

**Board of Selectmen**

Charles R. Cunningham -  
Chairman  
Steven Lewis – Vice Chairman  
Dale Harmon  
Kristina Ford  
Michael Tomacelli

**Town Manager**

Daniel Bryer Jr.



**Town of Boothbay  
Board of Selectmen Meeting  
Wednesday, April 24, 2019  
7:00 PM  
MINUTES**

**Present:** Chuck Cunningham, Steven Lewis, Dale Harmon, Michael Tomacelli, Kristina Ford and Town Manager, Dan Bryer

Chuck Cunningham calls the meeting to order at 7:00pm.

**Pledge of Allegiance:**

**Public Hearing:**

Lori and Win Mitchell, Boothbay Resort, Map R04, Lot 165 located at 301 Adams Pond Road in Boothbay has applied for an Innkeepers and Lodging Houses License. Dan Bryer stated that the taxes are paid and there are no outstanding issues on the property. Steve Lewis made a motion to approve the renewal of the Innkeepers and Lodging Houses License for Lori and Win Mitchell for the Boothbay Resort at 301 Adams Pond Road in Boothbay. Dale Harmon seconded the motion. No comments or questions. It is approved 5-0.

D. W. Moore Ltd, DBA Cabbage Island Clam Bake, Map R09, Lot 15 at Cabbage Island in East Boothbay has applied for the renewal of their Special Amusement Permit Class A, Class C and Class D and their Restaurant Liquor License. The taxes have been paid in full, no outstanding issues. Steve Lewis made a motion to approve the renewals of a Special Amusement Permit Class A, Class C and Class D and the renewal of the Restaurant Liquor License Class I, II, III and IV for D. W Moore Ltd, DBA Cabbage Island Clambake. Dale Harmon seconded the motion. No comments or questions. It is approved 5-0.

Ocean Point Inn, Map U03, Lot 023 at 191 Shore Road in East Boothbay has applied for the renewal of an Innkeepers and Lodging Houses License, renewal of a Special Amusement Permit Class C and a Seasonal Special Permit for Catering Privileges Off Premises for the pool area. Anthony Krason was present, he explained that the State of Maine for years thought the pool area was across the road and wouldn't give him the permit. He went and showed them that it was on the same side of the road as the Inn so they allowed a Full Season License. The taxes have been paid in full, no outstanding issues. Dan Bryer stated the taxes are paid in full and there are no outstanding issues. Steve Lewis made a motion to approve the renewals of The Innkeepers and Lodging Houses License, Special Amusement Permit Class C and the renewal of the Seasonal Special Permit for Catering Off Premises. Dale Harmon seconded the motion. No comments or questions. It is approved 5-0.

Steve Lewis mentions he would like the forms to be corrected where the amount of advertising is listed.

**Public Comment:** None

**Approve Minutes:**

Chuck Cunningham tabled the approval of minutes until they are received. Kristina Ford asked when Sherry Tibbetts will be back to do the minutes and Dan Bryer stated she is under the weather.

### **Reports:**

Dan Bryer Stated they received a thank you note from Sophia Gudroe for the contribution given to her from the Ulmer Fund. He has it in his office if anyone would like to see it. It was very nice of her to follow up.

The Business Office has been very busy getting the Town Reports ready. They have pretty impressive pictures for the front and back covers and nice dedications in there. They did a really nice job. Hats off to the Business Office. Chuck Cunningham asked when the Town Reports would be seen. Everything has been sent in we are just waiting for the publisher and it is a very quick turnaround.

The Public Works crew is currently painting picnic tables and plows. With the weather lately they have been focusing on culvert and catch basin clean up to prevent overflows.

The Code Office has 6 Building Permits, 6 Internal Plumbing Permits, 6 Applications to the Planning Board, 2 Developments, 1 Subdivision Application, 2 Wharf and Weirs and 1 Shoreland Zoning Building Permit. One of the Wharf and Weirs is a repair and a slight increase, the other is new. The Subdivision is an existing Subdivision and they are looking to make an amendment. One of the Developments has a lot coverage issue. The Shoreland Zoning has to do with impermeable surface.

They also have 8 Shoreland Vegetation Removal Permits. A big number, people are coming up for the season and seeing the devastation from the storms and want to clean up the damage. They have 2 Demo Permits and 5 Final Inspections as well. A substantial jump in the number of items.

Kristina Ford had a map made up of the roads in town and had it color coded to show what roads are state and what roads are town roads. She had it covered so that it can be written on. She would like to see where the development is and what part of town these things are happening in. Dan Bryer has given the map to the Code Enforcement Office.

### **BOS Action Items:**

Regarding the Action Items listed on the Agenda, the landscaping around Rte. 27, The Common Project, The Umaine Aqua Ventus Project, MDOT Park and Ride Facility and potential grant for electric vehicle charging station Dan Bryer stated most are still at the same point. There is significant movement with the housing group but he wants to wait until he has more firm information on that before speaking publically.

Chuck Cunningham asked if anything has been heard from the Umaine Aqua Ventus Project. Dan Bryer said he spoke with them on the phone and they are very much pursuing it right now but they didn't have anything significant to report.

Kristina Ford mentioned a group representing the fisherman and she would bring more information on it to the next meeting. Kristina Ford mentioned that the tests had been done and after not hearing back from them regarding the results you tend to assume it must be bad. That may not be the case so it would be nice to get an update from them. Michael Tomacelli mentioned that if an item on the action items has been dormant for more than six months they shouldn't keep it on there. It can always be put back on the list once some new information is given to Dan Bryer.

### **Old Business:**

### **Broadband Discussion:**

Tom Myette and Dan Bryer have been going through a lot of interviews with large businesses in the area regarding broadband. It has been extremely hard to get the meetings together, one was just conducted that day. They are getting a lot of useful information. Tom Myette has asked to put out a Public Notice for a Public Hearing on May 9<sup>th</sup> to get information from small business owners and homeowners. They will have a small questionnaire to fill out to get a grasp on what issues they are having. There is further discussion about the Broadband Report and the business and residential needs as well as the extravagant cost to get broadband to residential areas.

### **New Business:**

Sewer District – letter of support. Chris Higgins, Superintendent of the Boothbay Harbor Sewer District explained that last year the Sewer District Trustees saw the need to amend the charter or at least clarify it and get it into one document. Currently they have 8 documents that govern how they do business. They hired Jim Katsiaficas from Perkins Thompson to look at it and streamline it to produce something they can take to the legislature. They did that last December and Representative Holly Stover submitted a bill for them to amend the charter. Jim Katsiaficas and Representative Holly Stover recommended they request letters of support from both the towns, Boothbay and Boothbay Harbor to show there is local support for the amendments. The charter is 27 sections long so he talked about the biggest changes. In the past Boothbay had no seat at the table, this includes a recommendation to have a Trustee from Boothbay so there will always be representation for Boothbay on the board. If this is passed by the legislature the elections will occur locally and not in Boothbay Harbor. Boothbay Harbor has 1433 users and Boothbay has 33 users so that is why there is only one seat for Boothbay on the board. Language from 1954 was updated and there are changes regarding the comprehensive plan. He asked for a letter of support for the legislature. Once approved by the legislature he anticipates bringing it to local vote in November. Steve Lewis made the motion for Dan Bryer to draft a letter of support for the pending legislation in Augusta for the changes to the Boothbay Harbor Sewer District Charter. Kristina Ford seconded. It is Approved 5-0

Maria G. Canning Revocable Trust, Wharves and Weirs Application, Map R04, Lot 66-1 located at 41 Albion Point Road is seeking approval from the board to rebuild and modify a pressure treated wood 6' x 90' pier with granite crib supports, 3' x 50' aluminum ramp and a 14' x 40' wood float. It is located on Sawyer's Island on the Sheepscot River. It was approved by the Planning Board at the April 17<sup>th</sup> meeting. They have support from the Army Corp of Engineers and DEP and a letter of approval from Peter Ripley, the Harbormaster.

Motion is made by Steve Lewis to approve the Wharves and Weirs Application to rebuild and modify a pressure treated wood 6' x 90' pier with granite crib supports, 3' x 50' aluminum ramp and a 14' x 40' wood float. Dale Harmon seconded. It is approved 5-0.

### **Public Comment:**

Kristina Ford began a discussion regarding the Ulmer Fund. She wants to find a way to increase the amount of the fund so they are able to give more to students who are eligible. Dale Harmon explained why they have capped their donations at \$1,000.00 per student. The purpose of the fund is to help as many students as possible but they cannot use the whole amount that is in the fund so it will be able to help others in the future. Dan Bryer will look up the exact wording for the purpose of the fund for Kristina Ford.

**Review Warrants and Sign:** Chuck Cunningham made a motion to review and sign warrants. Steve Lewis approved the motion. Michael Tomacelli seconded. It is approved 5-0.

**Adjourn Meeting:**

Chuck Cunningham made a motion to adjourn at 8:33pm, Steve Lewis approved the motion to adjourn. Michael Tomacelli seconded. It is approved 5-0.

Minutes respectfully submitted by Andrea D. Lowery, Deputy Town Clerk.  
May 14, 2019