

Planning Board

Francis McBrearty – Chair
Rosemary Bourette – Vice Chair
Alan Bellows
Michael Tomacelli
Andrew Morley, Alternate
Melinda Browne, Alternate



Town of Boothbay Planning Board Meeting
Wednesday, March 16, 2016

MINUTES

1. **Call meeting to order:** Rosemary Bourette, Vice Chairman called the meeting to order at 6:30PM
2. **Roll call of members:** Rosemary Bourette, Alan Bellows, Melinda Browne and CEO Art Dunlap
Rosemary appointed Melinda Browne a voting member of the board for this meeting.
3. **OLD BUSINESS:**
4. **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:** Bigelow Labs, represented by Graham Shimmield and Austin Smith

Mailing address: 75 York Street, Portland, ME 04101

Property location: 60 Bigelow Drive, Boothbay, ME 04544 – tax map R08/lot 0030

Zone: Bigelow Laboratory Contract District, Shoreland Overlay

Lead Reviewer: Rosemary Bourette

Applications Review: The applicant proposes to relocate the existing and construct a new, single dormitory housing for visiting professors, professionals and students.

Austin Smith gave an overview of the proposed project complete with a slide presentation. The project will be tied into the current water and electric but a new septic system will be put into place for this new building. Storm water collection systems will be put into place. This building will be placed to fit into the landscaping, it will have low impact. There will be forested buffers. They are currently working with the DEP.

Mr. Smith reviewed the landscaping plans, how they plan to re-store the forest floor, the floor plans, how the exterior will look and the proposed construction schedule. They would like to start on the project in April 2016.

Rosemary Bourette said this will modify the original plans and wanted reference in the minutes that this will have less impact on the environment.

Rosemary Bourette asked about the blasting. Mr. Smith said they will follow state guidelines and possibly even a higher level because of the lab. They will have a third party oversee the plans.

Alan Bellows asked if this was approved by DEP yet and it has not been, they are still working with the DEP.

Findings of Fact:

The owners Bigelow Laboratory for Ocean Sciences, relating to the property located at 60 Bigelow Drive, tax map R08/lot0030, represented by Graham Shimmield and Austin Smith.

Property taxes on account of the premises for which the approval is requested have been paid in full. The deed for the property can be seen at the Lincoln County Registry of Deeds in Book 3090 pages 184-193, Book 3173, pages 274-275, 278-280, and 285-290.

The property is in the Bigelow Laboratory Contract District and the proposed area of development contains a total of 62.81 acres.

The applicant proposes to relocate the existing and construct a new, single dormitory housing for visiting professors, professionals and students.

Conclusions:

Rosemary Bourette made a motion that the applicant has demonstrated Right, Title or Interest on the property in question and Alan Bellows seconded the motion. Vote: 3-0 in favor.

Rosemary Bourette made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 1.8 (A-H) and 3.6 Review Criteria of the Town of Boothbay Zoning Ordinance and Alan Bellows seconded the motion. Vote: 3-0 in favor.

Rosemary Bourette made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in the Addendum – Bigelow Laboratory Contract District, Development and Performance Standards of the Town of Boothbay Zoning Ordinance and Alan Bellows 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 a motion made by Rosemary Bourette and seconded by Alan Bellows, the Planning Board approved the development permit application subject to the conditions of approval set forth below, all for the reasons set forth in the findings and conclusions. Vote: 3-0 in favor.

Conditions:

1. DEP Permit is obtained.
2. This project uses up 11,905 sf of the 27,070 sf allocated to housing. This leaves the contract zone 15,955 sf for future approved housing.

• **Applicant:** Boothbay Harbor Country Club, represented by Danielle Betts

Mailing address: PO Box 757, Boothbay, ME 04537

Property location: 50 Sugar Maple Lane, Boothbay, ME 04537 – tax map R07/lot 0002B

Zone: C3 District

Lead Reviewer: Alan Bellows

Applications Review: The applicant proposes to construct a fitness facility including pool, tennis courts and parking.

Danielle Betts gave an overview of Phase II of the Country Club Development. In this phase they plan to construct a 62x64 fitness center, a pool and two tennis courts.

Ms. Betts reviewed the water, how they would be installing a pump station and connecting to the main by the common.

The new entrance from Common Drive would be a service entrance and will have a locked gate but members with the code would be allowed to enter the fitness area that way.

Ms. Betts described the road and how they would be working with the landscape and how the project would be in steps with the grade.

Alan Bellows talked about this project being partially in the Watershed and how all the water would be contained and that it would not drain towards Adam Pond.

A storm water analysis has been done and the creator of that plan reviewed the storm water run-off plan. New drainage will be put in place, they will not rely on the existing drainage.

The elevation at the top of the hill is 210' and the road will be 206' and there will be approximately 8.7 acres of disturbed area.

Danielle Betts showed a video of the proposed project, and the replanting plan. They will only clear what is needed and leave as much buffer as possible.

There will be significant blasting.

Robin Reed asked how they will monitor the blasting. Both Mr. Reed and Mr. Arsenault said they were not notified last time. They both said they were disappointed with the pre-blast last time. Mr. Farrin said his motel and house shook last time and this will be closer.

When asked about the time frame for blasting, Danielle Betts said they would like to start 4/15 and would stop by 07/04. They will have a gravel lot on the back side of the common where their contractor trailers will be set up. Once the road is complete the trailers will be moved up the hill and the town will be allowed to use the lot as municipal parking for the rest of the summer. There will be a barrier on Common Drive, trucks will enter the construction site on one side and traffic will continue on the other side. After construction is complete, they will resurface the road.

Bob Mitchell suggested small charges more frequently to minimize the vibrations.

Mr. Beck said the Town did not have a say in the current entrance to the Country Club as it is on a State Road. He feels before this application is approved, the town should make the Country Club correct the traffic issue they have created on Route 27. Mr. Beck encouraged the town to hold off doing anything with this application until fall. He also asked about possible changes to Chapel Street.

Sue Mello representing the Boothbay Region Water District said this project was partially in the watershed and she is concerned with the storm water approach, the management of the storm water plan, sediment control and the water run-off.

Mr. Arsenault said he has concerns with the run-off and watershed problems.

Alan Bellows asked questions about the water usage and the sewer.

Alan Bellows asked about the blasting notification plan and if they could extend the pre-blast survey. The hours for blasting would be 7 to 7.

There was a discussion about traffic. Traffic for events on the Common are bad and getting worse. The additional traffic for the plan is very modest for this application. for this application.. Alan Bellows said he does not think the Planning Board has the authority to hold this project hostage to fix another project.

Alan Bellows said that currently there are no ordinances or tools to make the applicant change the storm water plans as long as they are acceptable with the DEP.

It was mentioned that there are 2 acres of land were the current storm water run-off goes to Adams Pond and after this project it will not.

The Board discussed if they should check with the DEP about the storm water run-off plans, check with the Town's attorney, if they should table this application for now or move forward. After the discussion, the decision was made to go forward.

Findings of fact:

The owner PGC2, LLC relating to the property located at 50 Sugar Maple Lane represented by Danielle Betts. Property taxes on account of the premises for which the approval is requested have been paid in full.

The property is located at 50 Sugar Maple Land, tax map R07/ lot 0002B. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book 4627 page 119.

The property is in the C3 District and contains a total of 182 acres.

The applicant proposes to construct a fitness facility including pool, tennis courts and parking.

Conclusions:

Alan Bellows made a motion that the applicant has demonstrated Right, Title or Interest on the property in question and Rosemary Bourette seconded the motion. Vote: 3-0 in favor.

Alan Bellows made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 1.8 (A-H), and 3.6 Review Criteria of the Town of Boothbay Zoning Ordinance and Rosemary Bourette seconded the motion. Vote: 3-0 in favor.

Alan Bellows made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.9.3 Development and Performance Standards, of the Town of Boothbay Zoning Ordinance and Rosemary Bourette 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 a motion made by Alan Bellows and seconded by Rosemary Bourette, the Planning Board approved the development permit application subject to the conditions of approval set forth below, all for the reasons set forth in the findings and conclusions. Vote: 3-0 in favor.

Conditions of Approval:

1. Extend the pre-blasting survey to include the Reeds and Howard House.
2. Common Drive is restored to its present condition or better.
3. DEP approval is received.

PRE-APPLICATION REVIEW: [\(Pre-Application Meeting. An applicant may appear informally at a regular meeting of the Planning Board to informally discuss a proposed development. No fees shall apply and no binding commitment shall be made between the applicant and the Planning Board.\)](#)

- **Stephen Reynolds** to discuss C1 District allowed uses, specifically use for a possible auto repair and detail shop with auto sales. This use is prohibited currently in the C1 District
Mr. Reynolds was a no show so this was not discussed.
- **Bill Cullina and Adam Harkins** to give an overview and Power Point presentation of development plans for the Coastal Maine Botanical Gardens' upcoming project.

Bill Cullina showed a Power Point presentation of future proposed plans of the Gardens. Mr. Cullina said they had just submitted the site plans to the DEP and have a meeting scheduled with them for next week. They are just starting designs.

Mr. Cullina reviewed the history of the Gardens and talked about the master plan for 2015-2036, The Gardens are at 145,000 annual visitors now.

The Gardens would like to be year round. The plans include new parking, double what is available now, a new Visitors Center / Offices, double the amount of gardens and a 22,000SF Conservatory. They would like the conservatory to be 65' high at the peak which is above the height restriction in that zone. They would also like to include a greenhouse and growing fields. They would like to start this project in the fall of 2016 and finish in late 2019 or 2020.

There was a discussion about Gaecklein Road. Discussed was the possibility of using this only for emergency vehicles. Also discussed was the possibility of discontinuing part of the road by the Town. Concern was expressed that visitors to the Gardens might try to use it to get into the Gardens.

There were a couple of abutters present who expressed concerns they have with the project.

Also discussed were the wetlands, moving the proposed parking away from Gaecklein Road, The allowed use in this area, buffering and where the watershed boundaries are. It was suggested the Gardens might want to work with the Water District ahead of time.

Because of the unique nature of the Gardens and qualifying their use, it was suggested that a contract zone similar to the one for Bigelow Labs might have to be developed. Creating this zone could take time.

OTHER BUSINESS:

5. APPROVE MINUTES: Alan Bellows made a motion to accept the minute of 02/17/2016 as presented and Rosemary Bourette seconded the motion. Vote: 3-0 in favor.
6. ADJOURN MEETING: At 10:30PM Alan Bellows made a motion to adjourn the meeting and Rosemary Bourette seconded the motion. Vote: 3-0 in favor.

Minutes respectfully submitted
Sherry Tibbetts
Secretary