

BOOTHBAY HARBOR PLANNING BOARD MINUTES

August 26, 2026, 6pm

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:

Merritt Blakeslee – Chair
Ronald Cohen – Vice Chair
David Cody – Secretary
Tom Minerich – Voting Member
Jim Mahoney – 1st Alternate Member
Linc Sample – 2nd Alternate Member

Also Present:

Julia Latter – Town Manager
Dan Stockford – Town Attorney

Opening of Regular Monthly Meeting of the Planning Board Call to order at 1756

Member status: Voting members Lisa Tholl and Ron Cohen not in attendance. Jim Mahoney and Linc Samples were moved from Alternate status and elevated to voting member for this meeting.

MINUTES: None

NEW BUSINESS:

STATUS OF BOARD OF APPEALS

Mr. Stockford, Counsel for town spoke on the PBs application for appeal (August 14) of the 185 Townsend Ave Project. There are now 2 appeals pending, the PBs and one from abutter Lisa Tholl. Hearings are scheduled for the 21st of September and will be heard 1 hour apart starting at 6pm. Stockford will not be representing the BOA.

Status of Expiration of Park Permits

A decision by the interim Code Enforcement Officer will be made by the September 9th PB meeting. The Planning board did ask that this decision be presented to the PB by the 4th of September allowing time to read and understand the findings. The Chair asked that a full record of the information used to make the decision of the CEO be available to the board.

Housekeeping

Scripts used for this meeting have been made available to both parties and those in attendance requesting them. Scripts are to be made part of this hearing.

Submission on uses 170-28

Submissions requested at the last meeting were received and both parties will speak on the matter.

Mr. Muri, for the park, was informed that no vote on the number of uses was taken by the PB at the last meeting. The Park is presenting that there are 3 uses on the site, a park, a grocery store, and a marina all approved in 2020. Apartments in the Hodgdon house have been dropped.

Ms. Collins, for the abutters, editorialized on the problems of having meetings too close together as some material may be missed as has happened tonight. Ms. Collins is asking the PB to look at 170-28 and not Shoreland zoning. DEP was looking at Shoreland zoning (Colin Clark) and principal uses to be counted. In general land use, 170-28 each use is counted, not just the principal use. Events, park and splash pad, marina, commercial marina, boat house, and pavilion should all be counted. Ms. Collins counts 6 uses for the site.

Motion by the Chair seconded by Sample, for the purpose of establishing the number of uses permitted by 170-28, this PB honor the decision of the 2020 PB to approve as a single use the operations of the South Pier to include “docking facilities for boats, boat repair and construction, indoor and outdoor storage of boats, and boat launching and hauling” from section 28 and the operation on the North Pier limited to “docking facilities for boats” Vote 5-0

Motion by Chair second by Sample the planning board find that the predecessor planning board did not approve “seafood product processing, warehousing, sales, retail, and wholesale” in its October 14, 2020, approval of the plans of the Park’s site plan review application, and that the Park may not conduct operations that fall within this use definition without the requisite approval from the CEO or the PB. Vote 5-0

Motion By chair second by Sample that the PB determine that if and when the Park proposes to convert the existing disused and non-conforming restaurant and associated structures on the North Pier into a Pavillion, it must return to the town for all required approvals, including but not limited to approvals under Articles IV,V,VI, and VIII of the ordinance.

Discussion on the status of the restaurant building and Future use of the Pavillion building. Vote on previous motion 4-1 Cody voted in the negative.

Mr. Muri objected to the motion because it does not account for what has been permitted. It has been permitted as an accessory building in 2020.

Motion by the Chair second by Sample that the PB recognize the park area including the splash pad, and grocery store, as uses approved in 2020 and as consistent with section 170-28. Vote 5-0

Mr. Muri wants to go on record that the previous PB of 2020 approved the Pavillion as an accessory use.

Motion by the Chair seconded by Sample that the PB find the amended application presently before us complies with the number of uses prescribed by section 170-28, in that the property covered by the application contains only three uses enumerated in 170-28 a marina, a grocery store,

and a park, an outdoor conservation and recreation use, not operated for profit, but not including a Pavilion, that we find the amended application complies with the number of uses prescribed by 170-28 not including a pavilion.

Amendment to the motion by Sample to remove the words “but not including the Pavilion.” Vote 5-0.

Motion restated that the PB find the amended application presently before us complies with the number of uses prescribed by section 170-28, in that the property covered by the application contains only three uses enumerated in 170-28 a marina, a neighborhood grocery store, and a park “an outdoor conservation and recreation use, not operated for profit.” Vote 5-0

170-69-H on site subsurface treatment of wastewater from the splash pad

There was much discussion from all parties involved on how we ended up where we are now. (1) We have ordinances that require wastewater to go to the sewer system (2) The Sewer District must accept wastewater but not storm runoff (3) the Park proposes to treat wastewater on site DHHS has jurisdiction over what must happen with the splash pad water.

Motion by the Chair and seconded by Minerich that in accordance with sections 170-69H and 170-55 the PB disapproves the Park’s application to install an onsite sub surface treatment system to treat wastewater generated by the splash pad instead of connecting the splash pad to the municipal sewer system. Vote 4-1 Cody abstained

Performance Standards Article 4 170-45 lighting and glare

Discussion on lighting in the park, walkways, and Grocery store. There was concern especially with the store because there was no definitive plan. Mr. Rasor pointed out they are not at a point where they have solid plans for the design of the building therefore, they do not have a lighting plan. Because there were still many questions on lighting and it was past nine PM this issue was tabled. Dan Stockford was asked to find a date that worked for both parties.

Motion to adjourn By the Chair seconded by Cody Vote 5-0
Meeting adjourned at 2119

Respectfully submitted
David W. Cody
Recording Secretary
Boothbay Harbor Planning Board

