

BOOTHBAY HARBOR PLANNING BOARD MINUTES

November 20, 2024

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

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

NEW BUSINESS:

1. The Boothbay Harbor Planning Board convened to address the **Superior Court's order to remand for further findings in the Boothbay Harbor Waterfront Preservation v. Town of Boothbay Harbor case**. This meeting aims to fulfill a judge's request for clarification on the shoreland permit decision made in 2021 and to provide a reviewable record supporting the board's findings.
 - Key issues discussed included parking space requirements on a relatively small lot with existing buildings and the complications surrounding the proposed splash pad.
 - The board concluded that two points-septic and vegetation-were not applicable since the site is serviced by town water and sewer, and there was little to no vegetation before the park's development.
 - **Motion:** There is no septic issue for the site, as it utilizes the town's septic system per town records, and there was little to no vegetation on the site as indicated in plans L3 and L1; approved 5-0.
 - Members unanimously agreed to clarify the lot size and constraints, noting that the land's slope had no significant impact on the design and that adequate erosion control measures were provided.

- **Motion:** Referring to plan L1, this outlines the property constraints based on lot size and setbacks, including a 75-foot setback in the ordinance, and a 10-foot requirement from high water and the side lot; approved 5-0.
 - **Motion:** The minimal slope on the site has no impact on the design; approved 5-0.
 - **Motion:** Adequate erosion control measures are in place based on engineered solutions for stormwater runoff as specified in plan L6, concluding that these measures adequately address the slope of the land; approved 5-0.
- However, the board had differing opinions regarding the placement of structures on the property. It was proposed that the most practical solution to add parking was along a road slated for construction to facilitate access to working waterfront areas. Dunsford, Corbin, and Blakeslee approved, while Minerich and Cohen opposed it.
 - **Motion:** Due to the limited site space, the most efficient way to create additional parking is to attach it to the roadway leading to the Atlantic Boat Works parking lot and the marina concrete deck, thereby not requiring additional pavement; approved 3-2, Minerich & Cohen opposed.
 - **Motion:** Based on plans L1 and L6, no existing foundations will affect the reconstruction of the parking area; approved 4-1, Cohen opposed.
 - **Motion:** Plan L1 reflects the corrected property line (noted by the date) that takes precedence over plans L3 and L6; approved 5-0.
 - The board agreed to finalize the wording of the findings after the town lawyer reviewed and drafted them.

ADJOURNMENT: Motion to adjourn at 7:45 PM; approved 5-0.