Depreciation %		14						
Total Bedrms	0		Functional Obsol		0						
Total Baths	00	NONE	Economic Obsol		0						
Heat/AC	02	WOOD FRAME	Trend Factor		1						
Frame Type	02	AVERAGE	Condition								
Baths/Plumbing	06	CEIL & WALLS	Condition %								
Ceiling/Wall	03	ABOVE AVERAGE	Percent Good		86						
Rooms/Prtns	03		RCNLD		205,500						
Wall Height	12.00		Dep % Ovr								
% Comm Wall	0.00		Dep Ovr Comment								
1st Floor Use:	3221		Misc Imp Ovr								
			Misc Imp Ovr Comment								
			Cost to Cure Ovr								
			Cost to Cure Ovr Comment								
OB - OUTBUILDING & YARD ITEMS(L) / YF - BUILDING EXTRA FEATURES(B)											
Code	Description	L/B	Units	Unit Price	Yr Bit	Cond. Cd	% Good	Grade	Grade Adj	Appr. Value	
PAV1	PAVING-ASPH	L	2,500	2.00	2008		50		0.00	2,500	
BUILDING SUB-AREA SUMMARY SECTION											
Code	Description	Living Area	Floor Area	Eft Area	Unit Cost	Underprec Value					
BAS	First Floor	2,352	2,352	2,352	0						
SDA	Store Display Area	1,088	1,088	1,088	0						
Ttl Gross Liv / Lease Area		3,440	3,440	3,440							

BAS	20								
36		36							
20									
BAS					68				
24									24
SDA					68				68
16									16
									68



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

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)					
Year	Code	Description	Amount	Code	Description	Number	Amount	Year	Code	Assessed	Year	Code	Assessed
		NATURAL ROCKS SPRING WATER ICE CO I	16400 0290	U		0	1A	2022	3160	444,500	2021	3160	435,000
		TISCHNER STEVEN V	11558 0317	Q		252,000	00		3160	282,000		3160	165,400
		HOSUE AUBREY REVOCABLE TRUST	9411 0037	U		0	1A		3160	2,500		3160	3160
		HOSUE AUBREY	7754 0002	U		65,000	1P		3160	2,500		3160	2,500
		Total	0.00						Total	729,000		Total	729,000

EXEMPTIONS		OTHER ASSESSMENTS						
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int

ASSESSING NEIGHBORHOOD		NOTES	
Nbhd	Nbhd Name	B	Tracing
0001			

BUILDING PERMIT RECORD		APPROVED VALUE SUMMARY						
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

VISIT/CHANGE HISTORY		APPRAISED BLDG VALUE SUMMARY			
Date	Id	Type	Is	Cd	Purpose/Result

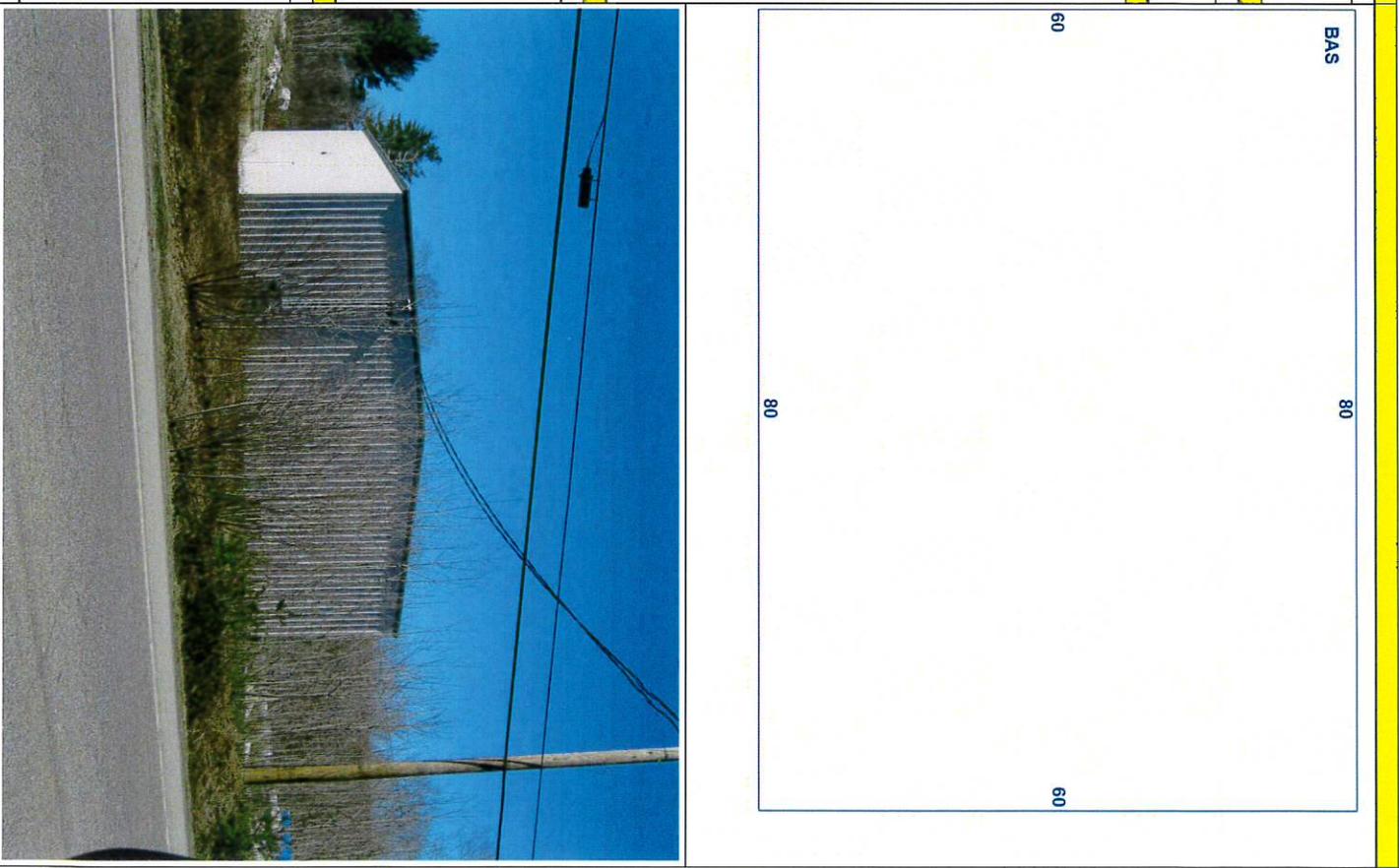
LAND LINE VALUATION SECTION		TOTAL APPRAISED PARCEL VALUE												
Use Code	Description	Zone	Land Type	Land Units	Unit Price	I. Factor	Site Index	Cond.	Nbhd.	Nbhd Adj	Notes	Location Adjustment	Adj Unit Pric	Land Value
2	3160	COMM WHSE	C/I	43,560	SF	2.45	1.80000	G	0.50	1.000	TOPO	0	2.21	96,100

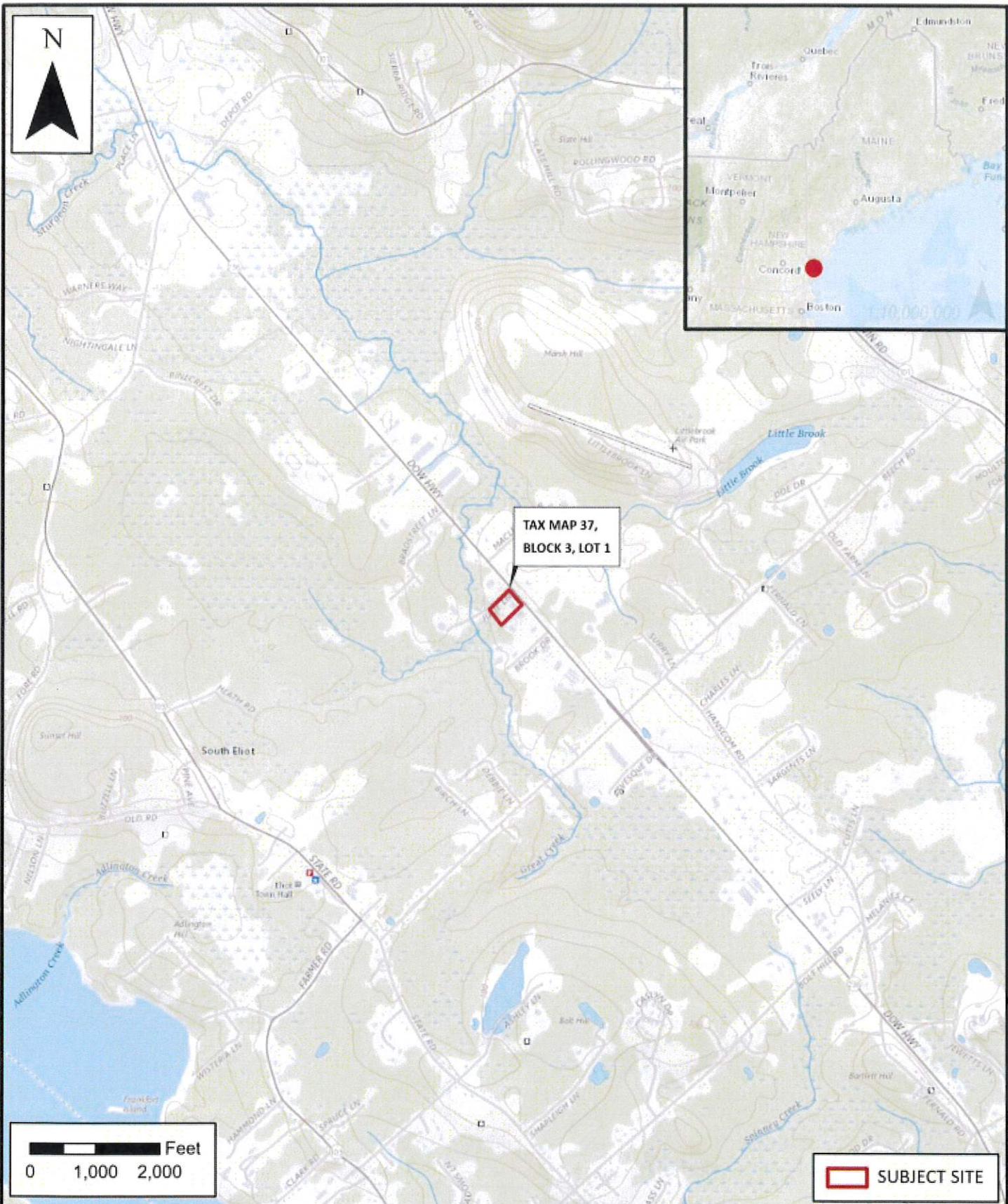
Total Card Land Units		1.000	AC	Parcel Total Land Area: 3.0000		Total Appraised Parcel Value		729000.00
Total Land Value					Total Land Value		282,000	

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

MIXED USE		
Code	Description	Percentage
3160	COMM WHSE	100
		0
		0

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





SEBAGO
TECHNICS

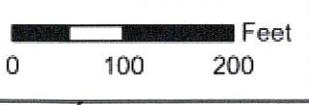
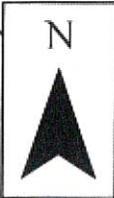
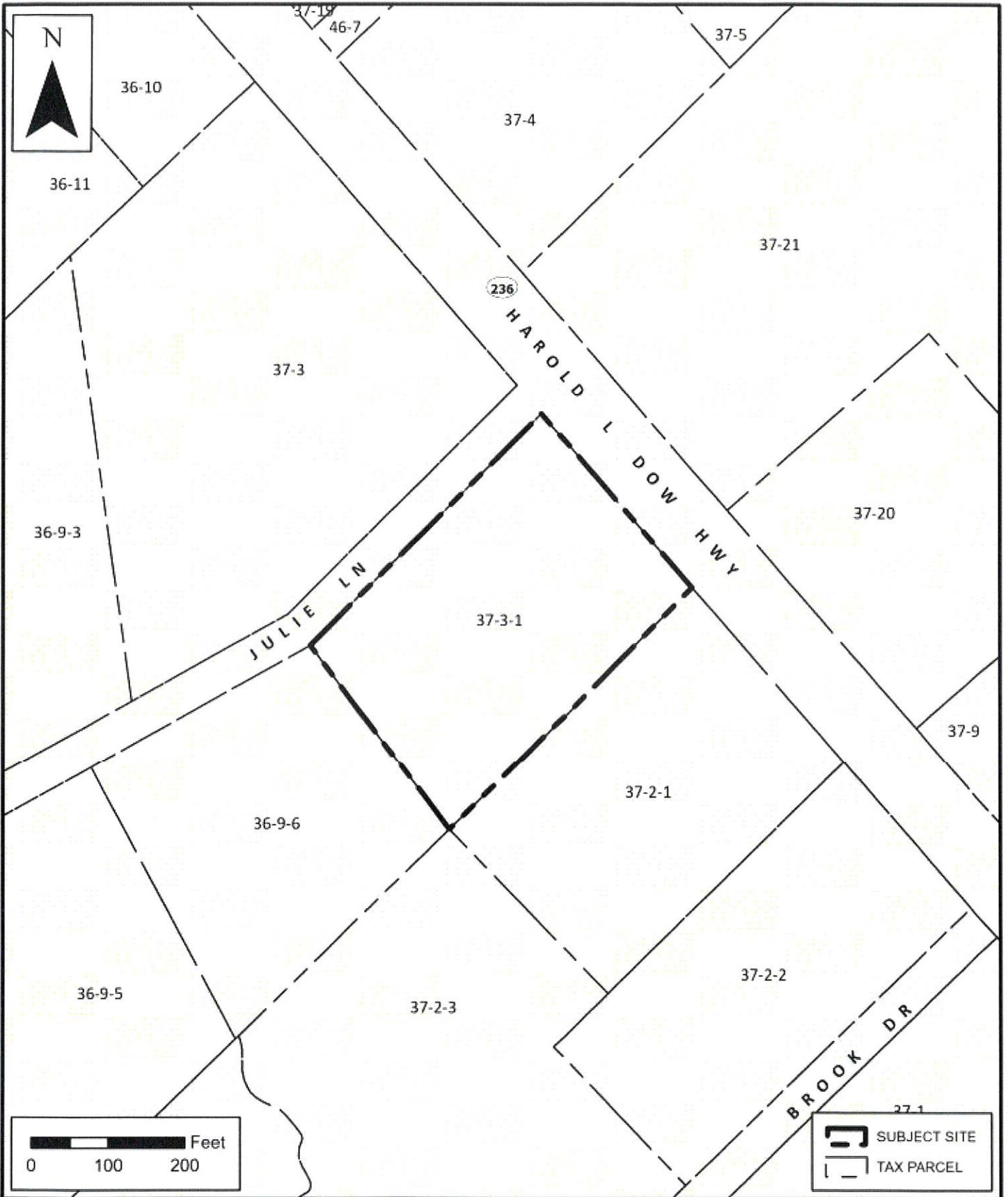
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd. - Suite 6A
South Portland, ME 04106
Tel. 207-200-2100

LOCATION MAP
PATCO CONSTRUCTION, INC.

LOCATION:
299 HAROLD DOW HIGHWAY
ELIOT, ME

INFORMATION:
MAINE GEOLIBRARY
USGS QUADRANGLE

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



	SUBJECT SITE
	TAX PARCEL

SEBAGO
TECHNICS

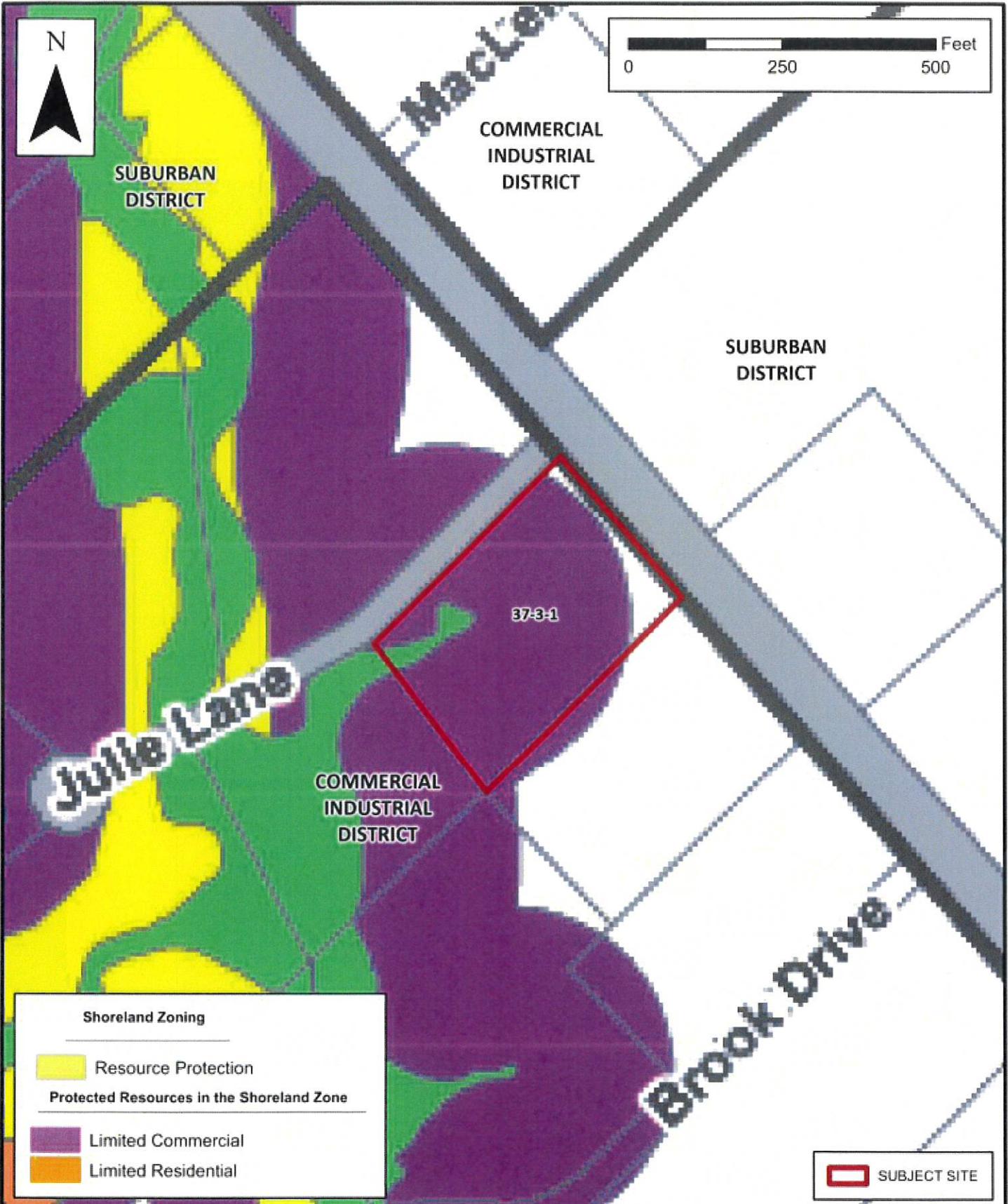
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd - Suite 6A
South Portland, ME 04106
Tel: 207-200-2106

TAX PARCEL MAP
PATCO CONSTRUCTION, INC.

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

LOCATION:
299 HAROLD DOW HIGHWAY
ELIOT, ME

INFORMATION:
MAINE GEOLIBRARY
CITY OF SANFORD, MAINE



Shoreland Zoning

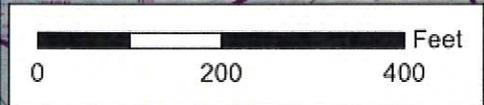
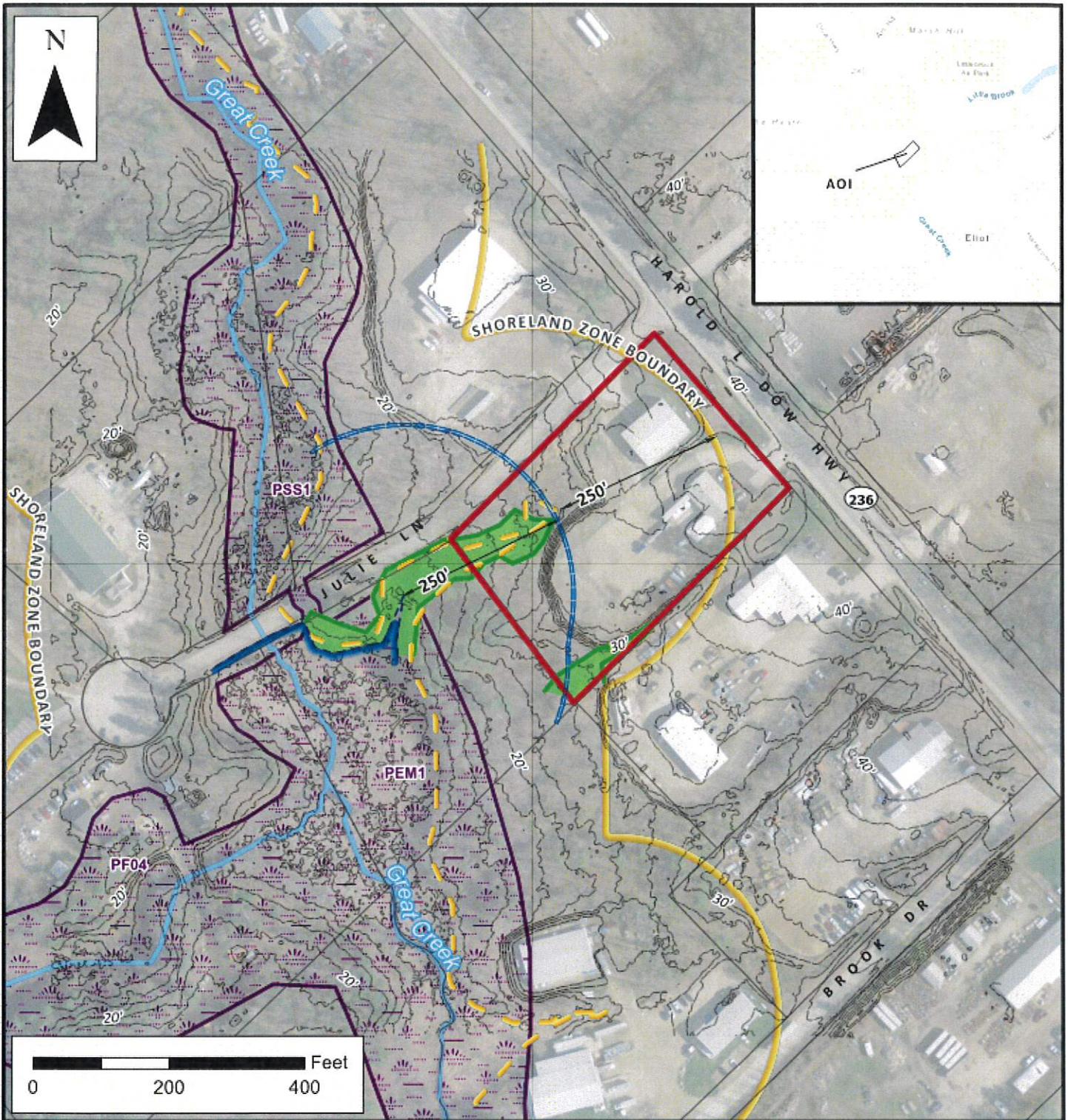
- Resource Protection

Protected Resources in the Shoreland Zone

- Limited Commercial
- Limited Residential

SUBJECT SITE

 <small>WWW.SEBAGOTECHNICS.COM 75 John Roberts Rd - Suite 4A South Portland, ME 04106 Tel. 207.200.2100</small>	ZONING MAP PATCO CONSTRUCTION, INC.		SCALE: 1:2,500
	LOCATION: 299 HAROLD DOW HIGHWAY ELIOT, ME		DATE: 8/22/2022
		INFORMATION: MAINE GEOLIBRARY USGS QUADRANGLE	



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

SEBAGO
TECHNICS

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

NATURAL RESOURCES		SCALE: 1:2,400
NATURAL ICE BUILDING		DATE: 11/28/2023
LOCATION:	INFORMATION:	
HAROLD DOW HWY ELIOT, ME	2019 NH COASTAL LIDAR 2018 ORTHOREGIONAL IMAGERY TOWN OF ELIOT, ME - OFFICIAL ZONING MAP - 2014	

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

Cole,

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

I have not heard from the Town yet.

Jeff

1

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

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

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

Hi Jeff-

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



Left (west) of Photo 6.

Right (east) of Photo 6.

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

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

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



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

These are the best additional views I have on hand.

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

Thank you,

Cole

Cole Peters, PWS, CG

Environmental Division Manager

An Employee-Owned Company

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

Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781

cpeters@sebagotechnics.com | www.sebagotechnics.com



From: Kalinich, Jeffrey C <Jeffrey.C.Kalinich@maine.gov>

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

To: Cole Peters <CPeters@sebagotechnics.com>

Cc: Shawn Frank <sfrank@sebagotechnics.com>

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

Hi Cole,

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

Thanks,

Jeff

Jeffrey C. Kalinich

Assistant Shoreland Zoning Coordinator

Maine Department of Environmental Protection

312 Canco Road

Portland, Maine 04103

Ph. (207) 615-7044

Fax. (207) 822-6303

www.Maine.gov/dep

From: Cole Peters <CPeters@sebagotechnics.com>

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

To: Kalinich, Jeffrey C <Jeffrey.C.Kalinich@maine.gov>

Cc: Shawn Frank <sfrank@sebagotechnics.com>

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

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

Hi Jeff,

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

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



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

Enjoy the weekend!

Cole

Cole Peters, PWS, CG

Environmental Division Manager

An Employee-Owned Company

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

Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781

cpeters@sebagotechnics.com | www.sebagotechnics.com



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

Hi Jeff-

Thank you again for your response below.

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

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

Please let me know if you have any questions.

Thank you,

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



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

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Cole,

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

Let me know if you have any additional questions.

Jeff

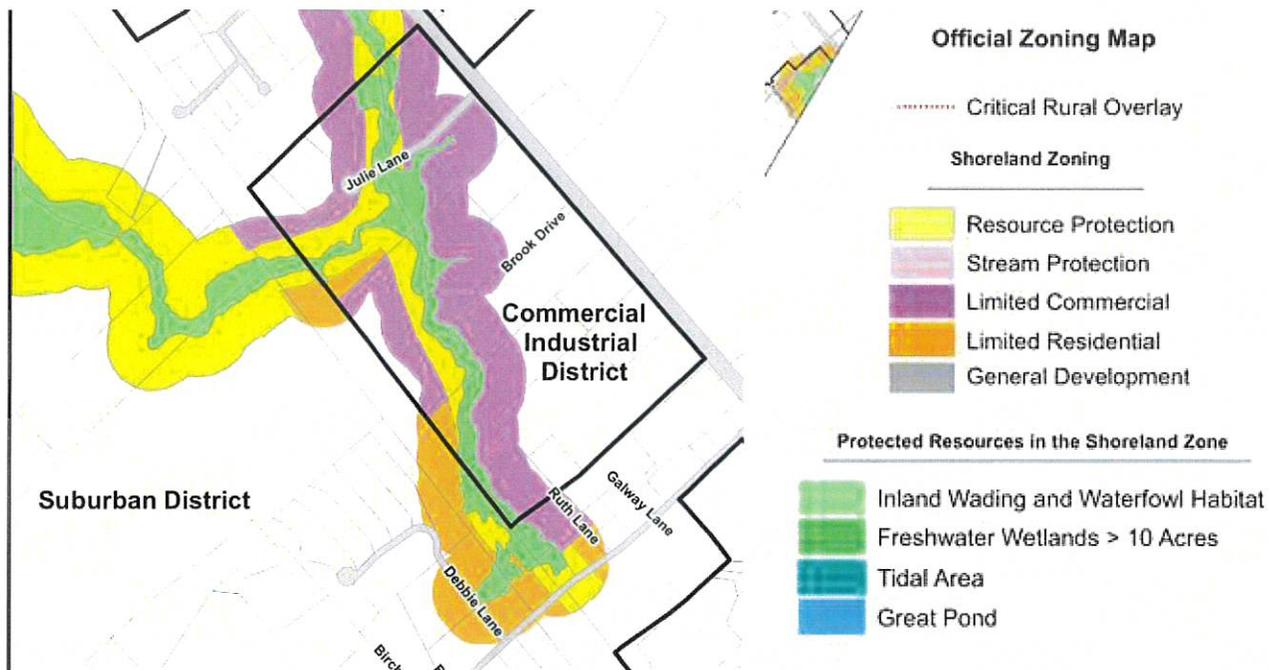
Jeffrey C. Kalinich
Assistant Shoreland Zoning Coordinator
Maine Department of Environmental Protection
312 Canco Road
Portland, Maine 04103
Ph. (207) 615-7044
Fax. (207) 822-6303
www.Maine.gov/dep

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

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

Hi Jeff,

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



Please call me at your earliest convenience.

Thank you,

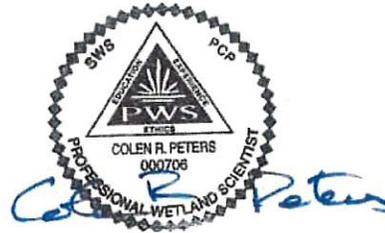
Cole
 Cole Peters, PWS, CG
 Environmental Division Manager
 An Employee-Owned Company
 75 John Roberts Rd., Suite 4A, South Portland, ME 04106
 Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781
cpeters@sebagotechnics.com | www.sebagotechnics.com



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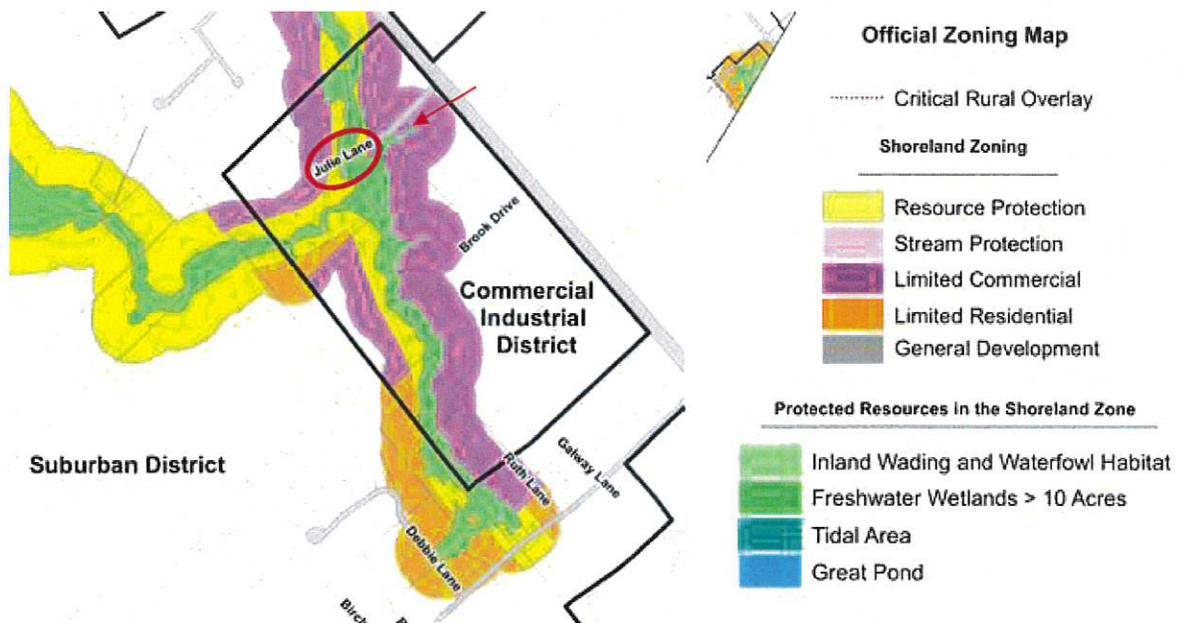
**Town of Elliott
Shoreland Zone Map**

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



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

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299 Harold Dow Highway, Eliott, ME



November 22, 2023

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

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

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

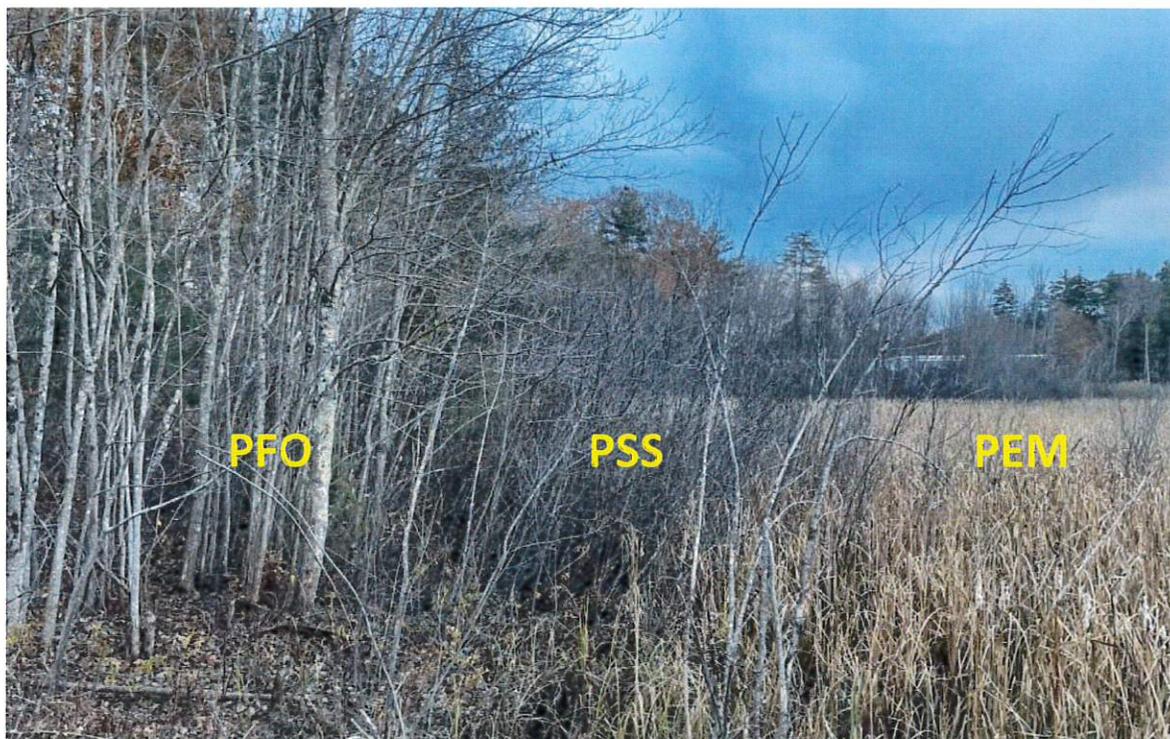
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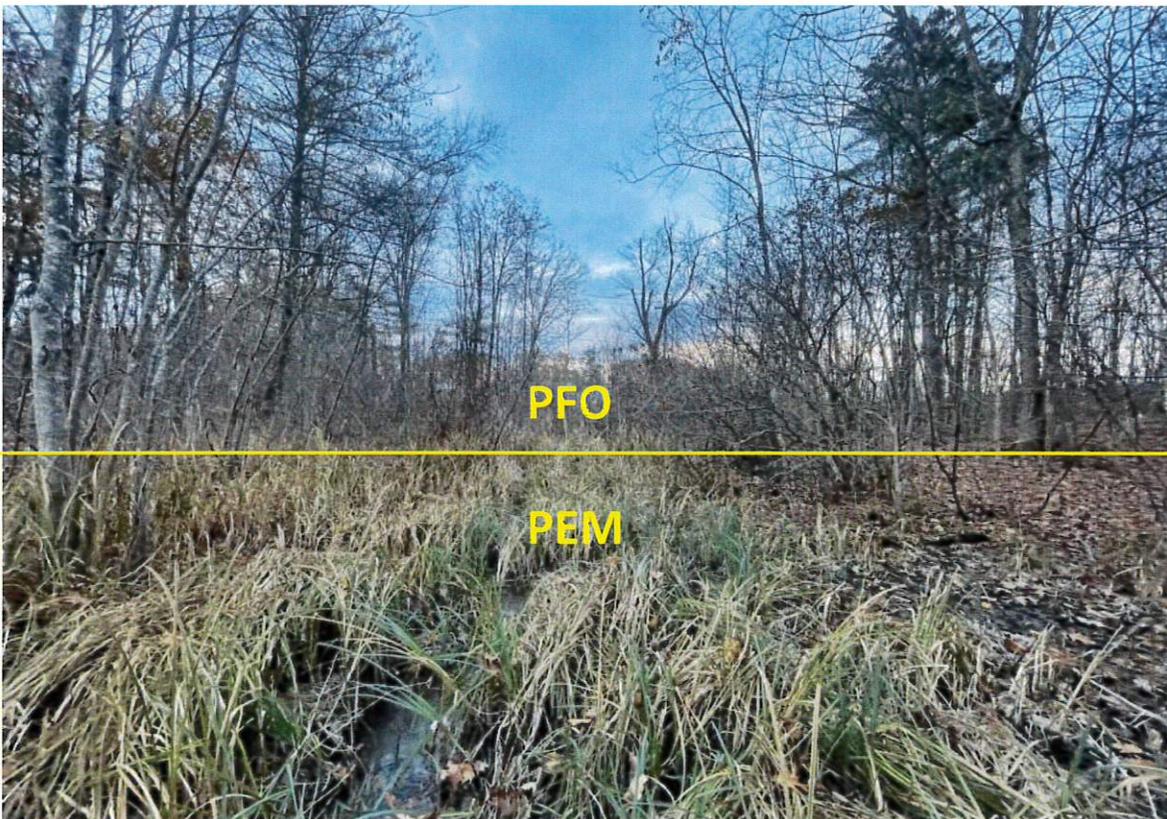
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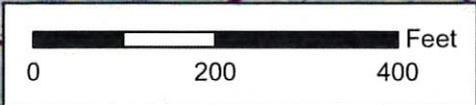
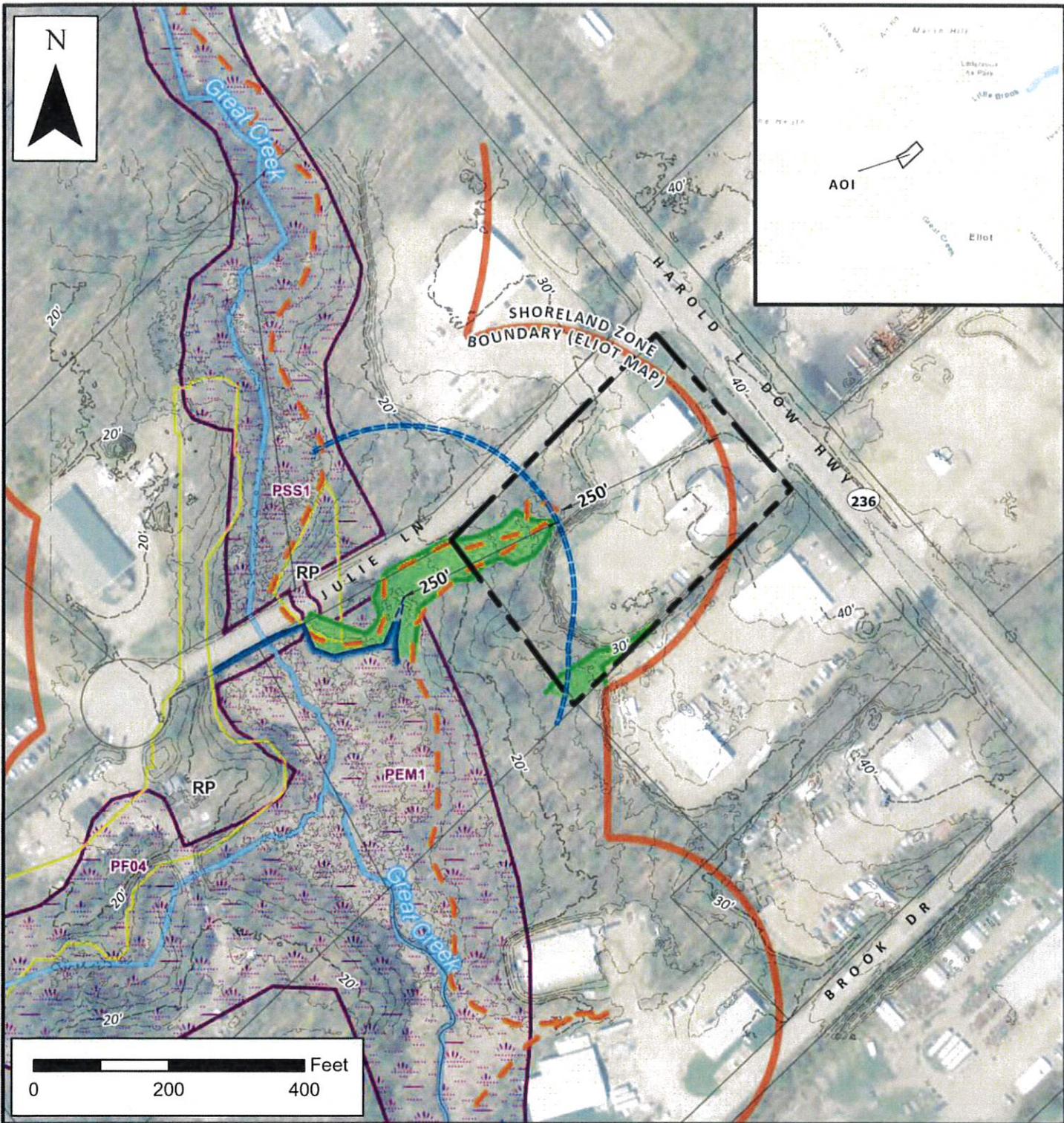
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Photograph 5: Downgradient view from north end of wetland along Julie Lane with X marking tree stump.



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

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TECHNICS

WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd. - Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

NATURAL RESOURCES
NATURAL ICE BUILDING

LOCATION: HAROLD DOW HWY
ELIOT, ME

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

SCALE: 1:2,400

DATE: 11/28/2023

TOWN OF ELIOT MAINE

Board of Appeals
1333 State Road
Eliot ME, 03903



PUBLIC HEARING NOTICE

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

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

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

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

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BLACK HAWK HOLDINGS LLC
36 WILSON ST
WILTON, NH 03086

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

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

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

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

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

JULIE LANE LLC
113 GOVERNMENT ST
KITTERY, ME 03904

LORON LLC
44 RIVERVIEW DR
ELIOT, ME 03903

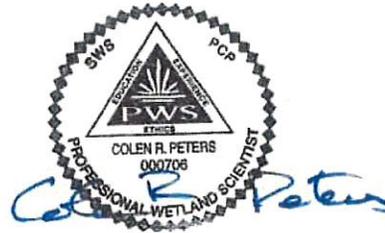
MORIARTY, MARIE
23 LANDING DR
METHUEN, MA 01844-5825

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

REGAL HOLDINGS LLC
13 ELDREDGE RD
ELIOT, ME 03903

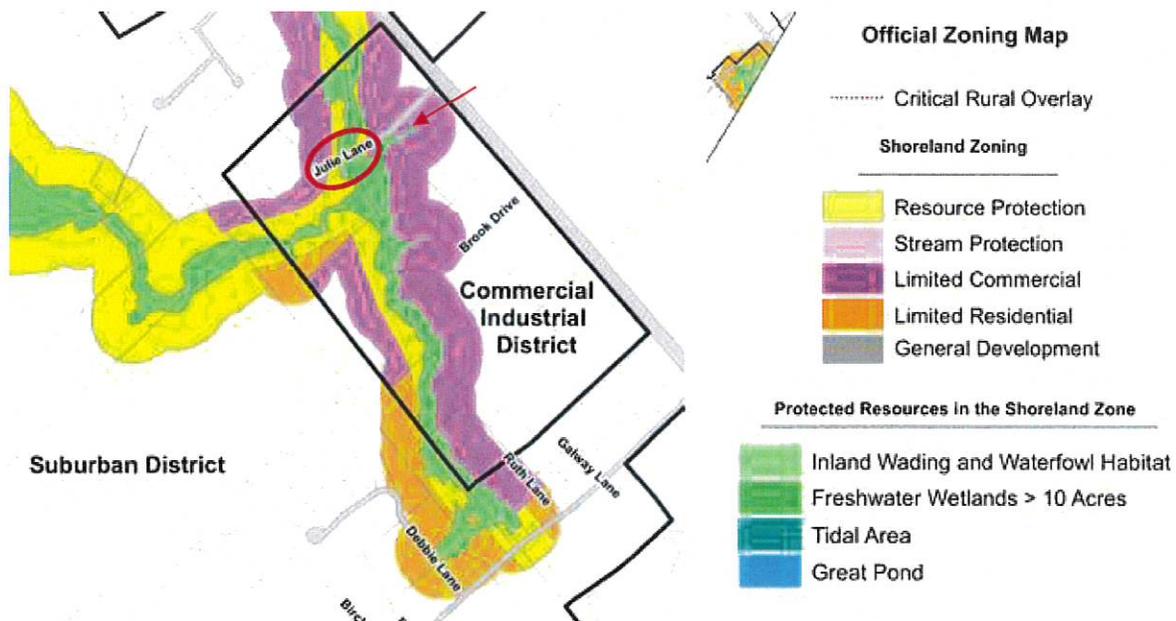
**Town of Elliott
Shoreland Zone Map**

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



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299 Harold Dow Highway, Eliott, ME



November 22, 2023

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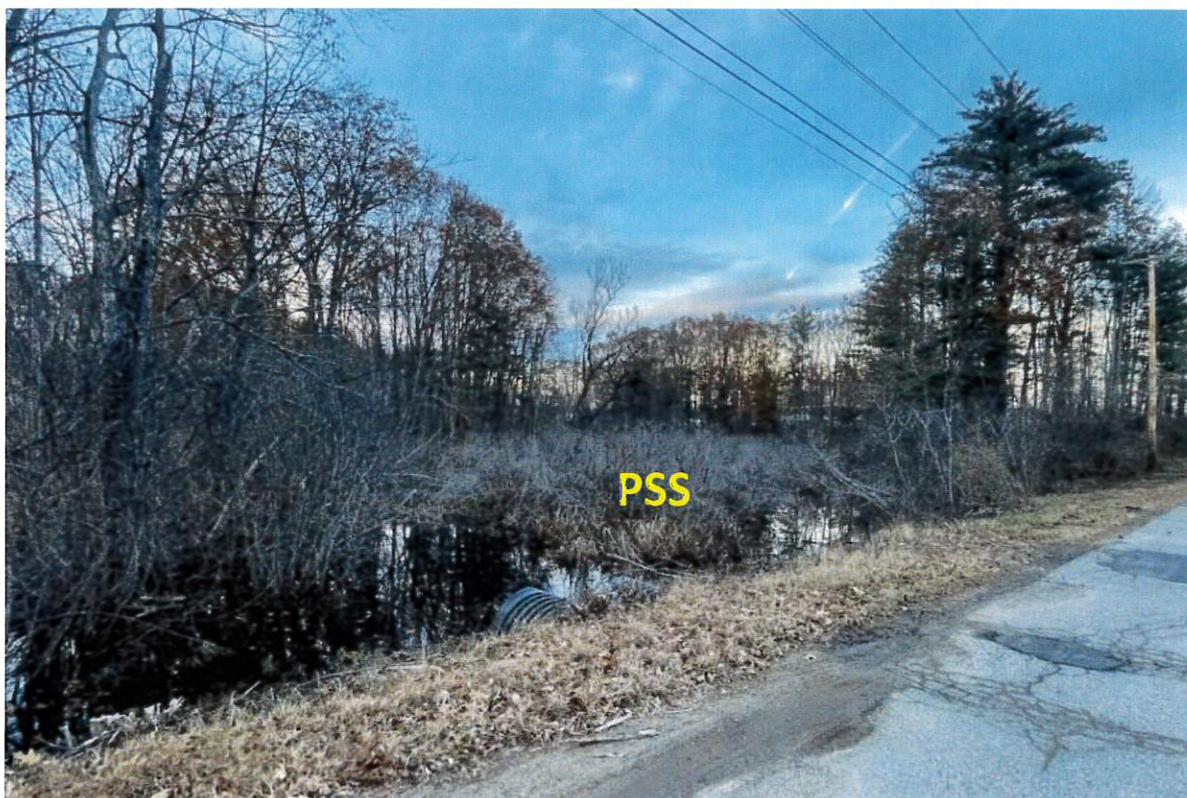
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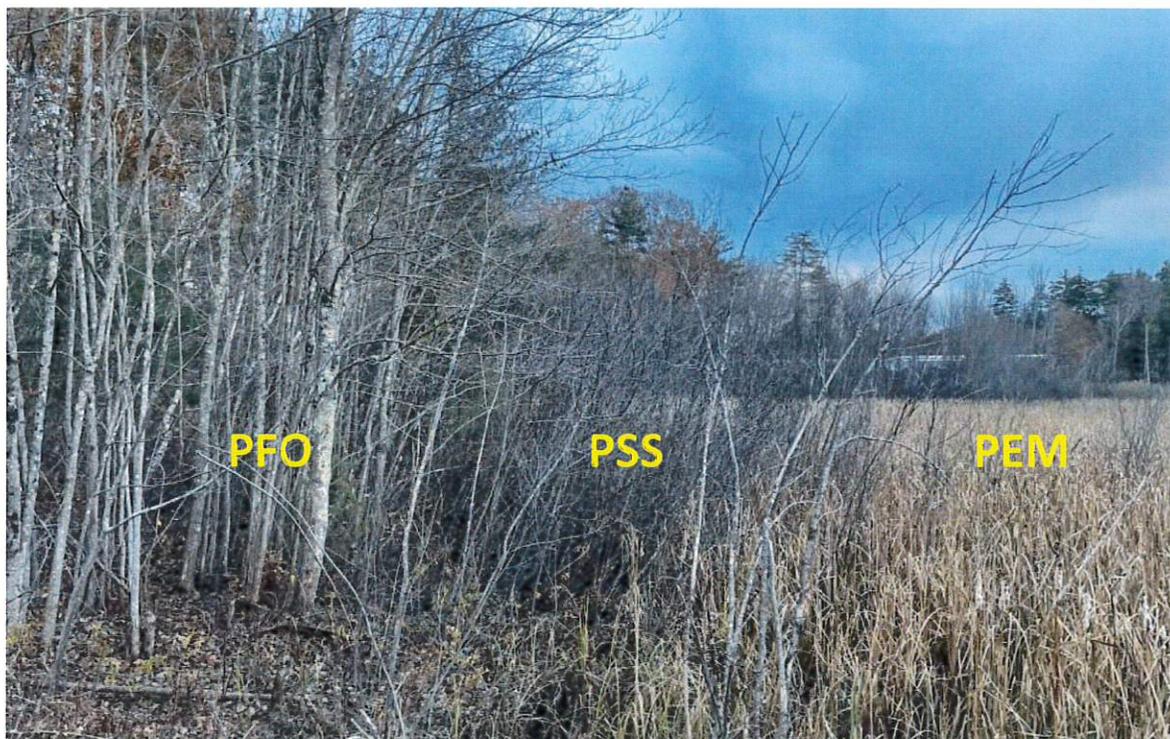
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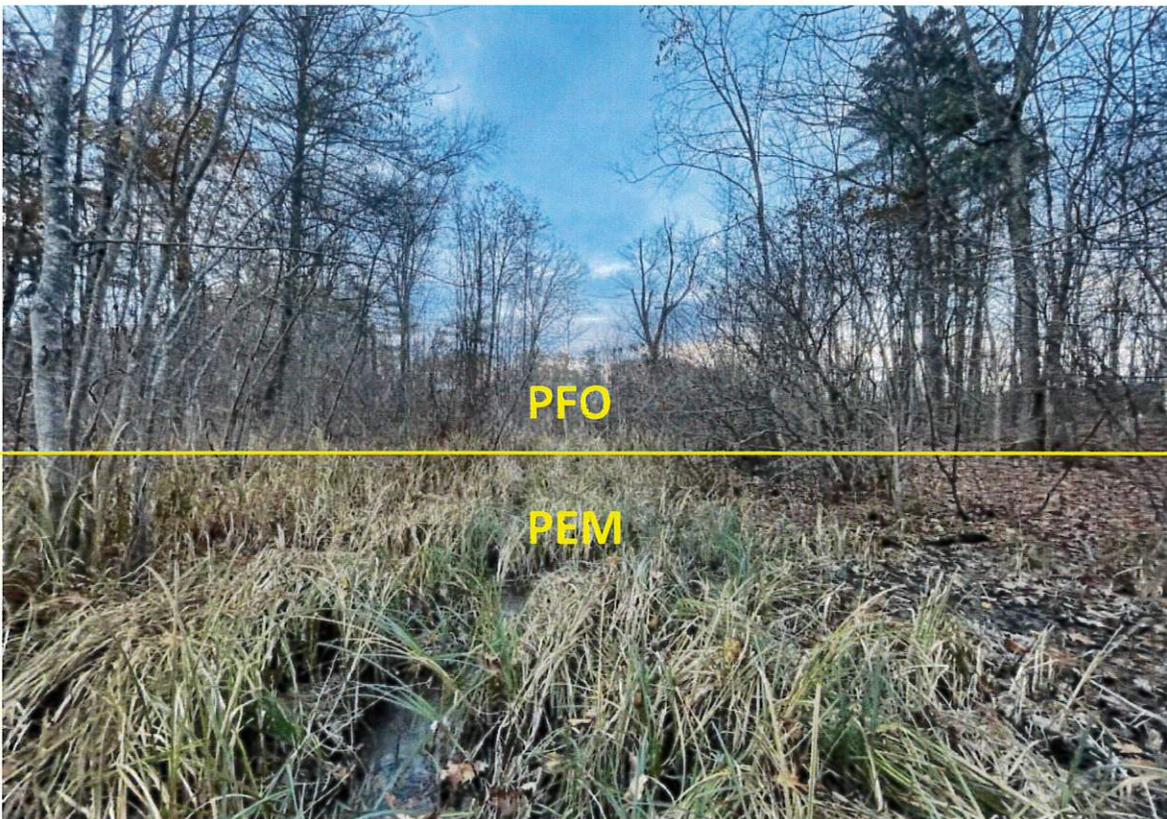
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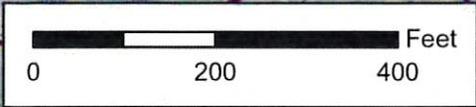
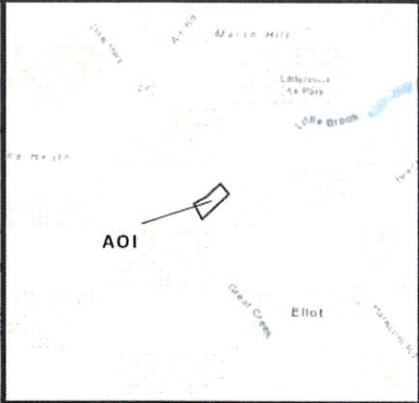
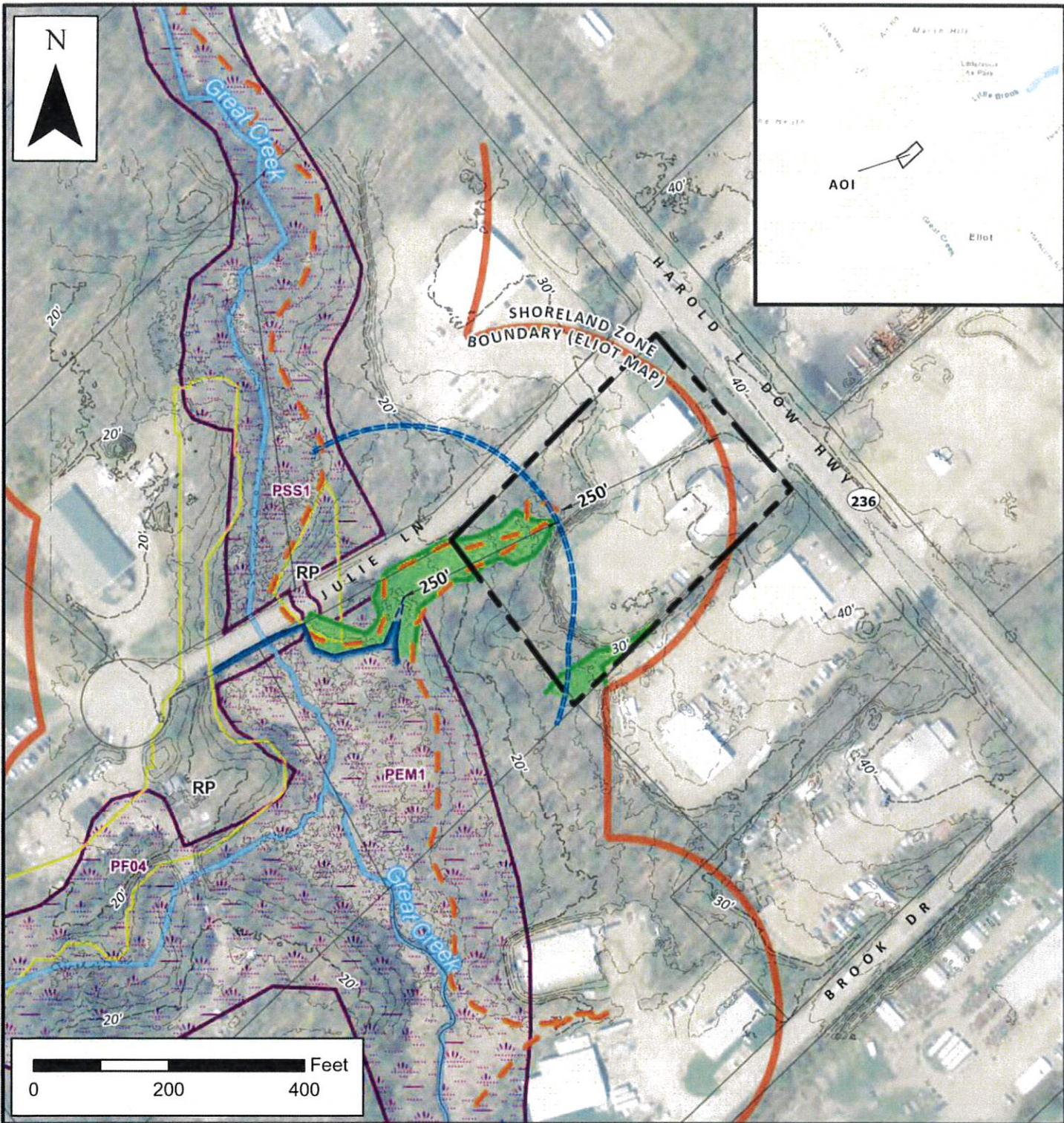
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- | | | | |
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| TAX PARCELS | WETLAND BOUNDARY PER TOWN | DELINEATED WETLANDS | 250FT OFFSET FROM EDGE OF SHORELAND |
| 2' CONTOUR | SHORELAND ZONING BOUNDARY PER TOWN OF ELIOT | | NHD STREAM |
| 10' CONTOUR | | | |

SEBAGO
TECHNICS

WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd. - Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

NATURAL RESOURCES
NATURAL ICE BUILDING

LOCATION: HAROLD DOW HWY
ELIOT, ME

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

SCALE: 1:2,400

DATE: 11/28/2023



FEB 29 2024

February 28, 2024
10380

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

Digital submittal: sbishop@eliotme.org

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

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

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

Assessor: Map 37/Lot3-1

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

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

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

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

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

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

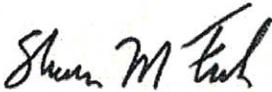
Should the BOA agree with the enclosed memorandum and the State of Maine Department of Environmental Protection's opinion, per the attached December 4, 2023, email from Mr. Kalinich stating that it appears there is a substantial difference between what was mapped and what is currently present on the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

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

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

Sincerely,

SEBAGO TECHNICS, INC.



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

enc.

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

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)					
Year	Code	Description	Amount	Code	Description	Number	Amount	Year	Code	Assessed	Year	Code	Assessed
		NATURAL ROCKS SPRING WATER ICE CO I	16400 0290	U		0	1A	2022	3160	444,500	2021	3160	435,000
		TISCHNER STEVEN V	11558 0317	Q		252,000	00		3160	282,000		3160	165,400
		HOSUE AUBREY REVOCABLE TRUST	9411 0037	U		0	1A		3160	2,500		3160	3160
		HOSUE AUBREY	7754 0002	U		65,000	1P		3160	2,500		3160	2,500
Total			0.00						Total	729,000		Total	729,000

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Code	Description	Amount
		Assessed Bldg. Value (Card)	444,500
		Appraised XI (B) Value (Bldg)	0
		Appraised Ob (B) Value (Bldg)	2,500
		Appraised Land Value (Bldg)	282,000
		Special Land Value	0
		Total Appraised Parcel Value	729,000
		Exemption	0
		Valuation Method	C

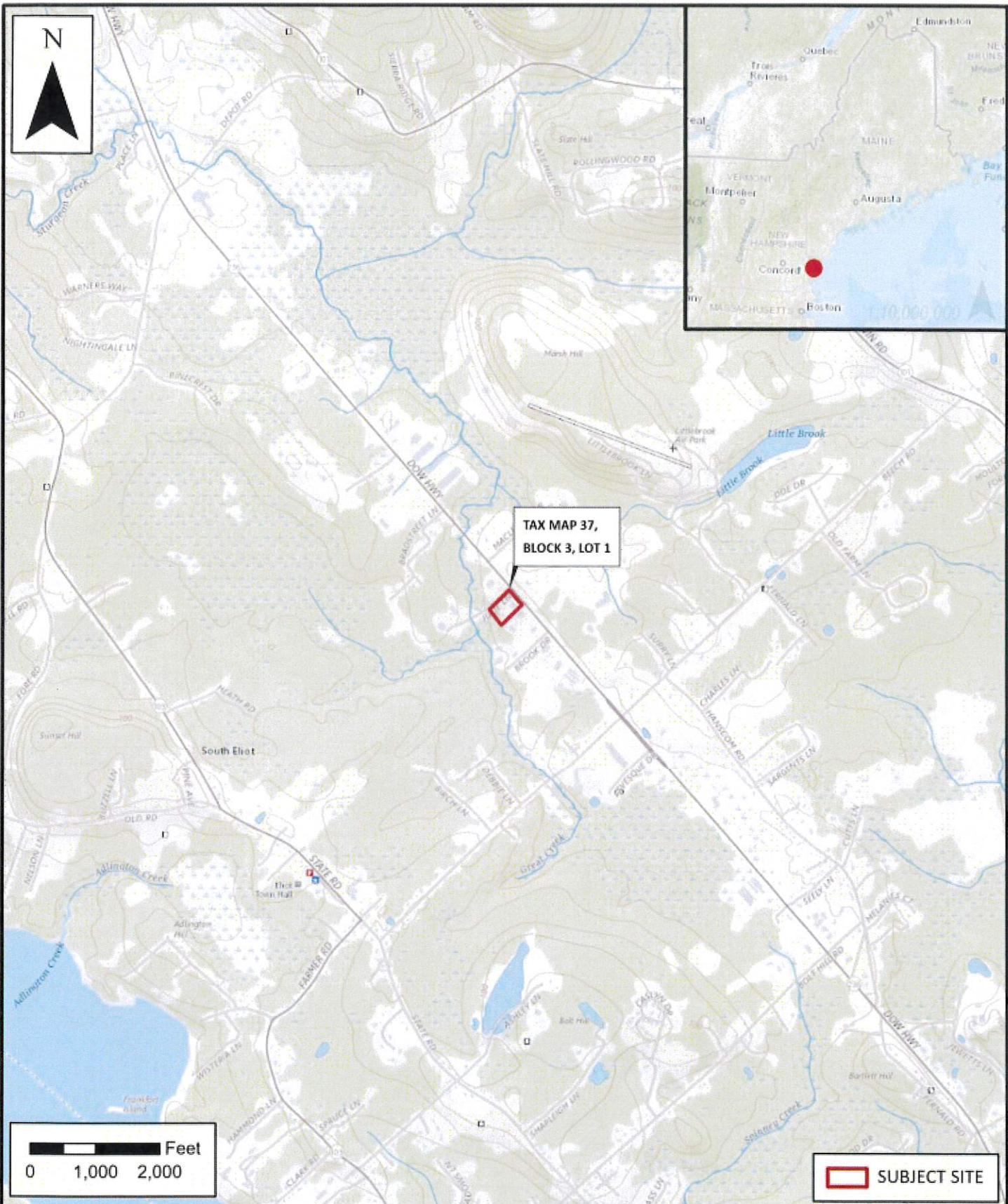
ASSESSING NEIGHBORHOOD		NOTES	
Nbhd	Nbhd Name	B	Tracing
0001			Batch

BUILDING PERMIT RECORD		VISIT/CHANGE HISTORY	
Permit Id	Issue Date	Type	Description

LAND LINE VALUATION SECTION		APPRAISED VALUE SUMMARY	
Use Code	Description	Zone	Land Type
B	3160	COMM WHSE	C/I

Year	Code	Description	Amount	Code	Description	Number	Amount

Year	Code	Description	Amount	Code	Description	Number	Amount



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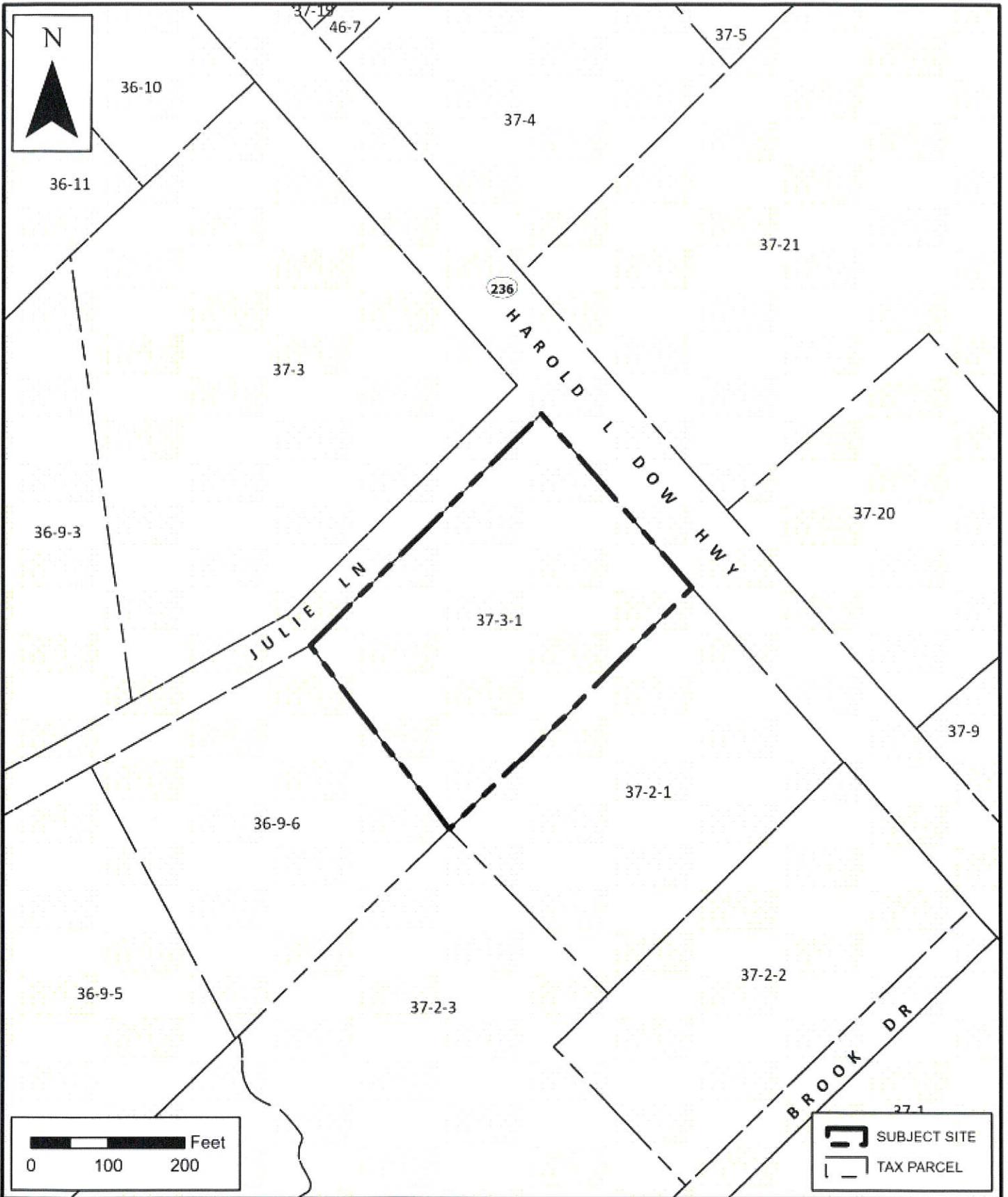
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd. - Suite 6A
South Portland, ME 04106
Tel. 207-200-2100

LOCATION MAP
PATCO CONSTRUCTION, INC.

LOCATION:
299 HAROLD DOW HIGHWAY
ELIOT, ME

INFORMATION:
MAINE GEOLIBRARY
USGS QUADRANGLE

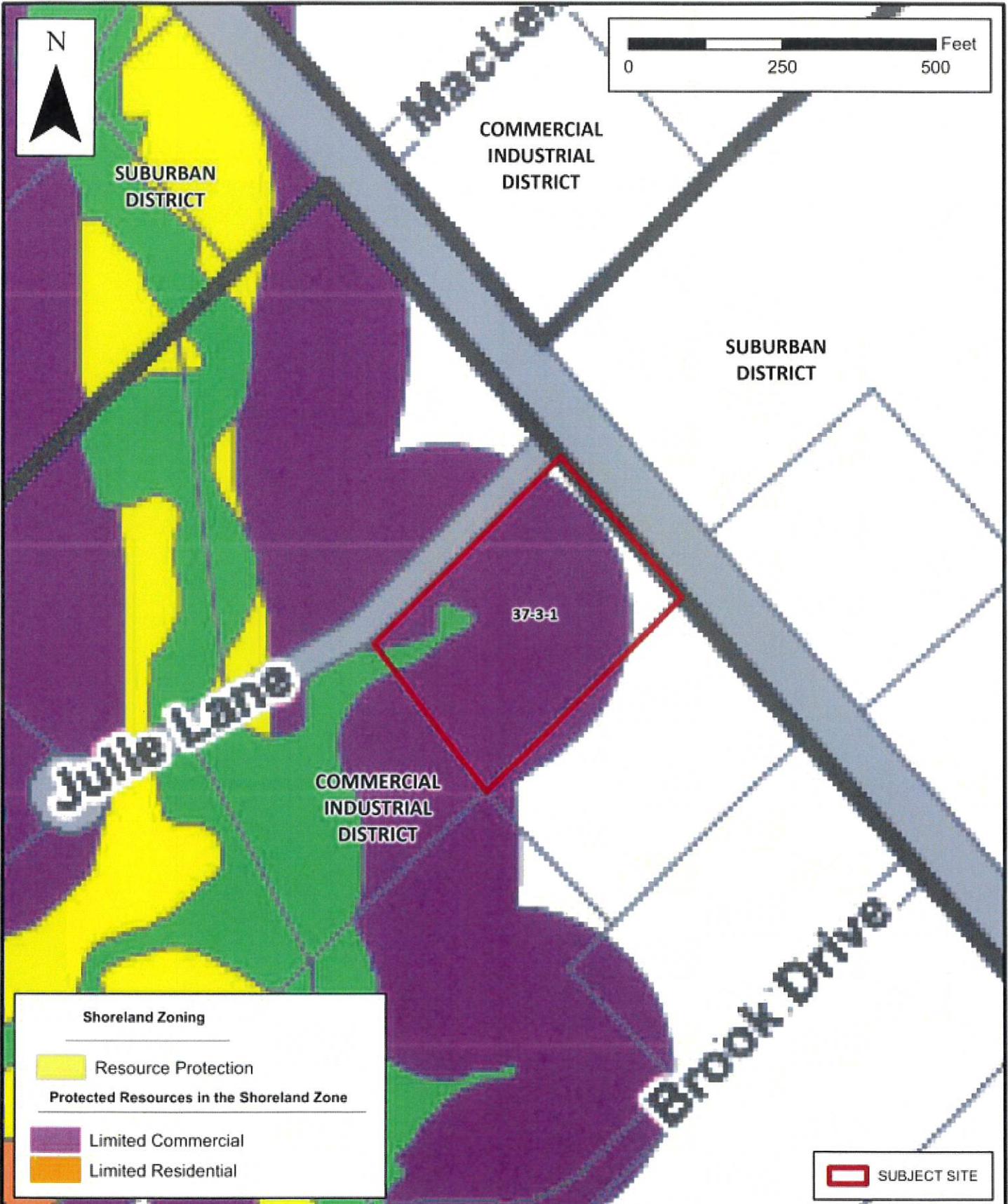
SCALE: 1:24,000
DATE: 8/18/2022



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South Portland, ME 04106
Tel: 207-200-2106

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



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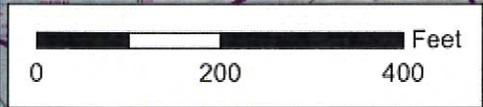
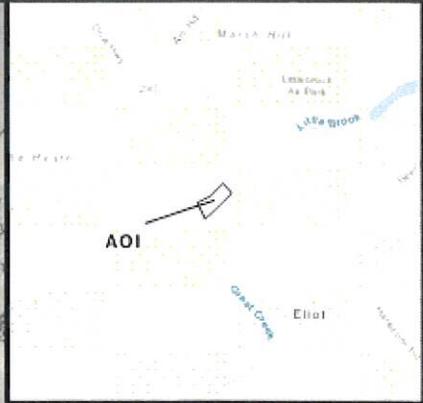
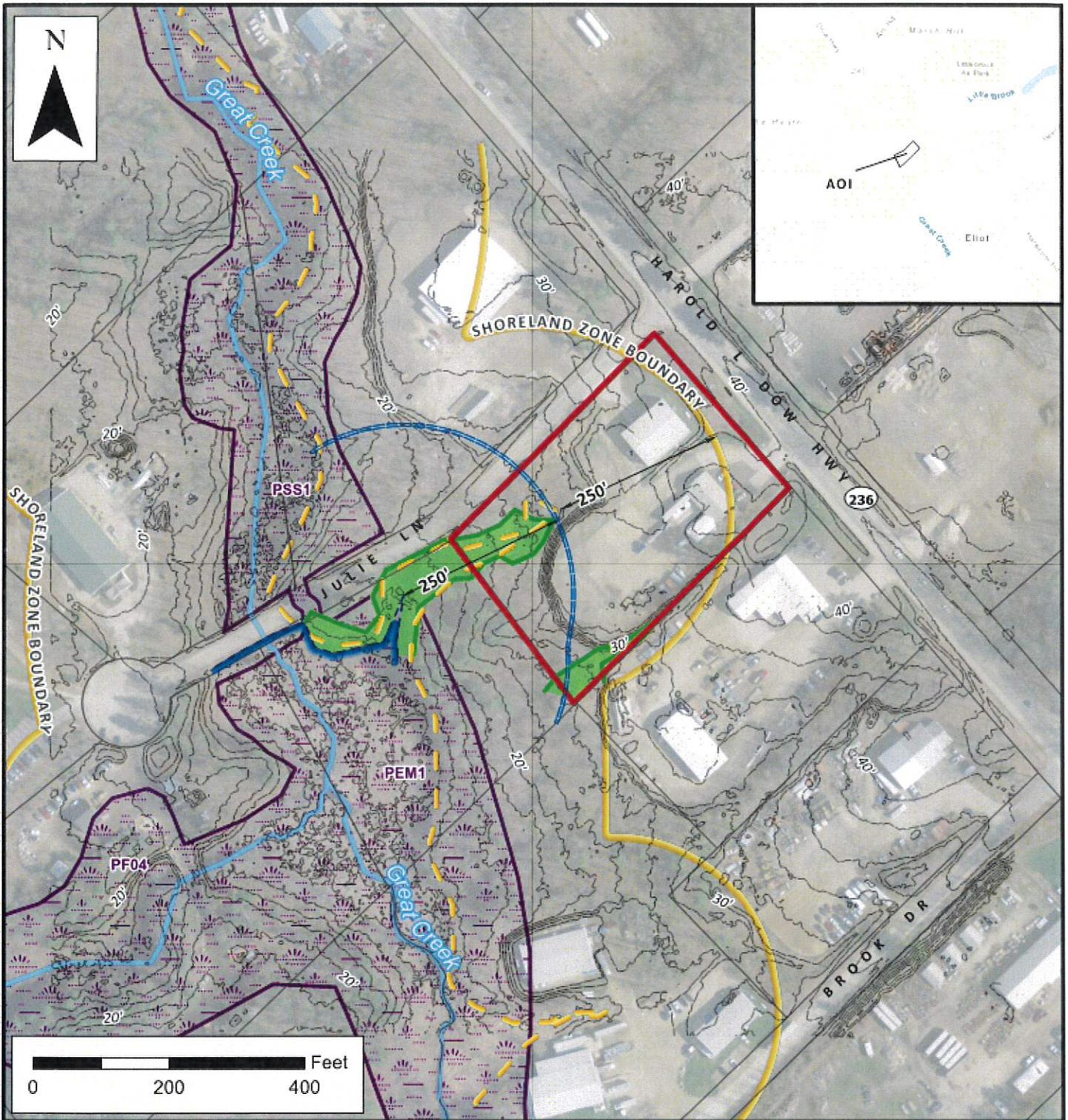
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd - Suite 4A
South Portland, ME 04106
Tel. 207.200.2100

ZONING MAP
PATCO CONSTRUCTION, INC.

LOCATION: 299 HAROLD DOW HIGHWAY
ELIOT, ME

INFORMATION: MAINE GEOLIBRARY
USGS QUADRANGLE

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



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

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

NATURAL RESOURCES		SCALE: 1:2,400
NATURAL ICE BUILDING		DATE: 11/28/2023
LOCATION:	INFORMATION:	
HAROLD DOW HWY ELIOT, ME	2019 NH COASTAL LIDAR 2018 ORTHOREGIONAL IMAGERY TOWN OF ELIOT, ME - OFFICIAL ZONING MAP - 2014	

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

Cole,

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

I have not heard from the Town yet.

Jeff

1

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

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

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Hi Jeff-

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



Left (west) of Photo 6.

Right (east) of Photo 6.

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

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

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



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

These are the best additional views I have on hand.

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

Thank you,

Cole

Cole Peters, PWS, CG

Environmental Division Manager

An Employee-Owned Company

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

Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781

cpeters@sebagotechnics.com | www.sebagotechnics.com



From: Kalinich, Jeffrey C <Jeffrey.C.Kalinich@maine.gov>

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

To: Cole Peters <CPeters@sebagotechnics.com>

Cc: Shawn Frank <sfrank@sebagotechnics.com>

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

Hi Cole,

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

Thanks,

Jeff

Jeffrey C. Kalinich

Assistant Shoreland Zoning Coordinator

Maine Department of Environmental Protection

312 Canco Road

Portland, Maine 04103

Ph. (207) 615-7044

Fax. (207) 822-6303

www.Maine.gov/dep

From: Cole Peters <CPeters@sebagotechnics.com>

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

To: Kalinich, Jeffrey C <Jeffrey.C.Kalinich@maine.gov>

Cc: Shawn Frank <sfrank@sebagotechnics.com>

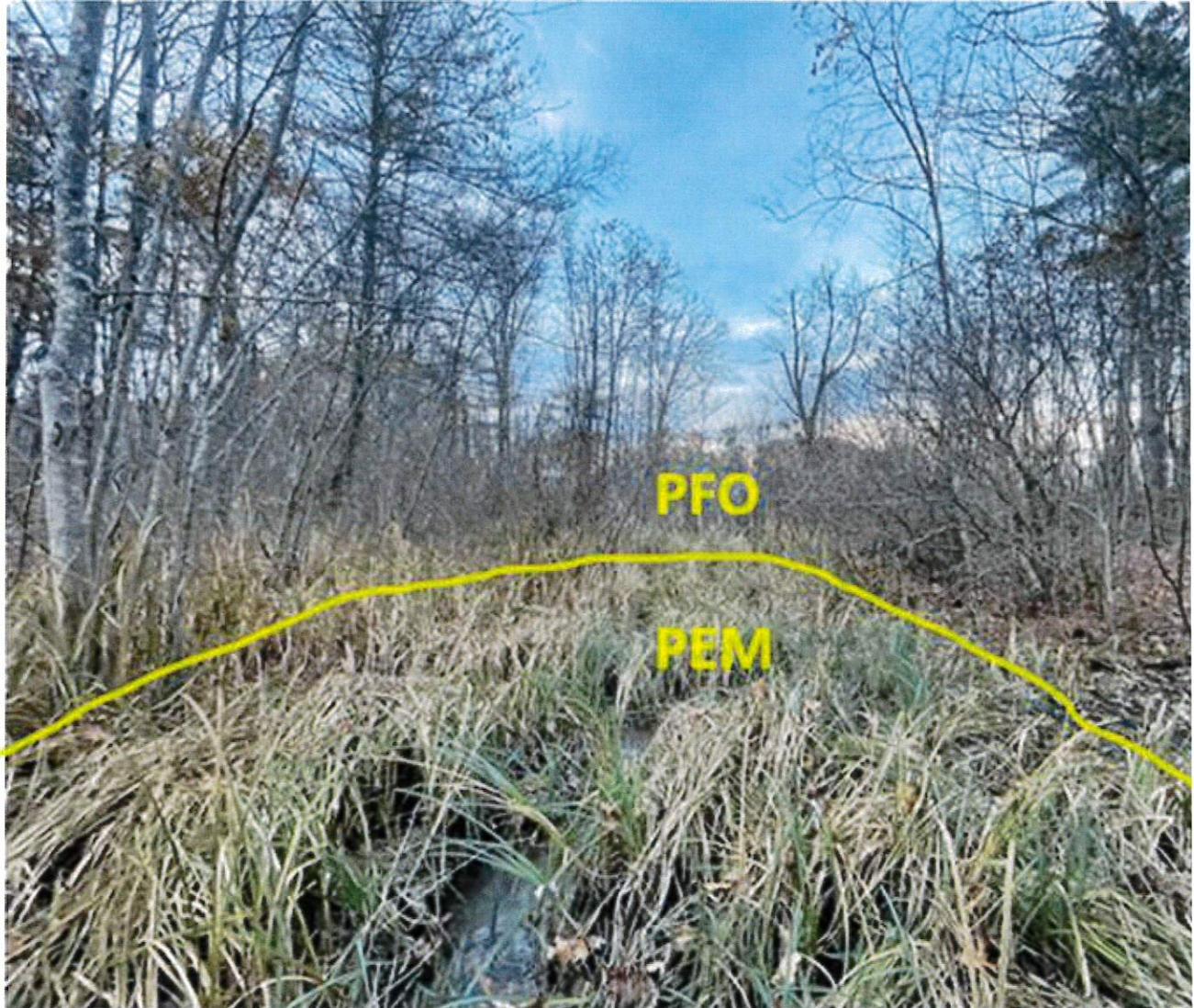
Subject: RE: Julie Lane, Eliot- Shoreland Zone Map

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Hi Jeff,

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

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



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

Enjoy the weekend!

Cole

Cole Peters, PWS, CG

Environmental Division Manager

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

Office: 207.200.2100 | Direct: 207.200.2125 | Mobile: 207.671.6781

cpeters@sebagotechnics.com | www.sebagotechnics.com



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

Hi Jeff-

Thank you again for your response below.

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

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

Please let me know if you have any questions.

Thank you,

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

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Hi Cole,

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

Let me know if you have any additional questions.

Jeff

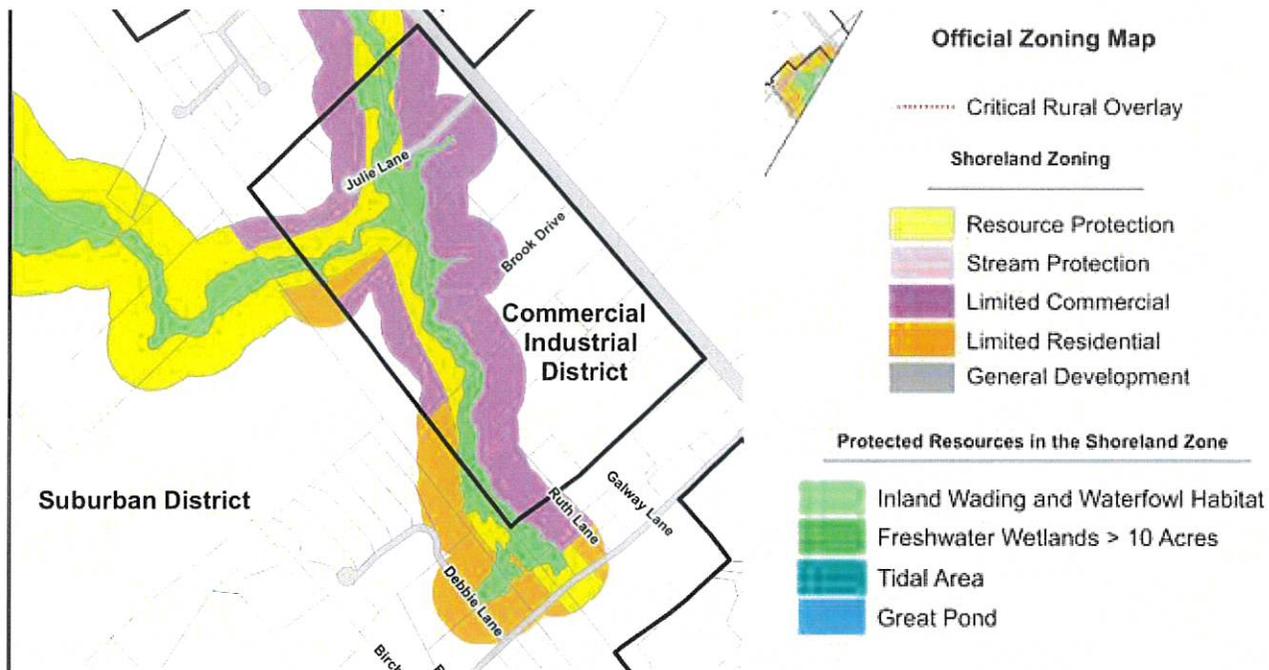
Jeffrey C. Kalinich
Assistant Shoreland Zoning Coordinator
Maine Department of Environmental Protection
312 Canco Road
Portland, Maine 04103
Ph. (207) 615-7044
Fax. (207) 822-6303
www.Maine.gov/dep

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

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Hi Jeff,

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



Please call me at your earliest convenience.

Thank you,

Cole
 Cole Peters, PWS, CG
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