

## **Planning Board**

Alan Bellows - Chair  
Melinda Browne – Vice Chair  
Michael Tomacelli  
Robert Ham - Alternate  
Andrew Morley, Alternate  
Tim Utley - Alternate



Town of Boothbay Planning Board Meeting  
Wednesday, September 21, 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, Robert Ham, Tim Utley, CEO Art Dunlap and Secretary Sherry Tibbetts
3. **OLD BUSINESS:**
4. **NEW BUSINESS:** Mike Tomacelli made a motion to appoint both Robbie Ham and Tim Utley as voting members for tonight's meeting and Melinda Browne seconded the motion. Vote: 3-0 in favor.

**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: Boothbay Region Land Trust**  
**Mailing address:** PO Box 183, Boothbay, ME 04537  
**Property location:** Damariscove Island, Boothbay, ME 04537, tax map/lot R11/0002  
**Zone:** General Residential, Shoreland Zone  
**Principal reviewer:** Mike Tomacelli  
**Applications Review:** The applicant proposes to construct a 12' x 16' storage building to replace the existing deteriorating building in the Shoreland Zone.

Michael Warren was present to discuss this application. He gave a brief overview of the project. The Structure is falling in and is beyond the point where it could be repaired. They would like to rebuild it, same size, and same footprint. Because of an easement with the Nature Conservancy They can only rebuild exactly where it is located now.

Mike Tomacelli asked if they would use similar materials and Mr. Warren said it would be done in Cedar shingles, it would use the same footprint and would have a similar pitch to the roof.

### **Findings of fact:**

The owner is the Boothbay Region Land Trust, represented by Michael Warren.

The property is located at Damariscove Island, further identified as tax map/lot R11/0002 and contains 189 acres. 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 3450 on page 281. The property is in the General Residential Zone, Shoreland Overlay Zone.

The applicant requests approval to reconstruct and replace an existing 12' x 16' historic shed structure located on the island in the Shoreland Zone.

The Nature conservancy holds an easement on the property which allows for improvements to the existing structure, but only in its current footprint.

**Conclusions:**

Mike Tomacelli 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.

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 Melinda Browne seconded the motion. Vote: 5-0 in favor.

Mike Tomacelli made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.9.4.4 Development and Use standards, General Residential District of the Town of Boothbay Zoning Ordinance and Melinda Browne seconded the motion. Vote: 5-0 in favor.

Mike Tomacelli 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.

Mike Tomacelli made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.11.23.3.3 Reconstruction or Replacement 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 Mike Tomacelli 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.

- **Applicants: Ronnie Campbell, owner of record- Dorothy Morton Trust owner**  
**Mailing address:** 24 Hackmatack Road, Boothbay Harbor, ME 04538 (applicant)  
**Property location:** Industrial Park Road, Boothbay, ME 04537, tax map/lot R06/0010/A02&A03  
**Zone:** C2 District  
**Principal reviewer:** Melinda Browne  
**Applications Review:** The applicant requests approval to establish a retail storage unit complex

Both Ronnie Campbell and Jeffrey Morton (trustee) were present to discuss this application.

The Dorothy Morton Trust is currently the owner and if a permit can be obtained then Ronnie Campbell will purchase the property.

Melinda Browne asked about lighting. Mr. Campbell said there will be a light on the corners of the buildings, he will point them down. No lights will be on poles.

Melinda Browne asked about the color and Mr. Campbell said he has not decided yet but would keep it conservative.

**Findings of fact:**

The owner of the property is Dorothy Morton Trust, Jeffrey Trustee. Ronnie Campbell has a pending sales agreement for the property.

The property is located at Industrial Park Road. It is in the C2 District. The Comprehensive Plan Committee has approved the addition of the lots to the Industrial Park District to be voted by the public May 2017.

The properties are further identified as tax map/lot R06/0010/A02 & A03 and contain 2.36 & 2.59 acres respectively.

The applicant is Ronnie Campbell, who has demonstrated a legal interest of the property owner in the property by providing a copy of the deed. Both applicant and property owner have signed the application.

The deed for the property can be seen at the Lincoln county Registry of Deeds in Book 2428 on page 19.

The applicant requests approval to establish a retail storage unit complex.

**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: 5-0 in favor.

Melinda Browne made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Sections 1.8 and .36.1 of the Town of Boothbay Zoning Ordinance and Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Melinda Browne made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Sections 3.9.2 C2 district of the Town of Boothbay Zoning Ordinance and Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Melinda Browne made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Sections 3.10.7 of the Town of Boothbay Zoning Ordinance and Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Melinda Browne made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Section 3.11.7 and 3.11.8 of the Town of Boothbay Zoning Ordinance and Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Melinda Browne made a motion that the applicant has demonstrated that this proposal meets the criteria set forth in Sections 3.11.15 of the Town of Boothbay Zoning Ordinance and Mike Tomacelli 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 Melinda Browne and seconded by Mike Tomacelli the Planning Board approved the Use Permit application all for the reasons set forth in the findings and conclusions. Vote: 5-0 in favor.

Mr. Campbell said that at some point in the future he might want to combining the two lots in to one lot and was told that since this was originally part of a sub-division he would need to come before the Planning Board to do that.

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.)

- **Nora Conklin:** Requesting to keep two goats on Adams Pond Road  
Nora, who lives on Adams Pond Road, asked if she could keep two goats in that area. Alan Bellows said that Animal Breeding and Care rules only apply if you have four or more animals. So no permit was needed from the Planning Board. Mr. Bellows did suggest she have a proper buffer from the Pond and properly dispose of all waste.
- **Brandon Smith, Knickerbocker Group:** Mr. Smith wanted to talk about a property at 13 Spruce Shore Road that a potential buyer is interested in. The property is map 5 lot 8.

There is an existing A-Frame on the property that has been expanded on before. They would like to replace it with another structure with same footprint and volume. They would also like to replace the foundation under the A-frame. The structure is within the 75' setback. Art said if the foundation is on piers now, replacing the piers could be considered a repair and done with building permits. There was a discussion about how much of the structure could be replaced or repaired at one time without the owners having to move it.

There is also a house on the property that was expanded in 2013. They would like to make changes to the house as well. They would increase the height of the house and there would be changes the volume but still be under the guidelines.

They will submit an application for the October meeting.

OTHER BUSINESS:

5. APPROVE MINUTES: Melinda Brown made a motion to approve the minutes of August 17, 2016 as amended and Mike Tomacelli seconded the motion. Vote: 3-0 in favor. Robbie Ham and Tim Utley abstained as they were not at that meeting.
6. ADJOURN MEETING: Mike Tomacelli made a motion to adjourn the meeting at 7:45PM and Melinda Brown seconded the motion. Vote: 5-0 in favor.