

**BOOTHBAY HARBOR
PLANNING BOARD MINUTES**

July 10, 2024, 6:21 PM

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 Minerich – Chair
Merritt Blakeslee – Vice Chair
Ronald Cohen – Secretary
Jon Dunsford
Lee Corbin
Dave Cody – 1st Alternate
Lisa Tholl – 2nd Alternate

Julia Latter – Town Manager
Geoff Smith – Code Enforcement Officer
John Cunningham – Town Attorney

RULE OF PROCEDURE: Motion that the acting chair may move an alternate member into a voting position in another member's absence.

ELECTION OF OFFICERS:

1. Motion to nominate Minerich as chair by Cohen and 2nd by Dunsford; approved 5-0.
2. Motion to nominate Blakeslee as Vice Chair by Minerich 2nd by Cohen; approved 5-0.
3. Motion to nominate Cohen as Secretary by Minerich 2nd by Blakeslee; approved 5-0.

MINUTES: Motion to approve the minutes of June 5, 2024, as presented; approved 5-0.

OLD BUSINESS:

1. PUBLIC HEARING - Nicholas Plummer, dab Boothbay Region Surveyors, representing Andrei Elizarkov, 48 Lakeview Road: Public hearing continued from last meeting to review a final plan for a minor subdivision in accordance with Chapter 170, Article IX, §170-104 B (1).

- No public comment. Public hearing closed.

2. Nicholas Plummer, dab Boothbay Region Surveyors, representing Andrei Elizarkov, 48 Lakeview Road:

- The board thoroughly reviews and decides what is complete in the applicant's plan per Chapter 170, Article IX, §170:
 - Blakeslee brings up missing information:
 - 104(B)(1)(g) – Nick will provide letter showing it is not required
 - 104(B)(2)(b)(14) – Stormwater plan

- 104(B)(2)(b)(20) – On plans FEMA 10’ AE
- 104(B)(2)(b)(21) – Make a note on plans
- 104(B)(2)(b)(24) – On plans Phosphorus Control Plan
- 106(A)(4) – Mark 50’ Buffer from Lakeview Road
- 106(A)(6) – 170-101.10 H1A Existing Nonconforming
- 106(A)(9)(a)
- 106(A)(13)(a)(5)
- 106(A)(14) – Not missing, info calculations are made during construction
- 106(B)(6)(b) – Missing letter from fire department
- 106(B)(6)(c) – Need letter from BRWD

➤ Dunsford:

- Concern of damaged pipe not property owner it was town’s line
- Is site stable, concern regarding how long site stays vacant.

- Missing items discussion closed

3. Nicholas Plummer, dab Boothbay Region Surveyors, representing Andrei Elizarkov, 48 Lakeview Road:

- Chair moves application forward to discussion and vote

➤ §170-104

- (B)(2)(a) – Comply
- (B)(2)(b)(1-7) – Comply
- (B)(2)(b)(8) – Blakeslee asked for clarification on easement between lots 3, 4 and 2. Nick explained there is a 45’ Utility easement
- (B)(2)(b)(9-13) – Comply
- (B)(2)(b)(14) – Blakeslee does not agree this has been met
- (B)(2)(b)(15-20) – Comply
- (B)(2)(b)(21) – Note to be added about Alewives per Blakeslee
- (B)(2)(b)(22-23) – Comply
- (B)(2)(b)(24) – Blakeslee commented that no more than 7,500ft² of impervious cover is to remain on each lot
- (B)(2)(b)(25) – Comply
- (B)(2)(b)(26) – Open question
- (B)(2)(b)(27) – Change subdivision note to include Boothbay Harbor Planning Board

➤ §170-106

- (A)(1-2) – Comply
- (A)(3) – N/A
- (A)(4) – Line add to Plan 50’ buffer from road
- (A)(5) – Waiver because what is already there works
- (A)(6) – Blakeslee concerned existing roads are not more than 100’ back from HW Mark
- (A)(7-8) – Comply
- (A)(9)(c) – Waiver
- (A)(10-11) – Comply
- (A)(12) – Developer will install water lines according to Fire Chief suggestion
- (A)(13)(a) – N/A

- (A)(13)(b-f) – N/A town water available
- (A)(14) – Using 2016 (waiving 1992) Motion by Blakeslee that phosphorus plan stays w/ developer. Motion fails.
- (A)(15) – N/A
- (A)(16) – N/A
- Corbin left the meeting at 8:50pm and Cody moved to voting member
- §170-106
 - (B)(1)(a) – Will be done before final approval
 - (B)(1)(b) – N/A
 - (B)(2) – N/A
 - (B)(3)(e)(1)(b) – Met waiver given
 - (B)(4) – Added as note to plan
 - (B)(5) – N/A
 - (B)(6)(b) – Letter from Fire Department needed
 - (B)(6)(c) - Letter from BRWD needed
 - (B)(6)(d-e) – N/A
 - (B)(7)(a) – Met
 - (B)(7)(b) – Letter provided by BRSD needs to say approved
 - (B)(7)(c) – N/A
 - (B)(8-10) – Met
- §170-102
 - (A)(1)(a) – Blakeslee requests 3rd party to come in and evaluate the land
 - Blakeslee makes motion to have the town retain water quality expert on subject property. No 2nd, motion fails.
 - (A)(2-5) – Comply
 - (A)(6) – Letter from Sewer district
 - (A)(7-13) – Comply
 - (A)(14) – Note on plan about elevation
 - (A)(15) – Letter
 - (A)(16) – N/A
 - (A)(17) – Motion that submitted documents are enough for stormwater management plan made by Minerich and 2nd by Dunsford; 4-1 with Blakeslee opposed
 - (A)(18) – Ratios met
 - (A)(19) – Phosphorus plan submitted stop mowing when approved
 - (A)(20-22) – N/A
- Draft decision sent to Nick when ready
- The application is tabled and the Planning Board will continue to review it in the meeting of August 14, 2024.

ADJOURNMENT: Motion to adjourn the meeting by Minerich 2nd by Cohen at 9:45 PM; approved 5-0.