

BOOTHBAY HARBOR
PLANNING BOARD MINUTES
December 11, 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:

Merritt Blakeslee – Vice Chair (Acting Chair)
Ronald Cohen – Secretary
Jon Dunsford
Lee Corbin
Dave Cody – 1st Alternate

Geoff Smith – Code Enforcement Officer
John Cunningham – Town Attorney

Blakeslee moved to Acting Chair. Motion by Blakeslee to move into Executive Session 2nd by Dunsford, Approved 4-0. Executive Session started at 5:30pm. Motion by Dunsford to move out of Executive Session 2nd by Cohen, Approved 4-0. Executive Session ends at 5:55pm.

Planning board opens regular meeting at 6:00pm.

MINUTES: November minutes will be approved at January's meeting.

OLD BUSINESS:

1. Superior Court's order to remand for further findings in the Boothbay Harbor Waterfront Preservation v. Town of Boothbay Harbor case.

- Motion by Dunsford to accept the findings from the November 20, 2024 meeting as written and submitted, 2nd by Corbin. Approved 4-0.

Cody moved to voting member.

NEW BUSINESS:

1. Boothbay-Boothbay Harbor CSD, Townsend Avenue. Applicant is seeking site plan approval for a structure to be used as an outdoor classroom. Represented by Kerr (CSD) and Quinn (Hearty Roots).

- §170-66 Site Plan Review (sections requiring discussion)
 - (B)(5) – Waiver given due to size and scale of project
 - (B)(6)(b) – 500' of proposed tent area not entire property
 - (B)(7)(e,f,h) – No issues with setbacks due to size of property and proposed location
 - (B)(7)(j) – Tent location is over 800' from nearest wetland on Emery Lane

- (B)(7)(m) – Using information on the contour map provided, the direction of water flow drainage should have minimal change at tent site location
- (B)(7)(p) – No covenants or deed restrictions shown on deed
- (B)(7)(s) – Proposed tent location outside 75’ wetland setback
 - ❖ Blakeslee made a motion to provide accommodation for location of Shoreland setback on survey, 2nd by Dunsford, Approved 5-0
- (B)(8)(a-b, f-h, j-o, q-t) – None Proposed
- (B)(8)(d-e) – Information provided
- (B)(8)(i) – Waiting for permit from fire marshal
- (B)(8)(p) – Schedule provided
- (B)(8)(u) – Requested signature block added to survey, and the tent location labeled on site plan
- (B)(9)(a-b, n) – Waived due to de minimis size of project
- (B)(9)(c-l) – Found to be N/A
- (B)(9)(m) – Provided in application, paid by grant
- §170-67 Other Required Permits
 - Due to de minimis size and location it is deemed none are needed
- §170-69 Site Plan Review Standards
 - (A) – De minimis foot traffic
 - (B-D) – Compliant, no impact
 - (E)(1)(a, c) – Complies
 - (E)(1)(b, d) – N/A
 - (E)(2) – Complies
 - (E)(3)(a) – Complies
 - (E)(3)(b-c) – N/A
 - (E)(4-5) – N/A
 - (F) – N/A
 - (G-I) – Located in the school building
 - (J) – Complies
 - (K-L) – N/A
 - (M)(1) – Complies
 - (M)(2-3) – N/A
 - (N) – Complies
 - (O-P) – N/A
 - (Q) – Complies, consistent with Town’s floodplain management provisions
 - (R) – Complies, over 600’
 - (S) – N/A
- Motion to approve site plan with conditions of approval made by Corbin, 2nd by Dunsford, Approved 5-0.
 - Add signature block to final plan for board members to sign

- Add tent location and label to final plan
 - ***Minutes will act as written notice of decision of the Planning Board.***
2. Anthony Muri for Waterfront Preservation shared his opinion regarding the remand decision and not being allowed to participate in the discussion on November 20, 2024.
 3. Mike Tomko – Selectman
 - Ordinance Revision Proposals
 - LD 2003 Proposals
 - General Ordinances
 - Nonconformance
 - View Corridor
 - MUBEC
 4. David Cody
 - Request Fire Marshal approval prior to Site Plan
 - He will draft a proposal and submit it to COE who will share it with Attorney Cunningham

ADJOURNMENT: Motion to Adjourn at 9:00 PM; Approved 5-0.