

Planning Board

William Wright, Chair
Robert Ham, Vice Chair
Bruce Bowler
Peggy Kotin
Michael Leighton-Alternate



Town of Boothbay Planning Board Meeting
Wednesday, September 15, 2021
6:30 PM – Town Office Conference Room

MINUTES

CALL MEETING TO ORDER: Wright called the meeting to order at 6:30PM.

Roll call of members & other officials in attendance: William Wright, Robert Ham, Peggy Kotin, Jason Lorrain
Code Enforcement Officer

OLD BUSINESS:**NEW BUSINESS:**

Applicant: Stockwell Environmental representing James Catano & Michelle Masse

Mailing address: 1331 Richland Ave. Baton Rouge, LA 70806

Tax Map/Lot: R1/54

Property location: 246 West Side Rd., Trevett, Me 04571

Zone: Coastal Residential, Shoreland Overlay

Primary Reviewer: Peggy Kotin

Application Review: Applicant seeks approval to construct a skidway consisting of two 24' 4"x6" beams 10' apart supported by 2 sets of pilings and having the lower ends pinned to ledge.

Lauren Stockwell of Stockwell Environmental was present to represent the applicant.

Kotin presented the findings of fact.

Findings of Facts:

- The owners of the property are James Catano & Michelle Masse. The property owners have provided authorization for Stockwell Environmental Consulting, Inc. to represent them.
- The property is located at 246 West Side Road. It is in the Residential Coastal District & Shoreland Overlay. The property is further identified as Assessor's Tax Map R1/54. The property contains 2.17 acres.
- The applicant is Stockwell Environmental Consulting, Inc., 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 #4940 on Page #306.
- 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.
- Applicant seeks approval to construct a skidway consisting of two 24' 4"x6" beams 10' apart supported by 2 sets of pilings and having the lower ends pinned to ledge.

Conclusions:

Kotin made a motion that the applicant **has** demonstrated Right, Title or Interest in the property in question and Ham seconded the motion. Vote: 3-0 in favor.

Kotin made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 5.3 and 5.3.5.2.2 of the Town of Boothbay Zoning Ordinance and Ham seconded the motion. Vote: 3-0 in favor.

Kotin 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 Ham seconded the motion. Vote: 3-0 in favor.

Kotin 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 Ham seconded the motion. Vote: 3-0 in favor.

Kotin made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.17 – 7.5.17.4.1.10.1 of the Town of Boothbay Zoning Ordinance and Ham seconded the motion. Vote: 3-0 in favor.

Kotin made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 9.4 – 9.4.5 of the Town of Boothbay Zoning Ordinance and Ham seconded the motion. Vote: 3-0 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 Wharf and Weir application on motion made by Kotin and seconded by Wright 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: 3-0 in favor.

Conditions of Approval:

No conditions

Applicant: Tom & Susan Witt, represented by Boothbay Region Surveyors, Nick Plummer

Mailing address: 378 Lakeside Drive, Boothbay Harbor, ME 04538

Tax Map/Lot: R7/63-1 & 63-2

Property location: 542 Back Narrows Rd., Boothbay, ME 04537

Zone: Residential, Resource Protection

Primary Reviewer: William Wright

Application Review: Applicant seeks approval to change subdivision from 2 lots to 3 lots.

Nick Plummer from Boothbay Region Surveyors was present to represent the applicant.

Wright presented the findings of fact.

Findings of Fact:

- The owners of the property are Tom & Susan Witt.
- The property is located at 542 Back Narrows Road. It is in the Residential, Resource Protection District. The property is further identified as Assessor's Tax Map R7/63-1 & 63-2. The property contains 5.46 acres total.
- The applicants are Tom and Susan Witt, who have demonstrated a legal interest in the property by providing a copy of the deed. The deed can be seen at the Lincoln County Registry of Deeds in Book #4813 on Page #71 and #75.
- Applicant seeks approval to change subdivision from 2 lots to 3 lots.

Conclusions:

Wright made a motion that the applicant **has** demonstrated Right, Title or Interest in the property in question and Ham seconded the motion. Vote: 3-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 5.3 and 5.3.5.2.2 of the Town of Boothbay Zoning Ordinance and Ham seconded the motion. Vote: 3-0 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 Kotin seconded the motion. Vote: 3-0 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 Kotin seconded the motion. Vote: 3-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.6 – 5.6.5.8 of the Town of Boothbay Zoning Ordinance and Ham seconded the motion. Vote: 3-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 7.5.1 and 7.5.1.7 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 3-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.16.1 – 7.5.16.3.12 of the Town of Boothbay Zoning Ordinance and Ham seconded the motion. Vote: 3-0 in favor.

Wright made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 8.3.4 – 8.3.4.3 of the Town of Boothbay Zoning Ordinance and Kotin seconded the motion. Vote: 3-0 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 Wright and seconded by Ham the Planning Board **approved** the subdivision application subject to the conditions of approval set forth below, all for the reading set forth in the finding and conclusions. Vote: 3-0 in favor.

Conditions of Approval:

Update application to show 3 lots and correct acreage of 5.46.

Letter from Ace Well Drilling stating evidence of adequate water supply.

OTHER BUSINESS:**PRE-APPLICATION REVIEW**

Pre-Applicant: Thomas White

Address: 135 Samoset Trail, East Boothbay ME 04544 (Tax map and lot U8/24)

Zone: Residential-Coastal

Review of: Property owner would like to raise their cottage to avoid flooding issues.

Thomas White presents with photos of past storms and flood maps. The cottage is on piers and fully within the tidal zone. The cottage is in the AE10 flood zone. White states that if the cottage were built today in his current flood zone it would be required to be built 1' higher but the recommendation from Peter Slovinsky, Marine Geologist at Maine Geological Survey, is the cottage be raised 3' due to global warming causing sea water rise and increased intensity and frequency of storms. White would like to raise the cottage the recommended 3'. Both the cottage and pier would be raised as not to increase the living space. The Board advised White to proceed with an application once all other permits have been obtained from other state and federal agencies.

Pre-Applicant: Patricia (Kim) Horstman

Address: 230 Back River Road, Boothbay ME 04537 (Tax map and lot R4/134)

Zone: Water Reservoir Protection District (Knickerbocker Lake)

Review of: Property owner would like to discuss expansion of non-conforming structure.

Kim Horstman discussed expanding her structure and updating her cesspool septic with the expansion. Horstman submitted an application dated July 6, 2021 therefore this is being considered under the November 7, 2017, shoreland zoning ordinance. Horstman will be getting a survey and modern septic design meeting current standards. The Board advised Horstman to move forward with a completed application including other required documentation.

APPROVE MINUTES: Wright wanted to wait to approve the August 18, 2021, minutes till Bowler was back in attendance for his review.

ADJOURN MEETING: At 8:00 PM Wright made a motion to adjourn the meeting and Kotin seconded the motion. Vote: 3-0 in favor.

Minutes respectfully submitted,
Andrea Hodgdon