

**BOOTHBAY HARBOR
PLANNING BOARD WORKSHOP**

October 18, 2023

In addition to these typed minutes, video recordings of all Planning Board meetings can be viewed at BRCTV, and audio recordings at the Boothbay Harbor Town Office.

ATTENDING:

Tom Churchill - Chair
Tom Minerich - Vice Chair
Ronald Cohen - 1st Alternate
Dave Cody - 2nd Alternate
Jon Dunsford
Merritt Blakeslee
Lee Corbin

Julia Latter - Town Manager
Geoff Smith - Code Enforcement Officer

Tom Churchill called the meeting to order at 7:00 p.m.

OTHER BUSINESS:

1. Discussion of Land Use Code amendments that will be further discussed at an upcoming joint workshop with the Board of Selectmen

- **Side-Yard Setbacks in the Downtown Business Zone:** This revision aims to correct an ordinance that conflicts with the comprehensive plan. The comprehensive plan recommends that there should be commercial property on the ground floor and residential use above it in the downtown business district. The ordinance states that commercial buildings may be built side-lot to side-lot, however, residential cannot. The current ordinance is “messy”, and the board would like to clean it up and make it more flexible. This will be brought to the selectmen at the upcoming joint workshop. The board recommended changing section B to only include the first two sentences of the proposed change: “Certain structures are allowed within side or rear yard setbacks. These will be limited to include items similar in nature to, masonry stoops, masonry equipment pads (AC condenser, etc.), but excluding propane or other flammable storage or refuse.”
- **Allowed Land Uses:** A lot of downtown structures are legally non-conforming. This ordinance proposal is intended to bring most of them into conformity. This change would make it so single-family residential uses would no longer be permitted in the downtown business but residential use will be permitted above business uses. This will be brought to the selectmen at the upcoming joint workshop. Jon Dunsford stipulated he would agree with conditions of uses. Merritt Blakeslee was in disagreement.

- **Employee Housing:** The town currently has nothing in the ordinance defining employee housing. The board discussed restricting employee housing in the downtown business district, removes the proposed clause pertaining to bedrooms allowed, and add that the housing must meet all current state and local codes. There was a fair amount of debate on the best way to implement standards for employee housing, and for now, the topic is tabled and will not be brought to the selectmen at the upcoming joint workshop. Recommendations were put forward to change or update the definition of Boarding House.
- **Residential Setback in the General Residential Zone:** Multifamily dwelling units are prohibited within 300ft of Route 27 from Route 96 north. The board believes this could be changed to a smaller number and they agree that a discussion should take place with the Maine Department of Transportation.
- **Accessory Dwelling Units:** The board decided to table this discussion until more is known about LD 2003.
- **Authority of the Board of Appeals:** The Board of Appeals is currently tasked with considering and granting variance requests. The way the ordinance is written now is open to being interpreted in multiple ways. The board agrees that the language should be discussed with the town attorney to determine the best way to approach this change. This change will be brought to the board of selectmen in the upcoming joint workshop.
- **Appeals and Variance Procedure:** The proposed change is to simply add the words “and variance” to §170-109 of our ordinance. In §170-108 the board agrees that the term limit for board of appeals members should be removed. These changes will be brought to the board of selectmen in the upcoming joint workshop.
- **Electronic Submissions for Site Plan Review:** If the board chooses to hold a meeting via Zoom, they must make all material at the meeting also available electronically. There are a number of complications this could cause. They decided to table this discussion for the time being.
- **Land Use in the Downtown Business Zone:** As of right now, 10,000sq/ft of land area is required for each business use in the downtown business zone, which the majority of businesses don't have as they were grandfathered in. The board discussed revising the ordinance to eliminate the land area requirement.
- **Building Height in the Downtown Business Zone:** This discussion was tabled for a future workshop.

ADJOURN: Motion to adjourn at 9:13 PM; approved 5-0.