

Planning Board

Alan Bellows - Chair
Melinda Browne
Michael Tomacelli
Andrew Morley, Alternate



Town of Boothbay Planning Board Meeting
Wednesday July 20, 2016

MINUTES

1. Call meeting to order: Alan Bellows called the meeting to order at 6:30PM
2. Roll call of members: Alan Bellows, Michael Tomacelli, Melinda Browne and CEO Art Dunlap
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**: Newell Family Trust, represented by Eric Marden
Mailing address: 161 Main St. Yarmouthport MA 02675
Property location: 256 Shore Road, East Boothbay, ME 04544, Map/lot U03/0002
Zone: Special Residential District, Shoreland Overlay Zone
Principal reviewer: Melinda Browne
Applications Review: The applicant seeks approval to create access to the water and add a deck over existing lot coverage in the Shoreland Zone.

Melinda asked why the steps needed to be on both sides of the house. Mr. Marden said you can't reach the beach from the old stairs but they would like to keep them in order to be able to exit the house from either side.

The steps do not go below the high water mark and there are no intentions of putting a float out.

Alan Bellows had questions on the lot coverage and the buildable area. There was a lengthy discussion about the buildable area and lot coverage.

A set of stairs is allowed if they are part of the path to the shore and there is no other alternate way to the water.

Kathryn Schuman-Karlisle an abutter sent in a letter of concern and she was present to voice her concerns. Her survey and the survey done by Terry Leighton for this piece of property do not match and she was concerned that something was going to be built to close to her property line. After talking with Mr. Marden and the board she was satisfied with the plans being presented.

Findings of fact:

The owner is the Newell Family Trust and the taxes on the property have been paid in full.

The property is located at 256 Shore Road and the deed for the property can be seen at the Lincoln County Registry of Deeds in Book 4388 on page 67. The property is in the Special Residential Zone. The property is further identified as Assessor's tax map/lot U03/0002 and contains 4548.12SF.

The applicant proposes to create access to the water, and add a deck over existing lot coverage in the Shoreland Zone.

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: 3-0 in favor.

Melinda Browne 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: 3-0 in favor.

Melinda Browne made a motion that the Additional Review Criteria 3.9.7.4 was not applicable to this application and it should be taken out of the Findings of Fact and Mike Tomacelli seconded the motion. Vote: 3-0 in favor.

Melinda Browne made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.10.19 of the Town of Boothbay Zoning Ordinance and Mike Tomacelli seconded the motion. Vote: 3-0 in favor.

Melinda Browne 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: 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 Melinda Browne and seconded by Mike Tomacelli the Planning Board approved the development permit application with no conditions of approval all for the reasons set forth in the findings and conclusions. Vote: 3-0 in favor.

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.](#))

- **Chuck Slater** – Mr. Slater said he had talked to Lori Colton and she has suggested he come to talk to the board. He would like to take a window out of an upstairs bedroom and replace it with a slider and balcony. The balcony would be over an existing porch roof. He is not increasing the footprint and not adding to the non-conformity. The board said it is increasing floor space so he would have to present an application to the Planning Board.

OTHER BUSINESS:

Melinda Browne made a motion to elect Alan Bellows as chair of the board for this year and Mike Tomacelli seconded the motion. Vote: 3-0 in favor.

Melinda Browne made a motion to elect Mike Tomacelli as vice-chair and Mr. Tomacelli said he could not fill that position.

Mike Tomacelli made a motion to elect Melinda Browne as Vice-chair for this year and Alan Bellows seconded the motion. Vote: 3-0 in favor.

5. APPROVE MINUTES:

Mike Tomacelli made a motion to approve the minutes of the June 15, 2016 meeting as amended and Alan Bellows seconded the motion. Vote: 3-0 in favor.

6. ADJOURN MEETING: Mike Tomacelli made a motion to adjourn the meeting at 7:45PM and Melinda Browne seconded the motion. Vote: 3-0 in favor. Next meeting will be August 11th at 6:30PM.

Minutes respectfully submitted
Sherry Tibbetts
Secretary