

**Planning Board**

William Wright, Chair  
Rob Ham, Vice-Chair  
Bruce Bowler  
Peggy Kotin  
Lee "Mike" Thompson, Alternate  
Lucian Laurie Jr., Alternate



**Town of Boothbay Planning Board Meeting**  
**July 20, 2022 at 6:00 PM**  
**Town Office Conference Room**  
**Minutes**

**CALL MEETING TO ORDER:** Wright called meeting to order at 6:00 PM

Roll call of Members and other Officials in attendance: William Wright, Bruce Bowler, Peggy Kotin, Mike Thompson, Lucian Laurie Jr. and Jason Lorrain, Code Enforcement Officer.

Actions by the Board or instructions to the audience prior to reviews:

Wright asked the audience and presenters/applicants to stand at the podium and state their name when presenting or commenting.

**OLD BUSINESS :** TABLED APPLICATIONS

Applicant: Michael J. Tomko, Create Estates

Representing: Mary & Robert Woodman

Mailing Address: 15 Northwood Drive, Kennebunkport, ME 04046

Tax Map/Lot: U15-27

Property Location: 142 Murray Hill Road, East Boothbay

Zone: East Boothbay Village, Shoreland Overlay District

Application Review: Demolition of existing structure. Build new single-family home in same location with new foundation.

Bowler presented the Finding of Facts.

The Board made a site visit on Friday May 20, 2022, at 4:00PM.

**Findings of Facts:**

- The owners of the property are Mary and Robert Woodman. The property owners have provided authorization for Michael Tomko/ Create Estates to represent them.
- The property is located at 142 Murray Hill Road. It is in the East Boothbay Village district and Shoreland Overlay. The property is further identified as Assessor's Tax Map U15-27. The property contains 0.41 acres.
- The applicant is Michael Tomko/Create Estates who has demonstrated a legal interest in the property by providing a copy of the deed. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book #4712 on Page #297.

- The applicant requests approval to demolish the existing structure. Build new single-family home in same location with new foundation.

### **Conclusions:**

Bowler made a motion that the applicant **has** demonstrated Right, Title or Interest in the property in question. Kotin seconded the motion. Vote: 5-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 5.3 - 5.3.5 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 5-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.3.6.2 – 5.3.6.2.3 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 5-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.3.6.4 – 5.3.6.4.7 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 5-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.4.5 – 5.4.5.3.2 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 5-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.4.6 – 5.4.6.4 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 5-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.4.6.8 – 5.4.6.22.1 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 5-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 6.6 – 6.6.4.3 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 5-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5 – 7.5.6.7 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 5-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.17 – 7.5.17.4.5 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 5-0 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 meeting on the application on a motion made by Bowler and seconded by Kotin the Planning Board **approved** the development application subject to the conditions of approval set forth below, all for the reading set forth in the finding and conclusions. Vote: 5-0 in favor.

**Conditions of Approval:**

Update application to include existing and proposed developed areas.

Applicant: John & Shelia Moran

Mailing Address: 772 Fairview Ave. Apt E, Annapolis, MD 21403

Tax Map/Lot: U11-11

Property Location: 482 Ocean Point Rd., East Boothbay, ME 04544

Zone: Residential District

Application Review: Construction of a 14'x17' deck onto a nonconforming structure.

Discussion: Applicant submitted an email saying they are not ready for this meeting and asked that the application be tabled for another month. The board left the application on the table for next month.

**NEW BUSINESS**

Applicant: Peter & Mary-Frances Gleason

Mailing Address: 35 Twoey Drive, Windham, ME 04062

Tax Map/Lot: R4/128

Property Location: 256 Back River Rd., Boothbay, Maine

Zone: Water Reservoir Protection District, Shoreland overlay and Watershed overlay

Application Review: Repair/Update & increase footprint of non-conforming structure.

Wright presented the Finding of Facts

**Findings of Facts:**

- The owner of the property is Peter & Mary-Frances Gleason
- The property is located at 256 Back River Road. It is in the Water Reservoir Protection District, Shoreland overlay and Watershed overlay. The property is further identified as Assessor's Tax Map R4-128. The property contains 0.81 acres.
- The applicant is Peter & Mary-Frances Gleason, who have demonstrated a legal interest in the property by providing a copy of their deed. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book #5585 on Page #276.
- The applicant requests approval to repair/update & increase footprint of non-conforming structure.

**Conclusions:**

Wright made a motion that the applicant **has** demonstrated Right, Title or Interest in the property in question. Bowler seconded the motion. Vote: 5-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 5.3 - 5.3.5.2.2 of the Town of Boothbay Zoning Ordinance and Bowler seconded the motion. Vote: 5-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.3.6.2 – 5.3.6.2.3 of the Town of Boothbay Zoning Ordinance and Bowler seconded the motion. Vote: 5-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.3.6.4 – 5.3.6.4.7 of the Town of Boothbay Zoning Ordinance and Bowler seconded the motion. Vote: 5-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 6.6 – 6.6.2.4 of the Town of Boothbay Zoning Ordinance and Bowler seconded the motion. Vote: 5-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.14 – 7.5.14.7 of the Town of Boothbay Zoning Ordinance and Bowler seconded the motion. Vote: 5-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.17 – 7.5.17.4 of the Town of Boothbay Zoning Ordinance and Laurie seconded the motion. Vote: 5-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.18 – 7.5.18.4.3 of the Town of Boothbay Zoning Ordinance and Bowler seconded the motion. Vote: 5-0 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 meeting on the application on a motion made by Wright and seconded by Bowler the Planning Board **approved** the development application subject to the conditions of approval set forth below, all for the reading set forth in the finding and conclusions. Vote: 5-0 in favor.

**Conditions of Approval:**

Add new stairs to proposed calculations and update to reflect 30% expansion calculation for nonconforming structures on the stamped survey drawing.

**OTHER BUSINESS**

**PRE-APPLICATION REVIEW: NONE**

**APPROVE MINUTES:** June 15, 2022 meeting minutes. Wright made a motion to approve the June 15, 2022 meeting minutes with one correction of the final vote for the Alley application from 4-0 in favor to 5-0 in favor. Bowler seconded the motion. Vote: 5-0 in favor

**ADJOURN MEETING:** Wright made a motion to adjourn the meeting at 7:00 PM. Bowler seconded the motion. Vote: 5-0 in favor

Minutes respectfully submitted,  
Andrea Hodgdon