

**Planning Board**

Sam Morris - Chairman  
Robert Ham  
Bruce Bowler  
Annette Stormont  
Dimsie McBride  
Peggy Kotin - Alternate



Town of Boothbay Planning Board Meeting  
Wednesday, June 19, 2019  
6:30PM – Town Office Conference Room

***MINUTES***

**1. CALL MEETING TO ORDER:** Sam Morris called the meeting to order at 6:30PM.

- Roll call of Members & other officials in attendance:** Sam Morris, Rob Ham, Bruce Bowler, Dimsie McBride, CEO Jason Lorrain and Secretary Sherry Tibbetts
- Any commentary by the Board or instructions to the audience prior to reviews:**  
Sam Morris made a motion to make Dimsie McBride a full voting member of the board and Bruce Bowler seconded the motion. Vote: 3-0 in favor.

**2. NEW BUSINESS:**

**COMPLETENESS REVIEW:** ( The Planning Board, if Planning Board approval is required, shall notify the applicant either that the application is complete, or if the application is incomplete, that additional material is needed to make the application complete.)

**Applicant:** Rice Point LLC

**Mailing address:** 22 Austin Street, Portland, ME 04103

**Property location:** 65 Rice Road – tax map/lot U17/08

**Zone:** General Residential, Shoreland Overlay

**Principal reviewer:** Rob Ham

**Application Review:** Applicant seeks approval to replace an existing pier. The proposed dimensions are a 30'x6' pier, a 36'x3.5' runway and three floats, two 10'x20' and one 10'x10' low profile kayak float with two 3-pile dolphins at each end of the float.

Lauren Stockwell was present to discuss this application. Ms. Stockwell gave a brief overview of the project. Rob Ham asked questions about the riparian lines on the map provided and Lauren Stockwell pointed out the requested information.

Rob Ham also asked about the skidway and Ms. Stockwell said that is going to be removed.

Delores Carver, an abutter at 41 Rice Road said she has no objections to this project.

**Finding of Fact:**

The applicant is Rice Point LLC (Geraldine Canning) represented by Stockwell Environmental Consulting, Inc. relating to the property located at 65 Rice Road. Tax map/lot U17/08. Property taxes on account of the premises for which the approval is requested have been paid in full.

The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book 5195 on page 195. The property is in the General Residential District within the Shoreland Overlay and contains 2.39 acres.

The Town has received copies of the NRPA and the Army Corp of Engineers permit applications. The Harbor Master has inspected the site and given his approval; of which the CEO has a copy.

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## DRAFT

### **Conclusions:**

Rob Ham made a motion that the applicant has demonstrated Right, title or Interest in the property in question and Bruce Bowler seconded the motion. Vote: 4-0 in favor.

Rob Ham made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.6 Review Criteria of the Town of Boothbay Zoning Ordinance and Dimsie McBride seconded the motion. Vote: 4-0 in favor.

Rob Ham made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Sections 3.10.9 Docks, Piers, Wharves, Bridges of the Town of Boothbay Zoning Ordinance and Bruce Bowler seconded the motion. Vote: 4-0 in favor.

Rob Ham made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 1.8.5 Shoreland of the Town of Boothbay Zoning Ordinance and Dimsie McBride seconded the motion. Vote: 4-0 in favor.

### **Decision:**

Based on the above findings of fact and conclusions, the plans and supporting information submitted, testimony and evidence submitted at the Planning Board meetings on the application, on a motion made by Rob Ham and seconded by Bruce Bowler the Planning Board approved the wharves and weirs / shoreland zoning permit application with no additional conditions set forth all for the reasons set forth in the findings and conclusions. Vote: 4-0 in favor.

## **1. OLD BUSINESS:**

**Applicant:** Suzanne Adams & Marcia Rowland

**Mailing Address:** 70 Withey Road, New Vineyard, ME 04956

**Property location:** 57 Murray Hill Road – tax map/lot U14/0001

**Zone:** General Residential, Shoreland Overlay

**Principal reviewer:** Sam Morris

**Application Review:** Applicant seeks approval to construct a 35' x 10' deck on the east side of an existing non-conforming residential dwelling, reaching the line of greatest nonconformance. Also complete a complete interior renovation and shore up structural support underneath an existing shed.

Nicholas Plummer was present to discuss this application. Mr. Plummer talked about installing a new parking space and a new deck. There is no deck currently on the property.

Sam Morris asked about the buildable area on the application. It was agreed that there is zero buildable area available. Mr. Morris also questioned a few other numbers on the application.

Bruce Bowler said if there is no buildable area then there is no way any increase in structure could be allowed.

Rob Ham said he could see how the parking spot could be considered a necessity. Parking needs to be off the street

Mr. Plummer said the project meets all the other conditions except for the buildable area.

Steve Dwyer, an abutter said the place is currently in bad condition and asked several questions. Mr. Dwyer asked if permits are open ended and Jason Lorrain said that permits are for one year but if progress is being made an extension can be granted. Mr. Dwyer also asked about a mobile camper on the property and asked how long it could be there unused and Mr. Lorrain said it can only be there unused for 120 days. Mr. Dwyer said this project would only enhance the neighborhood.

## DRAFT

Rob Ham asked if the board could approve the parking space and not the deck. Mr. Lorrain said if they allowed one structure and denied the other, they would be opening a can of worms, as neither is allowed under the current ordinance.

The Findings of fact and Conclusions were not voted on.

### **Decision:**

Based on the plans and supporting information submitted, testimony and evidence submitted at the Planning Board meetings on the application on a motion made by Sam Morris and seconded by Bruce Bowler, the Planning Board denied the development permit applications. Vote: 4-0 in favor.

## **2. OTHER BUSINESS:**

**PRE-APPLICATION REVIEW:** (Pre-Application Meeting. An applicant may appear informally at a regular meeting of the Planning Board to informally discuss a proposed development. No fees shall apply and no binding commitment shall be made between the applicant and the Planning Board.)

**Applicant:** Eben Wilson

**Property location:** 25 Lincoln Street

**Application Review:** Applicant discussed the possibility of raising the level of old stone work by 2' and the fish house by up to 2' as well as replace an old pier with a new one.

Mr. Wilson and Lauren Stockwell were both present to discuss this pre-application.

The proposed new pier would be wider than the old pier. Under the current ordinance a commercial pier can only be 12' wide and Mr. Wilson would like the pier to be 16' wide. Because of location and water levels at other than high tide Mr. Wilson is trying to improve how he can load and unload at the pier and also store his gear. Ms. Stockwell said the board has approved several other application she has done such as this one by approving a 12' pier and a separate space to be used for gear storage.

There was a discussion about possible changes to the design presented. The Board said they would need to research the ordinance as well as the application Ms. Stockwell talked about.

**5. APPROVE MINUTES:** There were no minutes to be approved.

**6. ADJOURN MEETING:** Sam Morris made a motion to adjourn the meeting at 7:30PM and Bruce Bowler seconded the motion. Vote: 4-0 in favor.

Minutes respectfully submitted  
Sherry Tibbetts  
Secretary