

Planning Board

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



Town of Boothbay Planning Board Meeting
Wednesday May 20, 2020
6:30 WebEx Virtual Meeting

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, Dimesie McBride, Peggy Kotin, Robert Ham, Bruce Bowler, William Wright- Alternate, Sarah Wade Secretary and Jason Lorrain Code Enforcement Officer

2. **OLD BUSINESS:**

3. **NEW BUSINESS:**

Applicant: Miller Holdings LLC

Mailing address: PO Box 513, East Boothbay, ME 05455

Tax Map/Lot: U16/01 + 02

Property location: 224 Ocean Point Rd

Zone: Maritime Commercial District, Shoreland Overlay

Primary Reviewer: Sam Morris

Application Review: Applicant seeks approval of a site development amendment.

Eileen and Dan Miller informed the board that previous plan that has been submitted and approved will be tabled. They also informed the board that the previous plan required a meeting with fire marshal to get approval. The new plan did not need fire marshal. The plan for 2020 will consist of a food truck, outdoor bar and tent. Restrooms are on the property.

Findings of Fact:

- The owners are Miller Holdings, LLC, Dan Miller, relating to the property located at 224 Ocean Point Road, Lobsterman's Wharf Restaurant. Property taxes on account of the premises for which the approval is requested have been paid in full.
- The property is located at 224 Ocean Point Road. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book 4877 on Page 51. The property is in the Maritime Commercial Zone and is in the Shoreland Overlay zone. The property is further identified as Assessor's Tax Map/Lot: U16/0001&0002. It contains 1.48/0.01 acres.
- The applicant wishes to amend a planning board approved site plan from 2018.

Conclusions:

Sam Morris made a motion that the applicant **has** demonstrated Right, Title or Interest in the property in question and Dimsie McBride seconded the motion. Vote: 5-0 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: 5-0 in favor.

Sam Morris made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 3.9.6 Maritime Commercial District, of the Town of Boothbay Zoning Ordinance and Dimsie McBride seconded the motion. Vote: 5-0 in favor.

Sam Morris made a motion that the applicant **has** demonstrated the this proposal meets the criteria set forth in Section 3.10.9 Maritime Commercial District, of the Town of Boothbay Zoning Ordinance and Bruce Bowler seconded the motion. Vote: 5-0 in favor.

Sam Morris made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 3.11.23.3.1, 3.11.23.3.1.5 Non-conforming Structures, of the Town of Boothbay Zoning Ordinance and Dimsie McBride 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 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: 5-0 in favor.

Conditions of Approval:

No conditions. The application was approved as presented.

Applicant: Elizabeth Bengis

Mailing address: 4 Perceval Ave, London UK NW3 4 PY

Tax Map/Lot: U07/0003

Property location: 30 Edgewater Way

Zone: Special Residential, Shoreland Overlay

Primary Reviewer: Rob Ham

Application Review: Applicant seeks approval to widen an existing pier to 6', lengthen the runway to 36' and replace a float with two 20' x 10' floats.

Lauren Stockwell presented on behalf of Elizabeth Bengis. She is seeking approval to widen an existing pier, lengthen the runway and replace one float with two.

Findings of Fact:

- The applicant is Elizabeth Bengis, represented by Stockwell Environmental. Property taxes on account of the premises for which the approval is requested have been paid in full.

- The property is located at 30 Edgewater Way. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book #5332 on Page #1. The property is in the Special Residential Zone with the Shoreland Zone Overlay. The property is further identified as Assessor's Tax Map/Lot: U07, Lot 003. It contains 3.92 acres.
- The applicant seeks to approval to widen an existing pier to 6', leaving the last 10', 7' in width, lengthening the runway to 36' and replacing the 9.5' x 14' float with two 20' x 10' floats.

Conclusions:

Rob Ham made a motion that the applicant **has** demonstrated Right, Title or Interest in the property in question and Dimsie McBride seconded the motion. Vote: 5-0 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 Bruce Bowler seconded the motion. Vote: 5-0 in favor.

Rob Ham made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth is Section 3.10.9, Docks, Piers, Wharves, Bridges of the Town of Boothbay Zoning Ordinance with the understanding that the 7' is grandfathered and Bruce Bowler seconded the motion. Vote: 5-0 in favor.

Rob Ham made a motion that the applicant **has** demonstrated the this proposal meets the criteria set forth in Section 1.8.5, Shoreland 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 motion made by Rob Ham and seconded by Bruce, the Planning Board **approved** the wharves and weirs/shoreland zoning permit 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:

No conditions. The application was approved as presented.

Applicant: Merrill and Maria Liteplo

Mailing address: 2016 NW Laurel Oak Lane, Palm City, FL 34990

Tax Map/Lot: R04/41/B

Property location: 30 Ridge Rd

Zone: Special Residential, Shoreland Overlay

Primary Reviewer: Bruce Bowler

Application Review: Applicant seeks approval to rebuild an existing pier, larger runway and float.

Lauren Stockwell presented on behalf of Merrill and Maria Liteplo. She is seeking approval to rebuild an existing pier, expanding the runway and making the float larger.

Findings of Fact:

- The applicants are Merrill & Maria Liteplo, represented by Stockwell Environmental, Property taxes on account of the premises for which the approval is requested has been paid in full.
- The property is located at 30 Ridge Road. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book #1359 on Page #112. The property is in the Special Residential District with the Shoreland Overlay zone. The property is further identified as Assessor's Tax Map R04, Lot 041/B. It contains 0.91 acres.
- 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.
- The applicant seeks approval to rebuild as existing pier, making the runway and float larger.

Conclusions:

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

Bruce 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: 5-0 in favor.

Bruce Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 3.10.9, Dock, Piers, Wharves, Bridges, of the Town of Boothbay Zoning Ordinance and Dimsie McBride seconded the motion. Vote: 5-0 in favor.

Bruce Bowler made a motion that the applicant has demonstrated that the proposal meets the criteria set forth in Section 1.8.5, Shoreland, of the Town of Boothbay Zoning Ordinance and -----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 motion made by Bruce Bowler and seconded by Robbie Ham, the Planning Board **approved** the wharves and weirs/shoreland zoning permit 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:

No conditions. The application was approved as presented.

Applicant: Peter Branch and Paula Carriero

Mailing address: 1603 Rabbit Foot Clover Court, Annapolis, MD 21401

Tax Map/Lot: R04/116-A

Property location: 5 Bufflehead Cove

Zone: Maritime General Residential, Shoreland Overlay

Primary Reviewer: Dimsie McBride

Application Review: Applicant seeks approval to construct a pier, ramp, float and skidway/haul out.

Lauren Stockwell presented on behalf of Peter Branch and Paula Carreiro. She is seeking approval to construct a new pier, runway and float system.

Findings of Fact:

- The applicants are Peter Branch & Paula Carreiro, represented by Stockwell Environmental, Property taxes on account of the premises for which the approval is requested has been paid in full.
- The property is located at 5 Bufflehead Cove Road. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book #3370 on Page #196. The property is in the General Residential Zone with the Shoreland Zone Overlay. The property is further identified as Assessor's Tax Map R04, Lot 116/A. It contains 1.51 acres.
- 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.
- The applicant seeks approval to construct a new pier, runway and float system.

Conclusions:

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

Dimsie McBride 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 Bruce Bowler seconded the motion. Vote: 5-0 in favor.

Dimsie McBride made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 3.10.9, Dock, Piers, Wharves, Bridges, of the Town of Boothbay Zoning Ordinance and Bruce Bowler seconded the motion. Vote: 5-0 in favor.

Dimsie McBride made a motion that the applicant has demonstrated that the proposal meets the criteria set forth in Section 1.8.5, Shoreland, 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 motion made by Dimsie McBride and seconded by Robbie Ham, the Planning Board **approved** the wharves and weirs/shoreland zoning permit 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:

No conditions. The application was approved as presented.

Applicant: Bradford Collins

Mailing address: 18292 Cutlass Drive Fort Myers Beach, FL 33931

Tax Map/Lot: R1/71/K

Property location: 57 Delano Drive

Zone: Special Residential, Shoreland Overlay

Primary Reviewer: Sam Morris

Application Review: Applicant seeks approval to lengthen an existing pier by 15' and two floats each 12' x 20'.

Lauren Stockwell presented on behalf of Bradford. She is seeking approval to lengthen an existing pier and add two floats.

Findings of Fact:

- The applicants is Bradford Collins, represented by Stockwell Environmental, Property taxes on account of the premises for which the approval is requested has been paid in full.
- The property is located at 57 Delano Drive. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book #3818 on Page #94. The property is in the Special Residential Zone with the Shoreland Zone Overlay. The property is further identified as Assessor's Tax Map R01, Lot 71-k It contains 0.82 acres.
- 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.
- The applicant seeks approval to lengthen an existing pier by 15' and add 2 floats, each 12' x 20' in size

Conclusions:

Sam Morris made a motion that the applicant **has** demonstrated Right, Title or Interest in the property in question and Dimsie McBride seconded the motion. Vote: 5-0 in favor.

Sam Morris 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 Bruce Bowler seconded the motion. Vote: 5-0 in favor.

Sam Morris made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 3.10.9, Dock, Piers, Wharves, Bridges, of the Town of Boothbay Zoning Ordinance and ----- seconded the motion. Vote: 5-0 in favor.

Sam Morris made a motion that the applicant has demonstrated that the proposal meets the criteria set forth in Section 1.8.5, Shoreland, 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 motion made

by Sam Morris and seconded by Dimsie McBride, the Planning Board **approved** the wharves and weirs/shoreland zoning permit 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:

No conditions. The application was approved as presented.

4. OTHER BUSINESS:

PRE-APPLICATION REVIEW

- **Pre-Applicant:** None

5. APPROVE MINUTES: Motion made by Sam Morris to approve the minutes from February 19, 2020 minutes and Rob Hame seconded the motion. Vote: 4-0 in favor (Bruce Bowler was not at that meeting to vote on approval of minutes)

5. ADJOURN MEETING: At 7:45 PM Sam Morris made a motion to adjourn the meeting.

Minutes respectfully submitted
Sarah Wade
Secretary