

## **Planning Board**

Alan Bellows - Chair  
Melinda Browne – Vice Chair  
Robert Ham  
Bruce Bowler  
Annette Stormont  
Tim Utley - Alternate



Town of Boothbay Planning Board Meeting  
Wednesday, September 20, 2017  
6:30PM – Town Office Conference Room

## ***MINUTES***

1. **CALL MEETING TO ORDER:** Alan Bellows called the meeting to order at 6:30PM.

- **Roll call of Members & other officials in attendance:** Alan Bellows, Melinda Browne, Rob Ham, Annette Stormont, Bruce Bowler, Tim Utley, CEO Jason Lorrain and Secretary Sherry Tibbetts
- **Any commentary by the Board or instructions to the audience prior to reviews:**

2. **OLD BUSINESS:** None

3. **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:** Robert W. Horgan, represented by Susan Mendleson of Knickerbocker Group  
**Mailing Address:** 1030 10<sup>th</sup> Street, W. Boca Grande, FL 33921  
**Property location:** 220 Shore Road, East Boothbay, ME 33921 and tax map/lot U3/18  
**Zone:** Special Residential, Shoreland Zone  
**Reviewer:** Bruce Bowler  
**Application Review:** Applicant wishes to remove 2 dormers and add an addition of 85 square foot of entry on the road side (away from the water and outside of the typical road setback). He'd also like to revert the attic from living space to storage and the sun porch to a screen porch.

Susan Mendleson was present for this discussion and she gave a brief overview of the proposed project. The land is already overdeveloped and they plan to swap one developed area for another. The sunroom may stay as a sunroom and not changed to a screen porch.

Annette Stormont asked about the elevation and if there would be blasting and Ms. Mendleson said they would not deal with it aggressively and when asked said that there are no plans to change the seawall.

### **Findings of Fact:**

The owner is Robert Horgan relating to the property located at 220 Shore Road, further identified as tax map/lot U03/0018. The taxes on the property have been paid in full.

The deed for the property can be seen at the Lincoln County Registry of Deeds in Book 2096 on page 32. The property is in the Special Residential Zone and is in the Shoreland Zoning Overlay and contains 2.20 acres.

We have received a purchase and sale agreement with the intent that the applicant is purchasing the property.

Applicant proposes to renovate the existing main cottage by the removal of 2 dormers and adding an entry addition of 85 square feet, intending to trade non vegetation area as needed to their non-conforming residence in the Shoreland Zone. The addition will be in the Shoreland Overlay zone.

### **Conclusions:**

Bruce Bowler made a motion that the applicant has demonstrated Right, Title or Interest on the property in question and Melinda Browne seconded the motion. Vote: 5-0 in favor.

Bruce Bowler made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 1.8 and 3.6 (A-H) Review Criteria of the Town of Boothbay Zoning Ordinance and Melinda Browne seconded the motion. Vote: 5-0 in favor.

Bruce Bowler made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.9.7.4 of the Town of Boothbay Zoning Ordinance and Melinda Browne seconded the motion. Vote: 5-0 in favor.

Bruce Bowler 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 Melinda Browne seconded the motion. Vote: 5-0 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 Bruce Bowler and seconded by Melinda Browne the Planning Board approved the development permit application all for the reasons set forth in the findings and conclusions. Vote: 5-0 in favor.

**4. OTHER BUSINESS:**

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.)

- **Applicant:** James Barnes  
**Application Review:** 400 Wiscasset Road, Map/lot R5/2A – review of Window Business  
Mr. Barnes said he would like to have a small retail window treatment business where the current Patriot Flooring (corner of River Road and Rt. 27) is located. He will have displays and sales there, no manufacturing.  
Since there is currently a similar use there, the board did not feel a Planning Board application would be necessary. The current use would go with the building.
- **Applicant:** Winston Kipp  
**Application Review:** 12 Seascape Drive, Map/lot U1/19 – review of revised house plan, originally approved 2014.

Mr. Kipp explained that he wanted to take down the current cottage and build a post and beam cottage. The current cottage is non-conforming and he will move the building back a few feet which will make the cottage more conforming than it currently is. The new cottage will have slightly less SF than the current one.

Bruce Bowler talked about the ordinance saying move as far as it is practical to do so and Mr. Kipp explained that moving it any more would make him closer to neighbors and road and that would not be good.

The board did not believe there would be a problem with this application if presented as described.

- **Applicant:** Romee May  
**Application review:** 18 Nichols Road, Map/lot R8/7/Y – review of a home service business for consultation, massages and private yoga

Ms. May explained that she currently owns a business Yoga Firm, that is located in a building that has been sold and she needs to work while finding a new location for her business. She would like to use a bedroom in her home to do yoga with 1 or 2 people at a time, also consultations and massages.

She was advised to check with the homeowners association to make sure it was allowed with them. What she is proposing is allowed in her district with Planning Board approval.

- **Applicant:** Douglas Gimbel  
**Application review:** 283 Barters Island Road, map/lot R4/105 – review of a home occupation and information on existing boat house.

Mr. Gimbel said he would like to purchase the property containing a boat house on Barters Island Road. He would like to use the boathouse as a studio/gallery. He is planning on building a small house on the property and had questions about the floor area needed. The ordinance says the business can be 75% of the floor area of the house. He would need to build a house that would give him that area of use in the boathouse for a business. The lot contains .74 acres.

- **Applicant:** Carole Jordan  
**Application review:** review of a Doggy Daycare at the Jordan Construction site on Route 27, the property is in the C2 district which would allow this business. It is not located in the Watershed Zone. Ms. Jordan owns 3 of the abutting lots and she has spoken with the only abutter Dan Giles and he does not have a problem with her proposal. She will present a formal application at the October meeting.

5. **APPROVE MINUTES:** Bruce Bowler made a motion to approve the minutes of August 16, 2017 with two corrections on the first page and Melinda Browne seconded the motion. Vote: 5-0 in favor.

6. **ADJOURN MEETING:** Bruce Bowler made a motion to adjourn the meeting at 7:25PM and Melinda Browne seconded the motion. Vote: 5-0 in favor.

Minutes respectfully submitted  
Sherry Tibbetts  
Secretary