

To: Boothbay Planning Board  
From: Mark Eyerman  
Subject: Section 12 – Board of Appeals  
Date: December 10, 2019

Attached is a rough draft of Section 12 dealing with the Board of Appeals. The draft proposes that administrative appeals of CEO decisions and action continue to be treated as de novo reviews in accordance with Sally's earlier memo. It then revises Board of Appeals review of Planning Board decisions to be appellate reviews.

I took the existing provisions (under the "if it ain't broke" approach) and edited them to make that change. It breaks Administrative Appeals into two categories – de novo reviews and appellate reviews and revises the various provisions accordingly. I then removed some of the provisions that essentially relate to the BoA de novo review of development applications.

I have used two formats for the changes – in some places I have simply highlighted the revised language while in others I have used red lining to show the changes and what is proposed to be deleted.

In Section 12.5 I think the provisions should be nested but I left them as they are currently.

This needs some clean up but it lays out the basic changes that would be needed to change PB appeals from de novo to appellate.