

Planning Board

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



Town of Boothbay Planning Board Meeting
Wednesday, August 17, 2016

MINUTES

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

Mailing address: 142 Dover Road, Boothbay, ME 04537

Property location: 142 Dover Road, Boothbay, ME 04537, Tax map/lot R02/0034 & 34B

Principal Reviewer: Alan Bellows

Applications Review: The applicant requests approval to conduct and manage timber harvesting operations in the Resource Protection District.

Both Mr. Welsh and his forester, Dave Schaible was present to discuss this application.

Mr. Welsh said this property has been in his family for 150 years and that they harvest the timber every few years.

Mr. Schaible said this will be the fourth harvest since 1971, although two of those were cancelled. He has updated the management plan that was done in 2014. He said this was not being done for landscaping or to create a view, it is being done to manage the trees. He talked about the Hemlocks being attacked by disease, and a stand of Cedar that is dying out. They want to remove dying and falling down trees. They do not have a logger on line yet and they will need to wait for conditions to be right. If possible they would like their permit to be for a three year period.

Alan Bellows asked about the herbicide spraying that was mentioned for stand #1 and reminded them that it would not be allowed within the 250' setback from the Shoreland.

Alan Bellows questioned stand #2 and that they stated they wanted to cut more than 40% which is the maximum allowed. Mr. Schaible said it is not near the Shoreland and not within the 75' setback, the stand is less than 1 acres and not all Cedar. He stated that the Cedar is dying and needs to be cut. They will not take more than necessary.

Findings of fact:

The owner is John Welsh relating to the properties located at 142 Dover Road and property taxes on the account have been paid in full.

The properties are located at 142Dover Road, tax map/lot R02/0034and R02/34B and the deed for them can be seen at the Lincoln County Registry of Deeds in Book 2204 on page 155 and Book 1448 on page 255. The property is in the General Residential District and in the Resource Protection District. The lots contain 67.75 acres and 25 acres respectively.

The applicant requests approval to conduct and manage timber harvesting operations in the Resource Protection District.

Conclusions:

Alan Bellows made a motion that the applicant has demonstrated Right, Title or Interest on the property and Mike Tomacelli 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 3.6 Review Criteria of the Town of Boothbay Zoning Ordinance and Mike Tomacelli 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 3.9.4 General Residential District review criteria of the Town of Boothbay Zoning Ordinance and Mike Tomacelli 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 3.10.21 Review Criteria Timber Harvesting 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 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: 3-0 in favor.

Conditions:

1. No herbicide spray within 250' setback
2. No clear openings within the 75' setback
3. 40% limit maybe exceeded in limited areas
4. Expected duration is three years but work has to begin within 1 year.

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.](#))

- Mike Warren, BRLT: There is a small building on Damascove Island that is falling down; BRLT would like to replace it with a new building in the same exact footprint. There is an easement with the Nature Conservatory that will not allow them to move it all. The ordinance says that if torn down needs to be moved back as far as possible without it being a hardship. If easement will not allow it to be moved back, they board does not really see a problem with this. BRLT will submit an applicant for next month's meeting.

5. APPROVE MINUTES: Melinda Browne made a motion to approve the minutes with one correction and Mike Tomacelli seconded the motion. Vote: 3-0 in favor.

6. ADJOURN MEETING: Mike Tomacelli made a motion to adjourn the meeting at 7:10PM and Alan Bellows seconded the motion. Vote: 3-0 in favor.