

Planning Board

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



Town of Boothbay Planning Board Meeting
Wednesday, October 20, 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, Bruce Bowler, Peggy Kotin, Jason Lorrain Code Enforcement Officer

OLD BUSINESS:

NEW BUSINESS:

Applicant: William and Paula Arsenault (Knickerbocker Lake Cottages, LLC)

Mailing address: PO Box 101, Boothbay, ME 04537

Tax Map/Lot: R4/19A

Property location: 15 McCobb Rd., Boothbay, ME 04537

Zone: Water Reservoir Protection District, Shoreland Overlay District, Watershed Protection Overlay District

Primary Reviewer: Robert Ham

Application Review: Removal of interior drywall, windows & floor, maintaining the existing framing. Reconfigure floorplan to accommodate 18'x14' addition on the south gable end of the existing cottage.

Ham presented the findings of fact.

Findings of Facts:

- The owners of the property are William and Paula Arsenault.
- The property is located at 15 McCobb Rd. It is in the Water Reservoir Protection District, Shoreland overlay and Watershed overlay. The property is further identified as Assessor's Tax Map R4-19A. The property contains 3.9 acres.
- The applicant is William & Paula Arsenault, who have demonstrated a legal interest in the property by providing a copy of their deed. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book #1167 on Page #15 and #17.
- The applicant requests approval to renovate an existing non-conforming cottage.

Conclusions:

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

Ham 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 Bowler seconded the motion. Vote: 4-0 in favor.

Ham 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 Bowler seconded the motion. Vote: 4-0 in favor.

Ham 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 Bowler seconded the motion. Vote: 4-0 in favor.

Ham made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.14 – 7.5.14.7 of the Town of Boothbay Zoning Ordinance and Bowler seconded the motion. Vote: 4-0 in favor.

Ham made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.17 – 7.5.17.4.5 of the Town of Boothbay Zoning Ordinance and Bowler seconded the motion. Vote: 4-0 in favor.

Ham made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.18 – 7.5.18.4.5 of the Town of Boothbay Zoning Ordinance and Bowler seconded the motion. Vote: 4-0 in favor.

Ham made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 6.6 – 6.6.2.4 of the Town of Boothbay Zoning Ordinance and 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 a motion made by Ham and seconded by Bowler the Planning Board **approved** the development 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:

Survey corrections/updates: Add 25' and 75' setback lines. Update calculations to reflect 725 sf existing cottage plus deck and revise area calculations block. Update plan dimensions to match sketch provided by the Arsenaults.

Applicant: Phelps Architects Inc. Representing The Balding Dentist LLC (Toby Clarkson)

Mailing address: 149 Townsend Ave Boothbay Harbor, ME 04538

Tax Map/Lot: R7/18

Property location: 732 Wiscasset Rd, Boothbay ME 04537

Zone: Water Reservoir Protection District-27 (Adams Pond), Residential District, Shoreland Overlay District, Watershed Protection Overlay District

Primary Reviewer: Bruce Bowler

Application Review: Existing building and accessory structures will be removed. A one story +/-3,200sf building to be constructed in the area of the removed existing building. New building to house a professional dental practice. Improvement/reconfiguration of existing parking areas planned. Accommodation for connection to future public water/sewer utilities to be incorporated.

Bowler presented the findings of fact.

Findings of Facts:

- The owner of the property is The Balding Dentist, Toby Clarkson.
- The property is located at 732 Wiscasset Road. It is in the Water Reservoir Protection District Rt 27, Residential, Shoreland overlay and Watershed overlay. The property is further identified as Assessor's Tax Map R7-18. The property contains 6.9 acres.
- The applicant is Phelps Architects Inc, who have demonstrated a legal interest in the property by providing a copy of their deed. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book #4732 on Page #196.
- The applicant requests approval to remove existing structures and build a new building housing a professional dental practice. Improvement/reconfiguration of existing parking areas planned. New parking areas to be gravel material. Use of existing septic field and water well planned. Accommodation for connection to future public water/sewer utilities to be incorporated.

Conclusions:

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

Bowler 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 Wright seconded the motion. Vote: 4-0 in favor.

Bowler 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 Wright seconded the motion. Vote: 4-0 in favor.

Bowler 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 Wright seconded the motion. Vote: 4-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.4.3 – 5.4.3.3.5 of the Town of Boothbay Zoning Ordinance and Wright seconded the motion. Vote: 4-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Section 5.4.5 and 5.4.5.4.7 of the Town of Boothbay Zoning Ordinance and Wright seconded the motion. Vote: 4-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.4.6 – 5.4.6.5.1 of the Town of Boothbay Zoning Ordinance and Wright seconded the motion. Vote: 4-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 5.4.6.8 – 5.4.6.23.1 of the Town of Boothbay Zoning Ordinance and Wright seconded the motion. Vote: 4-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.13 – 7.5.13.7 of the Town of Boothbay Zoning Ordinance and Wright seconded the motion. Vote: 4-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.17 – 7.5.17.4.5 of the Town of Boothbay Zoning Ordinance and Wright seconded the motion. Vote: 4-0 in favor.

Bowler made a motion that the applicant **has** demonstrated that this proposal meets the criteria set forth in Sections 7.5.18 – 7.5.18.4.5 of the Town of Boothbay Zoning Ordinance and Wright 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 Bowler and seconded by Wright the Planning Board **approved** the development 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:

Update plan to include signature block, metes and bounds for lot lines along with location of overhead utility lines.

Bank letter showing financial capacity of applicant.

OTHER BUSINESS:

PRE-APPLICATION REVIEW

Pre-Applicant: Adam Maltese representing Skip and Julie Spaulding

Address: 5 Grimes Ave, East Boothbay ME 04544 (Tax map and lot U2/17)

Zone: Residential-Coastal, Shoreland Overlay

Review of: Property owner would like to tear down a nonconforming structure and rebuild it larger.

Adam Maltese, representing Mr & Mrs. Spaulding, presented a site map with the existing structure and size and the location and size of the proposed replacement structure. The existing structure is nonconforming because it sits within the side property setback. The proposed new structure will still be nonconforming but is proposed to be less conforming to the property line. There are a number of things in the way preventing the new structure from being able to be placed fully outside the property line setback. The existing structure is 216 sq/ft. The proposed new structure is 230 sq/ft. The new structure will be used as an art studio for personal use only, no retail. The Board advised to proceed with an application accompanied by a survey with coverage calculations and signature block.

APPROVE MINUTES: Wright made a motion to approve the August 18, 2021 minutes and Bowler seconded the motion. Vote 3-0 in favor. Wright, Ham and Bowler voting only as they were the ones in attendance at the August 18, 2021 meeting.

Wright made a motion to approve the September 15, 2021 minutes Kotin seconded the motion. Vote 3-0 in favor. Wright, Ham and Kotin voting only, as they were the ones in attendance at the September 15, 2021 meeting.

ADJOURN MEETING: At 8:45 PM Wright made a motion to adjourn the meeting and Kotin seconded the motion. Vote: 4-0 in favor.

Minutes respectfully submitted,
Andrea Hodgdon