

**Planning Board**

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



Town of Boothbay Planning Board Meeting  
Wednesday, September 19, 2018  
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:** Rob Ham, Annette Stormont, Bruce Bowler, Sam Morris and Secretary Sherry Tibbetts
- Any commentary by the Board or instructions to the audience prior to reviews:** Sam Morris announced that the Code Enforcement Officer was not able to be present tonight and neither was the Town Manager available and asked if anyone was uncomfortable moving forward without them. No one had any objections to moving forward without representation from either the CEO or Town Manager.

**2. OLD BUSINESS:** None scheduled

**3. 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:** Stephen Davis and Michele Imhof, represented by Leighton and Assoc.  
**Mailing address:** 690 Fort Washington Ave. Apt. 7H, New York, NY 10040  
**Property location:** 14 Lincoln Street, East Boothbay – tax map/lot U17/0034  
**Zone:** Village District  
**Principal reviewer:** Annette Stormont  
**Application Review:** Applicant seeks approval to enclose an existing 11x16' deck and add a new 11x16' deck off the addition, on this existing non-conforming parcel. Applicants have also contracted to purchase a contiguous lot, to comply with setback ordinance.

Nicholas Plumber from Leighton and Associates was present to represent Mr. Davis and Ms. Imhof for this application.

Mr. Plummer gave a brief overview of the project. He talked about the parking space. He talked about enclosing the existing porch and adding an addition over the top of it and then adding a new porch. He said the project was within the 20% allowed.

Noel Arrington, contractor for the project said this will meet the height restrictions, the height of this project will be 29 ½ feet and the height limit is 34'.

Nat Wilson, an abutter who lives across the street said he had no objections and that he thought this would be an improvement. Mr. Wilson asked questions about this being in the Shoreland Zone and was told that since the project fell within 250' of the water it was considered to be in the Shoreland Overlay Zone.

**Findings of Fact:**

The owners are Stephen Davis and Michele Imhof relating to the property located at 14 Lincoln Street and further identified as tax map/lot U17/0034, purchasing U17/0035 which contains 0.06 acres for a total of 0.17 +/- in total.

The property taxes on the premises for which the approval is requested have been paid in full.

The deed for the property can be seen at the Lincoln Country Registry of Deeds in Book 2957 on page 130. The property is in the Village District Zone.

Applicant seeks approval to enclose an existing 11x16' deck and add a new 11x16' deck off the addition, on this existing non-conforming parcel. Applicants have also contracted to purchase a contiguous lot, to comply with setback ordinance.

**Conclusions:**

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

Annette Stormont made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 1.8 and 3.6 Review Criteria of the Town of Boothbay Zoning Ordinance and Rob Ham seconded the motion. Vote: 4-0 in favor.

Annette Stormont made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.9.7.4 of the Town of Boothbay Zoning Ordinance and Rob Ham seconded the motion. Vote: 4-0 in favor.

Annette Stormont made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.11.23.3.1, 3.11.23.3.1.3, 3.11.23.3.1.3.1, and 3.11.23.3.1.4 Non-conforming Structures of the Town of Boothbay Zoning Ordinance and Rob Ham 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 Annette Stormont and seconded by Rob Ham the Planning Board approved the development permit application subject to the standard conditions of approval all for the reasons set forth in the findings and conclusions. Vote: 4-0 in favor.

- ✓ **Applicant:** Peter and Diane Troy, represented by Eric Marden
- Mailing address:** 114 Bayview Road, S. Chatham, MA 02659
- Property location:** 182 King Phillips Trail, East Boothbay – tax map/lot U09/0020/E
- Zone:** Special Residential, Shoreland Overlay
- Principal Reviewer:** Bruce Bowler
- Applications Review:** Applicant seeks approval to turn a 12'x30' existing deck into a two story livable space.

Eric Marden was present to discuss this application.

Mr. Marden gave a brief overview of the project. He said this is all being built on top of an existing deck and will not increase the footprint of the house.

Mr. Marden presented the board members with an updated septic design showing that it will not be within the 75' setback.

**Findings of Fact:**

The owners are Peter & Diane Troy relating to the property located at 182 King Phillips Trail. Property taxes on the property have been paid in full.

The deed for the property can be seen at the Lincoln County Registry of Deeds in Book 5258 on page 178.

The property can also be identified as tax map/lot U09/0020/E and contains 0.18 acres.

The property is in the Special Residential Zone and is in the Shoreland Zoning Overlay.

Applicant seeks approval to turn a 12'x30' existing deck into a two story livable space.

**Conclusions:**

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

Bruce Bowler made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 1.8 and 3.6 of the Town of Boothbay Zoning Ordinance and Rob Ham seconded the motion. Vote: 4-0 in favor.

Bruce Bowler made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.9.7.4 of the Town of Boothbay Zoning Ordinance and Rob Ham seconded the motion. Vote: 4-0 in favor.

Bruce Bowler made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.11.23.3.1, 3.11.23.3.1.3, 3.11.23.3.1.3.1 and 3.11.23.3.1.4 Non-conforming Structures of the Town of Boothbay Zoning Ordinance and Rob Ham 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 Bruce Bowler and seconded by Rob Ham the Planning Board approved the development permit application subject to the standard conditions of approval all for the reasons set forth in the findings and conclusions. Vote: 4-0 in favor.

**4. 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.)

- ✓ **Diane Wood** – A property owner in East Boothbay had questions on the process. She asked if she lived directly across the road, would she be considered an abutter and Bruce Bowler read the definition of an abutter from the ordinance and concluded she would be considered an abutter. She had questions on what a person could do with the property across the road that is for sale, the septic easement for the property is located on her property. It was suggested she talk with the CEO about her concerns and how the process works.

**5. APPROVE MINUTES:** Annette Stormont made a motion to approve the minutes of the July7 18<sup>th</sup> meeting with one correction (the members present needed to be listed) and Bruce Bowler seconded the motion. Vote: 4-0 in favor.

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6. **ADJOURN MEETING:** Bruce Bowler made a motion at 7:15PM to adjourn the meeting and Rob Ham seconded the motion. Vote: 4-0 in favor.

Minutes respectfully submitted

Sherry Tibbetts

Secretary