

# BOOTHBAY HARBOR PLANNING BOARD

## MINUTES OF PLANNING BOARD SCHEDULED MEETING NOVEMBER 10<sup>TH</sup>, 2021

### **Members in Attendance:**

Tom Churchill – Chair  
Jon Dunsford  
William Hamblen  
Margaret Perritt  
Lee Corbin – 1<sup>st</sup> Alternate  
Tom Minerich – 2<sup>nd</sup> Alternate – Secretary

### **Other town officials:**

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

In addition to these minutes available at the town office, this meeting has been recorded by Boothbay Region TV and is available for viewing on their Facebook page of by contacting them at: (207) 633-5022.

Tom Churchill (TC) called the meeting to order at 7:18 PM

Introduction of members, including changes to membership: Jon Dunsford moving from 1<sup>st</sup> Alternate to voting member, Lee Corbin to 1<sup>st</sup> Alternate and Tom Minerich joining the Board as 2<sup>nd</sup> Alternate.

TC – Tom suggested the Board choose a secretary as required under the State guidelines. It was proposed Tom Minerich be the permanent Secretary and each member rotate being the acting secretary. Approved (5-0).

### **Old Business:**

Approval of the October 13<sup>th</sup> 2021 minutes. Approved (5-0).

### **New Business:**

Boothbay Harbor Waterfront Preservation represented by Joseph Siviski, (tax map 16, lot 24) seeks a revision to a previously approved site plan. shoreland zoning approval and a building permit.

TC – Tom presented the overview of what was being asked of the Board and explained we had both John Cunningham and Geoff Smith in attendance to assist in making sure we provided a fair format for the applicant and others to be represented.

TC gave the floor to Joseph Siviski to present the BHWP case.

Mr. Siviski stated there were two applications submitted. He explained there was a historic home on the site that although discussed was not documented as what the use was going to be and wished to have a corrected site plan put in place.

The Board voted (5-0) to allow the site plan to be submitted, not approved.

TC – Introduction of the applicants request for a building permit.

J. Siviski – interrupted to make a comment; wanting to be sure the board understood the permit was for the park and marina and not any other buildings.

TC – Introduced of the checklist for a building permit in shoreland zone.

TC – Allowed for Scott Anderson representing Jill and Joe Doyle the abutters who have filed an appeal to say a few words as well prior to the checklist review.

Scott Anderson was seeking clarity on what was happening with the two dwellings as far as shoreland dwelling was concerned. His questions were answered to satisfaction.

TC – Tom read the Checklist line by line as required. After some conversation the Board skipped to land use standards.

**Please access the video to see all questions and responses.**

There was some discussion regarding section B. paragraph 3, regarding an existing building being 1.5 ft. below the 100-year mark. The discussion pertained to grandfathering structures; the Town attorney will provide an opinion.

Some discussion regarding retaining walls section B. paragraph 5, it was concluded the proposed retaining walls comply.

There was considerable discussion regarding parking lots Section G, and the water run off including grandfathering and catch-basins to capture runoff prior to these going directly into the harbor. It was agreed that the current parking would be grandfathered but the new parking area above would be required to have a serviceable catch-basin with a service regiment, this would be presented to the CEO to comply.

The final section was C Paragraphs 3, sub paragraphs A – I. It was determined the all-sub paragraphs complied except H, floodplain development which more information is needed. This will be discussed at the next meeting. There was again considerable discussion regarding the development and/use of the building on the dock that is within the floodplain.

TC- Opened up the meeting for public comment about 9:30 pm, after the comments it was closed at 9:55 pm.

The Board discussed having a limited approval but this or tabling the request until the next meeting.

John Cunningham suggested he will have various answers and views on grandfathering for the meeting to make choosing a solution easier.

TC – proposed tabling the application until next week with john coming back with various options such as approval, disapproval or approval with conditions.

The Chair closed the meeting thanking the public and making sure everyone understood the Boards purpose was to be fair and to be sure the town ordinance was followed.

Meeting adjourned 10:08 pm

Tom Churchill – Chair

Tom Minerich – Secretary