

Planning Board

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



Town of Boothbay Planning Board Meeting
Wednesday, May 18, 2016

MINUTES

1. **Call meeting to order:** Alan Bellows called the meeting to order at 6:30PM.
2. **Roll call of members:** Alan Bellows, Rosemary Bourette, Melinda Browne, Michael Tomacelli and CEO Art Dunlap.

3. **OLD BUSINESS:**

Eric Marden was on the Agenda but he is revising his plans and decided not to attend tonight's meeting.

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.)

•Applicants: Paula & William Arsenault

Mailing address: PO Box 101, Boothbay, ME 04537

Property location: 11 Sproul Lane, Boothbay, ME 04537 Tax map/lot-R04/0019/A01

Zone: General Residential, Water Reservoirs Protection District

Principal reviewer: Rosemary Bourette

Applications review: The applicant proposes to construct a 24x12 ft. addition to their business building over existing, non-conforming lot coverage.

Paula and William Arsenault were both present for this discussion.

With the existing building and impervious parking lots they are about 2000' over the allowed lot coverage. This project would not increase lot coverage in the developable area. They would just trade part of the impervious parking for the building addition.

Mike Tomacelli asked questions about the set back and distance from Knickerbocker Lake.

Alan Bellows asked about lighting. They would like to have a spotlight in the picture window but no additional outside lighting. There are existing lights on the corner of the building.

Alan Bellows asked about additional signage. Mrs. Arsenault said for now she would like to put a banner on the building and eventually a sign. They were advised that they would need a separate permit for a sign.

Findings of Fact:

The owners are William & Paula Arsenault. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in book 1435 on page 303.

The taxes have been paid in full. The property is located at 11 Sproul Lane, further identified as tax map/lot R04/0019/A01 and contains .75 acres.

The property is located in the General Residential and Water Reservoirs Protection Districts.

The applicant proposes to construct a 24x12 ft. addition to their business building over existing, non-conforming lot coverage

Conclusions:

Rosemary Bourette made a motion that the applicant has demonstrated Right, Title or Interest on the property in question and Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Rosemary Bourette made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 1.8 and 3.6 Review Criteria of the Town of Boothbay Zoning Ordinance and Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Rosemary Bourette made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.9.4.4 of the Town of Boothbay Zoning Ordinance and Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Rosemary Bourette made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.9.9.4.3 of the Town of Boothbay Zoning Ordinance and Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Rosemary Bourette made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.11.20.3.1 Non-conforming Structures, of the Town of Boothbay Zoning Ordinance and Mike Tomacelli 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 Rosemary Bourette and seconded by Mike Tomacelli the Planning Board approved the development permit application with no conditions all for the reasons set forth in the findings and conclusions. Vote: 4-0 in favor.

•Applicant: PGC 1, LLC & PGC 2, LLC

Mailing address: PO Box 757, Boothbay, ME 04537

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

Zone: C3 District

Principal reviewer: Mike Tomacelli

Applications review: The applicant requests approval to construct 4 residential buildings each with a footprint of approximately 3700 sf., each villa serving 8 people.

Danielle Betts was present to discuss this application. Ms. Betts gave a review of the proposed project. They would like to build 4 residential villas each 60'x65' with 4 bedroom suites. They would be managed by the Country Club and would be rentals. There would be 10 parking spaces on each side with sidewalks in front.

Mike Tomacelli questioned if this was phase 2B and the Fitness Center was phase 2, what was phase 2A that was mentioned in the application. Phase 2 is now phase 2A.

These Villas and an Inn were included in the DEP permit for the sewer plans already but the Inn is not included in the current application.

Mike Tomacelli asked about blasting. It is a 1000' to the Howard House and the blasting plan has been revised and both the Reeds and the Howard House have been notified.

Melinda Browne said he has concerns with increased traffic to the villas. Danielle Betts said this traffic was addressed in the Country Club traffic study. Danielle said the people staying in the Villas would be playing there and there would be less traffic than if they were staying somewhere else. Mike Tomacelli asked about Sugar Maple Drive and was told it was an exit only unless you are a member or an Emergency Responder.

Alan Bellows asked how far the parking was from the Howard House property line and was told 11'.

Rosemary Bourette talked about disturbing the wildlife habitat.

Marcia Soler, a member of the audience asked if the DEP gave guidelines for erosion control. Danielle Betts said yes and they have a plan including a licensed engineer overseeing it on a daily basis. They meet the State Standards.

Findings of Fact:

The owner is PGC 1 and PGC 2, LLC represented by Danielle Betts. Property taxes have been paid in full.

The property is located at 50 Sugar Maple Lane, further identified as tax map/lot R07/0002B and contains 185 acres in Boothbay and 66 acres in Boothbay Harbor.

The deed for the property can be seen at the Lincoln County Registry of Deeds in book 4627 on page 119.

The applicant requests approval to construct 4 residential buildings with each footprint of approximately 3700 sf., each villa serving 8 people.

Conclusions:

Mike Tomacelli made a motion that the applicant has demonstrated Right, Title or Interest on the property in question and Rosemary Bourette seconded the motion. Vote: 4-0 in favor.

Mike Tomacelli 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 Rosemary Bourette seconded the motion. Vote: 4-0 in favor.

Mike Tomacelli 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: 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 Mike Tomacelli 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: 4-0 in favor.

Conditions:

There was a discussion about having a traffic condition placed on the permit. Several people said that seeing this one piece at a time making it difficult to see the cumulative effect. Art Dunlap reminded the board that they can only look at the application before them today.

Mike Tomacelli made a motion to add the condition that the application is contingent upon the Villas being added to the traffic study and submitted to the CEO and Rosemary Bourette seconded the motion. Vote: 4-0 in favor.

•**Applicant:** Boothbay Region Ambulance Service Emergency Response Center

Mailing address: 18 Corey Lane, Boothbay, ME 04537

Property location: 1033 Wiscasset Road, Boothbay, ME 04537 Tax map/lot-U18/0004

Zone: Village District

Principal Reviewer: Alan Bellows

Applications review: The applicant requests to build a new Emergency Response Center. Garage and Crew quarters.

Danielle Betts was present for this discussion as well as Robbie Ham and Steven Lewis from BRAS.

Danielle Betts gave an overview of the project; they plan to build a 75'x50' building to be used for office space, training crew quarters, etc. and a 48'x78' six bay garage for the ambulances. The primary driveway will exit onto Rt. 27 and a secondary driveway will exit by the Town Hall. The entrance meets the DOT site distance and a road entrance application has been submitted.

Alan Bellows asked about the lot area. A part of the existing BRAS lot will be used to make the width needed.

Danielle Betts said the plan has been revised and the utilities, generator, etc. will now be located outside of the setback.

The Ambulance service will own the land.

Rosemary Bourette asked about the wetlands. Danielle Betts said there are approximately 9,484 sf of wetlands and they are in the middle of the lot and there is no way to avoid them. A permit is ready to submit for a tier 1 permit.

Melinda Browne asked about tree removal. The trees have already been harvested and donated. There will be some landscaping but not a lot and the plan has not been developed yet.

Findings of Fact:

The applicant is the Boothbay Region Ambulance Service Response Center and the property is located at 18 Corey Lane.

The property can be further identified as tax map/lot U18/0004 and contains a total of .50 acres.

A copy of the Real Estate Exchange Agreement dated 04/13/2016 is included with the application. Prior to the agreement, the deed for the proposed project can be seen at the Lincoln county Registry of Deeds in book 4942 on page 197. The property is located in the Village District. Property taxes on account of the premises for which the approval is requested have been paid in full.

Conclusions:

Alan Bellows made a motion that the applicant has demonstrated Right, Title or Interest on the property in question and Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Alan Bellows made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 1.8 and 3.6 Review Criteria of the Town of Boothbay Zoning Ordinance and Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Alan Bellows made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in 3.9.8.4 Additional Review Criteria of the Town of Boothbay Zoning Ordinance and Mike Tomacelli 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 Alan Bellows and seconded by Mike Tomacelli 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: 4-0 in favor.

Conditions of Approval:

Subject to an approved Wetlands Tier 1 permit by DEP is received.

•**Applicant:** Bigelow Laboratory, represented by Tim Pinkham

Mailing address: PO Box 380, East Boothbay, ME 04537

Property location: 60 Bigelow Drive, Boothbay, ME 04537 Tax map/lot-R08/0030

Zone: Bigelow Contract Zone

Principal reviewer: Melinda Browne

Applications review: The applicant requests approval to construct a 42'x48' polycarb and aluminum greenhouse primarily for growing algae and marine R&D.

Graham Shimmield was present for this application as well as Tim Pinkham and Dr. Michael Lomas.

Mr. Shimmield reviewed the 2010 zoning agreement which had 149,440 sf of allowed buildable area, including this project they will have used 40,144 sf or 26.86%.

This project is not in the Shoreland Overlay Zone and the funding for the project is already in place. It is to be built north of the first wing of the lab. Trails will not be impacted by this project.

There will be no blasting. The project is expected to take about 20 weeks. There will be some impact to the vegetative buffer zone required by DEP.

Melinda Browne asked about water usage and if adequate water was available. A letter from the Water District was provided stating the water usage would be OK.

Melinda Browne asked about the Algae and what happens if they get a bad batch and have to destroy it. They have plans in place for everything to be sterilized before anything leaves the building.

The building will be heated by propane.

Alan Bellows asked how high the building would be and was told 22.5' high. There will be minimum exterior lights and sealed night sources will be used inside.

Alan Bellows asked about the setback and it is at least 75' from the property line.

They have talked with the DEP about the vegetative buffer and at this point they do not see any problems with it.

Findings of Fact:

The owners are Bigelow Laboratory for Ocean Sciences, relating to the property located at 60 Bigelow Drive. The property taxes are paid in full.

The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in book 3090 pages 184-193 and in book 3173 on pages 274-275, 278-280, 285-290 and the property is in the Bigelow Laboratory Contract District. The property can further be identified as tax map/lot R08/0030 and contains 62.81 acres.

The applicant requests approval to construct a 42'x48' polycarb and aluminum greenhouse primarily for growing algae and marine R&D.

Conclusions:

Melinda Browne made a motion that the applicant has demonstrated Right, Title or Interest on the property in question and Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Melinda Browne made a motion 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 Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Melinda Browne 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 Mike Tomacelli 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 Melinda Browne and seconded by Mike Tomacelli 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: 4-0 in favor.

Conditions:

That DEP approval is received for the modification to the vegetative buffer.

APPLICATION REVIEW: NONE

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.)

OTHER BUSINESS:

5. APPROVE MINUTES: Rosemary Bourette made a motion to approve the minutes of 05/04/2016 as amended and Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

6. ADJOURN MEETING: Alan Bellows made a motion to adjourn the meeting at 8:20PM and Mike Tomacelli seconded the motion. Vote: 4-0 in favor.

Minutes respectfully submitted
Sherry Tibbetts
Secretary