

BOOTHBAY HARBOR
BOARD OF SELECTMEN/PLANNING BOARD WORKSHOP
November 30, 2023

In addition to these typed minutes, video recordings of all Selectmen's meetings can be viewed at BRCTV, and audio recordings at the Boothbay Harbor Town Office.

ATTENDING SELECTMEN: Mike Tomko, *Chair*
Ken Rayle, *Vice-Chair*
Mark Osborn
Mark Gimbel
Alyssa Allen

PLANNING BOARD: Tom Churchill, *Chair*
Ronald Cohen, *1st Alternate*
Tom Minerich, *Vice-Chair*
Jon Dunsford
David Cody
Lee Corbin

ALSO ATTENDING: Julia Latter, *Town Manager*
Emily Rabbe, *Lincoln County Planner*

This Workshop is intended to prepare for the Town Meeting in May. Boards will discuss potential ordinance revisions.

1. **Side-Yard Setbacks in the Downtown Business Zone §170-28:** The proposal will allow any kind of building in a downtown business district (nowhere else) to be built to the side lot, as long as fire requirements of the state of Maine are satisfied.
2. **Allowed Land Uses §170-27:** Based on the Comprehensive Plan the Planning Board recommends removing "C" from residential uses in the Downtown Business Zone and adding a "P" for "Planning Board approval for multi-family uses on the second floor in the Downtown Business Zone."
3. **Residential Setback along Route 27 north of Route 96:** Boards discuss changing the setback in this zone from 300 to 75 to encourage more residential housing.
4. **Lot Area and Use in the Downtown Business Zone:** The Planning Board recommends that the land area required for each use of a building be reduced. The boards discuss this in length and come to agree that this is a task that will require work outside of this meeting. Boards will continue to work together on this revision.
5. **Guidelines Regarding Appeals:** Osborn recommends a clerical amendment regarding the appeals process; what can be appealed and when.
6. **Parking Standards:** Osborn questions if the ordinance restricts abutters from driving over another person's property to get to their parking space. There is a discussion regarding whether or not this may be a civil issue, however, a closer look will be taken.

7. **Notice to Abutters:** Osborn appreciates that the town is now notifying abutters of upcoming projects that may impact them, beyond the limited notification requirements in the current code; he recommends that the code be amended to recognize the new notification practices.
8. **Glare Ordinance:** The light Ordinance currently only references watts and Osborn recommends this be modernized to include LED.
9. **Downtown Business Zone:** The current code permits B&Bs in the DB zone, not Inns, Motels, or Hotels. Due to the number of lodging rooms that have been lost in the DB zone, Osborn recommends we allow Inns in the DB zone and possibly consider Hotels. At the very least, the definitions of B&Bs, Inns, Motels, and Hotels should be reviewed and possibly modified to allow for the recovery of some of the lost accommodations.
10. **Accessory Apartments and LD-2003:** Town Attorney, John Cunningham, has drafted a warrant compliant with LD-2003 for boards to review and alter as necessary. Although LD-2003 is a law and must be adopted, towns can develop ordinances about unit requirements, and short-term rental regulations.

PUBLIC COMMENT:

- Resident Bill Logan believes that if the goal is to encourage multi-use buildings, then there should not be different setbacks between residential and commercial uses, and should only differ if the building is not fire-protected. Logan then points out that if residential uses in the Downtown Business District are prohibited, there will be a significant number of legally non-conforming properties.
- Jonathan Tindal, Boothbay resident, does not believe that trading a non-conformity for a different non-conformity or forcing someone to use upper levels to create multi-family residences is appropriate; he supports leaving single-family homes in the Downtown Business District as an allowed use. He adds that he supports the idea of having no land area requirement for commercial use.

ADJOURN: Motion to adjourn at 8:21 PM; approved unanimously.