

## **Planning Board**

Sam Morris - Chairman  
Robert Ham  
Bruce Bowler  
Dimesie McBride-Vice Chair  
Peggy Kotin  
William Wright-Alternate



Town of Boothbay Planning Board Meeting  
Wednesday December 18, 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, William Wright-alternate, and Secretary Sarah Wade
- Any commentary by the Board or instructions to the audience prior to reviews:**

Sam Morris made a motion to allow William Wright to be a voting member, Bruce Bowler seconded the motion.  
Vote 3-0 Favor

### **2. OLD BUSINESS: COMPLETENESS REVIEW:**

### **3. NEW BUSINESS:**

#### **COMPLETENESS REVIEW**

**Applicant:** Robert and Katherine Horgan, represented by Steve Berger

**Mailing address:** 1030 10<sup>th</sup> Street West, Boca Grande, FL 33921

**Property location:** U3/18

**Zone:** Special Residential, Shoreland Overlay

**Primary Reviewer:** Rob Ham

**Application Review:** Applicant seeks approval to renovate an existing, non-conforming cabin.

Steve Berger presented on behalf of Robert & Katherine Horgan. Applicant seeks approval to renovate an existing, non-conforming cabin.

#### **Findings of Fact:**

- The owners are Robert and Katherine Horgan, relating to the property located at 226 Shore Road. Property taxes on account of the premises for which the approval is requested have been paid in full.
- The property is located at 226 Shore Road. The deed for the proposed project can be seen at the Lincoln County Deeds in Book 5174 on Page 189. The property is in the Special Residential Zone and is in the Shoreland Zoning Overlay. The property is further identified at Assessor's Tax Map/Lot: U03/18. It contains 0.48 acres.
- Applicant seeks approval to renovate an existing, non-conforming cabin.

#### **Conclusions:**

Rob Ham made a motion that the applicant has demonstrated Right, Title or Interest in the property in question and Bill Wright 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 and 3.6, Review Criteria of the Town of Boothbay Zoning Ordinance and Bill Wright 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 3.9.7.4, Docks, of the Town of Boothbay Zoning Ordinance and Bill Wright 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 3.11.23.3.1, 3.11.23.3.1.3, 3.11.23.3.1.3.1, 3, 3.11.23.3.1.4, 3.11.23.3.3.3 Non-conforming Structures, Additional Standards of the Town of Boothbay Zoning Ordinance and Bruce Bowler 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 motion made by Rob Ham and seconded by Bruce Bowler the Planning Board approved the development permit application subject to the conditions of approval set forth below, all for the reading set forth in the finding and conclusions. Vote: 4-0 in favor.

**Conditions of Approval:**

No conditions.

**Applicant:** Boothbay Region Water District

**Mailing address:** 184 Adams Pond Rd

**Property location:** R04/173

**Zone:** Maritime Water Reservoirs Protection

**Primary Reviewer:**

**Application Review:** Applicant seeks of an addition of 4,800 sq. ft. maintenance & storage garage,

Randy Butler of Dirigo Engineering presented on behalf of the Boothbay Region Water District. John Zigra was also in attendance. The applicant requests approval to construct a maintenance and storage garage.

**Findings of Fact:**

- The owners are Boothbay Region Water District relating to the property located at 184 Adams Pond Rd. Property is exempt from property taxes.
- The property is located at 184 Adams Pond Rd. The property is in the Water Reservoirs Protection District. Shoreland and Watershed Overlay zones. The property is further identified as Assessor's Tax Map/Lots: R04/172. Proposed area of development contains an approximate total of 16.58 acres.
- The deeds for the proposed project can be seen at the Lincoln County Registry of Deeds Book 2982 Page 637.
- The applicant requests approval to construct as addition of 4,800 sq. ft. maintenance & storage garage.

**Conclusions:**

Sam Morris 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.

Sam Morris 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 Bruce Bowler seconded the motion. Vote: 4-0 in favor.

Sam Morris made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.9.4.4.1, Development and Performance Standards, of the Town of Boothbay Zoning Ordinance and Bruce Bowler seconded the motion. Vote: 4-0 in favor.

Sam Morris made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.9.4.4.2 Structures, of the Town of Boothbay Zoning Ordinance and Bruce Bowler seconded the motion. Vote: 4-0 in favor.

Sam Morris made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.9.9.4, Development and Performance Standards, and Bruce Bowler seconded the motion. Vote: 4-0 in favor.

Sam Morris made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Sections 3.10.7, Commercial Development next to a Residential Use, of the Town of Boothbay Zoning Ordinance and Bill Wright seconded the motion. Vote: 4-0 in favor.

Sam Morris made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.11.10 Erosion and Sedimentation Controls, of the Town of Boothbay Zoning Ordinance and Bruce Bowler seconded the motion. Vote 4-0 in favor.

Sam Morris made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.11.18 Sanitation, of the Town of Boothbay Zoning Ordinance and Bill Wright seconded the motion. Vote: 4-0 in favor.

Sam Morris made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.11.22 Storm Water Runoff, 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 motion made by Sam Morris and seconded by Bruce Bowler the Planning Board approved the development permit application subject to the conditions of approval set forth below, all for the reading set forth in the finding and conclusions. Vote: 4-0 in favor.

#### **Conditions of Approval:**

The Planning Board is approving the application waving the standard 3.9.9.4.3.2 Coverage that Lots may be developed to a maximum of 3,000 square feet excluding parts of driveways less than 10 feet in width considering the essential service provided by the project 3.10.10

## **4. OTHER BUSINESS:**

### **PRE-APPLICATION REVIEW**

- **Applicant:** Michael Feldmann
  - **Address:** 26 King Phillips Trail
  - **Tax Map/Lot:** U10/25/3
  - **Review of:** Clarification on a marijuana nursery license location

Michael Feldmann was present to discuss whether or not he should pursue an application for a business out of his home on 26 King Philips Trail. The business would be the selling and distribution of marijuana seeds and

seedlings. The board stated that this was strictly advisory input but that retail business is prohibited in this area.

5. **APPROVE MINUTES:** Motion made by Bruce Bowler to approve the minutes from November 20, 2019 and Rob Ham seconded the motion. Vote: 3-0 in favor (Sam Morris was not at that meeting to vote on approval of minutes)
5. **ADJOURN MEETING:** At 7:36 PM Bruce made a motion to adjourn the meeting and Sam Moris seconded the motion. Vote: 4-0 in favor.

Minutes respectfully submitted  
Sarah Wade  
Secretary