

Planning Board

Alan Bellows - Chair
Melinda Browne – Vice Chair
Robert Ham
Bruce Bowler
Annette Stormont



Town of Boothbay Planning Board Meeting
Wednesday, December 20, 2017
6:30PM – Town Office Conference Room

MINUTES

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

- **Roll call of Members & other officials in attendance:** Alan Bellows, Melinda Browne, Robert Ham, Bruce Bowler, Annette Stormont, CEO Jason Lorrain, and Secretary Sherry Tibbetts
- **Any commentary by the Board or instructions to the audience prior to reviews:** Alan Bellows advised the board that Tim Utley has resigned as an alternate member of the board.

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:** Mari McGuire, Mary Jane O'Connor, James Pruett, Margaret Arbour
Mailing address: 138 Central Street, Gardiner, ME 04345
Property location: 134 Shore Road, East Boothbay, ME 04544, tax map/lot U1/99
Zone: Special Residential, Shoreland Zone
Principal reviewer: Alan Bellows
Application Review: Applicant wishes to remove rear wall and roof of existing bunkhouse and add 4' addition to rear of bunkhouse, toward Shore Road. Install new rafters and roof. Move door from center of bunkhouse to right side. Install egress window on rear.

Mari McGuire was present to discuss this application.

Alan Bellows asked about the setback from the road and Ms. McGuire said it was 37' and met the requirements.

Alan Bellows had questions about the developable area as this lot is so small that according to the ordinance the developable area would be zero.

Findings of Fact:

The owners are Mari McGuire, Mary Jane O'Conner, James Pruett, and Margaret Arbour relating to the property located at 134 Shore Road.

The property taxes have been paid in full and the deed for the property can be seen at the Lincoln County Registry of Deeds in Book 2551 on page 122. The property can also be identified as Assessor's tax map/lot U01/0099 and contains 0.11 acres.

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

Applicant wishes to remove rear wall and roof of existing bunkhouse and add 4' addition to rear of bunkhouse, toward Shore Road. Install new rafters and roof. Move door from center of bunkhouse to right side. Install egress window on rear.

Conclusions:

Alan Bellows made a motion that the applicant has demonstrated Right, Title or Interest on the property in question and Bruce Bowler seconded the motion. Vote: 5-0 in favor.

Alan Bellows made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 1.8 and 3.6 (A-H) Review Criteria of the Town of Boothbay Zoning Ordinance and Bruce Bowler seconded the motion. Vote: 5-0 in favor.

Alan Bellows 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 Bruce Bowler seconded the motion. Vote: 5-0 in favor.

Alan Bellows made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.11.20.1, 3.11.23.3.1.5 Non-conforming Structures of the Town of Boothbay Zoning Ordinance and Bruce 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 meetings on the application, on a motion made by Allan Bellows and seconded by Bruce Bower, the Planning Board approved the development permit application with no additional conditions of approval set forth. Vote: 5-0 in favor.

- **Applicant: Laurie Zimmerli & Ann Prost**

Mailing address: 33 Hiawatha Trail, East Boothbay, Me 04544

Property location: 33 Hiawatha Trail, East Boothbay, ME 04544, tax map/lot U7/2G

Zone: Special Residential, Shoreland Zone

Principal reviewer: Melinda Browne

Application review: Applicant wishes to construct a PT wood 4' x 8' access platform; 4' x 20' access stairs; 6' x 16' pier; 3' x 36' aluminum ramp; 10' x 20' PT wood float, and a 10' x 16' flip-up float storage frame.

Laurie Zimmerli, Ann Prost and contractor Larry Colcord were all present for this discussion.

There was a brief discussion about the flip-up float storage and that is actually a haul out or ways.

Findings of Fact:

Property taxes for the property have been paid in full. The property is located at 33 Hiawatha Trail, tax map/lot U07/00002/G.

The deed for the property can be seen at the Lincoln County Registry of Deeds in Book 5110 on page 256. The property is in the Special Residential district with the Shoreland Zone Overlay. The property contains 0.69 acres.

The town has received copies of the NRPA and the Army Corp. of Engineers permit applications. The Harbormaster has inspected the site and given his approval of which the CEO has a copy.

Applicant wishes to construct a PT wood 4' x 8' access platform; 4' x 20' access stairs; 6' x 16' pier; 3' x 36' aluminum ramp; 10' x 20' PT wood float, and a 10' x 16' flip-up float storage frame.

Conclusions:

Melinda Browne made a motion that the applicant has demonstrated Right, Title or Interest on the property in question and Annette Stormont seconded the motion. Vote: 5-0 in favor.

Melinda Browne made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.6 (A-H) Review Criteria of the Town of Boothbay Zoning Ordinance and Annette Stormont seconded the motion. Vote: 5-0 in favor.

Melinda Browne made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.10.9 Docks, Piers, Wharves, Bridges of the Town of Boothbay Zoning Ordinance and Annette Stormont seconded the motion. Vote: 5-0 in favor.

Melinda Browne 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 Annette Stormont 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 meetings on the application, on a motion made by Melinda Browne and seconded by Annette Stormont, the Planning Board approved the wharves and weirs/shoreland zoning permit application with no additional conditions of approval set forth. Vote: 5-0 in favor.

- **Applicant: William Livingston**

Mailing address: 110 Eastern Avenue, Boothbay Harbor, ME 04538

Property location: 409 Wiscasset Road, Boothbay, ME 04537, tax map/lot R5/0001/B

Zone: C1

Principal reviewer: Rob Ham

Application review: The applicant wishes to remove and replace existing building (currently Rivers End Cade) and replace with a steel building to be used as an auto repair facility.

The current owner of the property Jean Dubois and William Livingston were present for this discussion.

Mr. Dubois gave a brief description of the history of the current business and the reasons for asking for a change in use. The footprint of the building would stay the same, it would just be a steel building instead of the current wooden one. The parking lot is already in place.

Under the current ordinances an auto repair facility is not allowed in the C1 district.

Rob Ham asked if the owner lived on the property if that would change anything, could it then be considered a home occupation and approved if it met those guidelines. This sparked a discussion among the board members who were not clear on this.

The application could not be approved as presented, when apprised of this the applicant withdrew his application.

4. OTHER BUSINESS:

The board signed new Findings of Fact for the Romee May application as there was some incorrect language on the original one.

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.](#))

5. APPROVE MINUTES: Rob Ham made a motion to approve the minutes of October 18, 2017 as presented and Melinda Browne seconded the motion. Vote: 5-0 in favor.

6. **ADJOURN MEETING:** Bruce Bowler made a motion to adjourn the meeting at 7:30PM and Annette Stormont seconded the motion. Vote: 5-0 in favor.

Minutes respectfully submitted

Sherry Tibbetts

Secretary