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**BOOTHBAY HARBOR PLANNING BOARD**

MINUTES OF PUBLIC HEARING

**March 14, 2018**

MEMBERS PRESENT: Lee Corbin, Second Alternate

Jon Dunsford, First Alternate

William Hamblen, Chairman

John Hochstein

Margaret Perritt

Chris Swanson

CEO, Geoff Smith

In addition to these typed minutes, audio recordings are available to be listened to at the Boothbay Harbor Town Office.

**OLD BUSINESS**

* Approval of February 14, 2018 Minutes

**NEW BUSINESS**

* P UBLIC HEARING

Proposed ordinance amendments for the 2018 Town Meeting warrant

**OTHER BUSINESS**

* Advisory Workgroup update
* Discussion of hiring a master planner to develop a "Master Harbor Plan"
* Discussion about possible future zoning review/updates

Chairman Hamblen called the March 14, 2018 Planning Board meeting to order and stated the first order of business was to elevate First Alternate, Jon Dunsford to a full voting member in order to have a quorum. **Motion** was made by Chris Swanson and **seconded** by Margaret Perritt. **Unanimous approval**.

**OLD BUSINESS**

Lee Corbin **motioned** to approve the minutes of the February 14th, 2018 meeting. Jon Dunsford **seconded**. **Motion passed with one abstention** (Chairman Hamblen had not attended the meeting.)

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**NEW BUSINESS**

Chairman Hamblen explained they were holding a Public Hearing that evening to take comments on **two proposed ordinance amendments** for the 2018 Town Meeting warrant.

The **first** **ordinance amendment** is a clarification of a paragraph in the zoning which addresses the commercial and residential setbacks on Route 27. This is to correct an inconsistency in the current wording about the setbacks north and south of the intersection of Route 27 and Route 96. The wording would be amended to read as follows:

"The minimum residential setback on Route 27, south of the Routes 27/96 intersection is 30 feet; the minimum residential setback on Route 27, north of the Routes 27/96 intersection is 300 feet. The minimum commercial setback on Route 27, south of the Routes 27/96 intersection is 40 feet. The minimum commercial setback on Route 27, north of the Routes 27/96 intersection is 60 feet."

The Planning Board and CEO believed this was always the intent but it didn't read that way. [The setbacks were not ever intended to apply to Route 96.]

The **second ordinance amendment** is to see if the town will vote to amend the current Land Use Ordinance as follows:

Section 170-28, Schedule of Dimensional Requirements, Minimum Land Area per Dwelling Unit in the Downtown Business District (with Town water and sewer) is amended to read: Residential: 10,000 square feet; All other: 2,000 square feet (per use).

The need for this ordinance amendment was raised during the redevelopment of the bowling alley, where historically the number of uses there exceeded what was allowed due to the lot size. This holds true for many, if not most, of the lots downtown from a study conducted by Jon Dunsford and John Hochstein. The proposed amendment to this ordinance would accommodate what is already existing and also allow for commercial growth without changing the look, character or feel of the Downtown Business District.

Jon Dunsford confirmed few businesses downtown have the 20,000 square feet necessary to have two uses. The Comprehensive Plan encourages commercial uses on the first floor with residential uses on the second to keep it a vibrant downtown. The ordinance amendment would make it possible for 74 percent of the existing businesses to have a residential use on the second floor with as many as two commercial uses on the first floor.

Bill Logan wondered if the Board had considered other dimensions. Chairman Hamblen responded that they had done so and notified Colin Clark of the DEP about this. His only concern was that the town might end up with large lots having too many uses. He recommended they focus on what the community indicates they want in certain areas and base it on that to avoid these issues.

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John Hochstein **motioned** to pass the ordinance amendments on to the Select Board for inclusion in the warrant. Margaret Perritt **seconded**. **Unanimous approval**.

**OTHER BUSINESS**

**Advisory Workgroup update**: Chairman Hamblen stated that the last Advisory Workgroup meeting had been rescheduled to March 21st due to the 2nd Nor'easter, but he felt they were getting close to the end although still had some significant things to discuss especially the density of multi-family common wall construction and the use of transfer rights (if at all).

Chairman Hamblen stated one of the important things they had done was to come up with a vision for the east side of the harbor, reading the following description (still in transition):

"The east side shall consist of mixed uses including hotels, restaurants, shops, residences (both single and limited multi-family), marinas, water-dependent uses, bait suppliers, both wholesale and retail lobster and fish markets, boat launching ramps, marine repair, with easy pedestrian mobility with some level of water access, all developed at a density that is somewhat less than the west side in order to support visual and physical connectivity to the waterfront."

Chairman Hamblen stated there were a number of items the Advisory Group agrees on.

* Redefine the existing maritime water dependant district as a mixed use district with every property having the same set if permitted uses.
* To continue all the existing current uses in the original district.
* Add new commercial uses (such as motels, hotels, inns consistent with the mixed use district).
* Have a high water setback of 25 feet for all new construction, except for water dependent uses which would continue to have a zero foot setback.
* To permit common wall residences in the district subject to the same density requirements that exist in town (six units per acre).
* To add requirements for significant developments to maintain view corridors from Atlantic Avenue to the water (still under discussion).
* Height requirement of 35 feet or 2.5 stories...whichever is less keeping it in character with the town (still under discussion).
* Requiring impact fees on new common wall construction and significant non-residential development to meet additional needs for recreation, pedestrian access and open space (also, still under discussion).
* Public safety.

The idea of "trade-offs" (developers offering an amenity to the town in return for leniency of some requirement) was abandoned since every development would turn into a negotiation (plus DEP was not in favor of them either).

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In regard to pedestrian safety, John Hochstein brought up the issue of people walking on the street instead of the sidewalk on Atlantic Avenue. Chairman Hamblen responded he was pretty sure whatever happens, that would involve a sidewalk.

Chairman Hamblen stated there was also discussion of permitting a minimum lot size of 2,500 square feet for common wall construction as well as "transfer rights" to be used in the district. (Transfer rights, if done properly, would allow an increase of density in one area in return for decreasing it somewhere else.)

In response to how much longer it would take the Advisory Work Group to work out the rest of the details, Chairman Hamblen responded it might take just a couple more meetings. This is sufficiently important to hold a special town meeting so it will not drag on for another year.

**Hiring a "Master Harbor Plan" consultant:** Chairman Hamblen stated the issue of hiring a consultant to develop a "Master Harbor Plan" had been raised and thought it was a good idea to have someone look at the harbor from a global point of view to develop a plan for the whole harbor. (There is enough money in the budget for this.)

Discussion among the Board members ensued.

The consensus of the Board was in agreement with the need for a Master Harbor Plan consultant.

Chairman Hamblen suggested as a homework assignment, each member present five things they'd like to have a professional planner address (in bullet format) for the next meeting.

**Possible future zoning review/updates:**

Chairman Hamblen stated they had already been incorporating this topic but felt it was worth giving attention to. Chairman Hamblen suggested this should be the second part of their homework assignment.

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ADJOURN

The meeting was adjourned at 8:13 pm.

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William Hamblen, Chairman Kellie Bigos, Recording Secretary