

BOOTHBAY HARBOR PLANNING BOARD  
MINUTES OF PUBLIC MEETING  
Wednesday, April 12, 2023

**Members Present**

Jon Dunsford  
Merritt Blakeslee, *First Alternate*  
William Hamblen  
Lee Corbin  
Tom Minerich  
Ronald Cohen, *Second Alternate*  
Tom Churchill, *Chair* (Attending via Zoom)

**Also Attending**

Julia Latter, *Town Manager*  
John Cunningham, *Town Attorney*  
Geoff Smith, *Code Enforcement*

In addition to these typed minutes, an audio recording is available for review at the Boothbay Harbor Town Office. This meeting was held at the Boothbay Harbor Town Office and remotely on Zoom.

Tom Churchill called the meeting to order at 6:00 pm.

Tom Minerich motions to approve July 12, 2022, meeting minutes that the Planning Board had previously overlooked. Seconded by Lee Corbin, this motion is approved unanimously.

Tom Minerich motions to approve the March 8, 2023, meeting minutes. Seconded by Jon Dunsford, this motion is approved unanimously.

**Old Business**

**Boothbay Region Maritime Foundation**, 87 Atlantic Ave, Tax Map 16 Lot 21, the applicant seeks to amend a previously approved Site Plan under Chapter 170, §170-72(D) - TABLED FROM MARCH 8, 2023, MEETING - STILL WAITING ON DEP APPROVAL.

The applicant is still awaiting DEP approval, and the amendment is tabled until the next meeting.

**New Business**

**Squirrel Island Village Corporation**, 35 Howard St., Tax Map 19 Lot 18, the applicant has submitted an application for Site Plan review with plans to convert the old greenhouse into a parking area for residents of Squirrel Island.

Tom Churchill motions that the Site Plan complies with §170-66(B)(1-6). Seconded by Bill Hamblen, this motion is approved unanimously.

After some review, Tom Minerich motions that all requirements within §170-66(7)(a-t) have been met, except items K, R, and S, as they are not applicable. Seconded by Lee Corbin, this motion is approved unanimously.

After some review, Jon Dunsford motions that the Site Plan complies with §170-66(8)(a-u) and is seconded by Lee Corbin.

Jon begins a discussion regarding a former easement included in the plan that may affect §170-66(8)(c).

Dunsford modifies his motion to require written communication from the Boothbay Harbor Sewer Department, permitting the applicant to continue their plan.

Tom Churchill begins a discussion regarding §170-66(8)(o), debating whether or not the applicant has provided enough information.

There is a conversation regarding foot traffic caused by this plan and how it may affect the town.

Abutter Jeff Teel explains that the bridge included in the plan is his property. He states that he will allow people to use this for convenience, but if it becomes a detriment, he will remove the bridge.

Merritt Blakeslee expresses concern about community security and suggests a key card gate to control access.

Bill Hamblen redirects discussion to §170-66(8)(a-u).

There is further discussion on if the applicant has provided enough information regarding §170-66(8)(o).

Lee Corbin motions that the Planning Board accept §170-66(8)(a-u). Seconded by Tom Minerich, this motion is approved unanimously.

Jon Dunsford motions to make a condition on §170-66(8)(c) that some written communication be presented from the Boothbay Harbor Sewer District stating that they are okay with the 15ft wide sewer easement. Seconded by Bill Hamblen, this motion is approved unanimously.

Lee Corbin motions to waive items C, D, E, H, J, K, L, and N under §170-66(9)(a-n). Seconded by Bill Hamblen, this motion is approved unanimously.

There is discussion as to whether or not the applicant has provided enough information under §170-66(9)(f).

There is a discussion regarding whether the 3.75ft buffer between the property line and the roadway is sufficient, despite the ordinance requiring the buffer to be 5ft for safety purposes.

The Planning Board finds they may waive this requirement under §170-54(J)(1).

Lee Corbin motions to accept the submission of §170-66(9)(a-n) subject to waiving the 5ft buffer requirement. Seconded by Bill Hamblen, this motion passes 4-5 with Tom Churchill voting no, as he does not feel the information in items F and I have been adequately addressed.

The Planning Board notes a traffic study done by the Boothbay Harbor Sewer District which wrote a letter stating that the traffic generated from the parking area would be roughly the same as what currently exists.

It is recommended by Geoff Smith, CEO, that the applicant obtain written communication from MDOT stating whether or not this needs documentation or permitting.

Bill Hamblen states that the site's utilization is appropriate as defined under §170-69(A) in that they have designed this project with those requirements in mind. Seconded by Tom Minerich, the motion is approved unanimously.

Jon Dunsford notes that there is a traffic plan included with this application and that there is no substantial increase in the property's traffic, apart from the potential future use of retail space.

After discussing whether or not it is appropriate to include future uses in the findings, Tom Churchill motions that the Planning Board has reviewed the Site Plan in detail and the traffic plan does not include any usage by the existing buildings on site at this time. Seconded by Bill Hamblen, the motion is approved unanimously.

Jon Dunsford motions that §170-69(B)(2)(a-h) has been covered by both the traffic plan and the inclusion of the Town Ordinance safety chart and that it complies, except item E, as it is not applicable. Seconded by Lee Corbin, this motion is approved unanimously.

Tom Churchill motions that the proposed Site Plan complies with §170-69(B)(3)(a-b) on accessways, location, and spacing. Seconded by Jon Dunsford, the motion is approved unanimously.

Jon Dunsford motions that §170-69(B)(4)(a-d) on internal vehicle circulation complies and is seconded by Lee Corbin.

Tom Minerich recommends that the parking area on the left-hand side coming in should be compact car only, or something to that effect, to ensure nothing blocks the way for emergency vehicles.

After some discussion, Jon Dunsford motions that §170-69(B)(4)(a-d) complies, provided that the parking and no parking areas be delineated on the plan, showing there is a clear path for emergency vehicles. Seconded by Lee Corbin, this motion is approved unanimously.

There is a discussion regarding whether or not the planning board may waive dimensional standards under §170-69(C). Geoff Smith reminds the Planning Board of §170-54(J)(1), which gives the planning board the ability to waive restrictions within special circumstances.

Bill Hamblen moves that under §170-69(C) of the Site Plan review checklist, the plan complies with §170-50 with the recognition that the planning board acts on §170-54(J)(1) to allow the buffer to be reduced from 5ft to 3.75ft to maintain a safe and reasonable access road for emergency vehicles. Seconded by Tom Minerich, the motion passes 4-5, with Tom Churchill opposing as he does not believe it complies with or is appropriate to waive.

After a short discussion, Jon Dunsford motions to approve §170-69(D)(1-2) with the condition that the applicant distinguishes the sidewalk across the new active entrance. Seconded by Bill Hamblen, the motion is approved unanimously.

Tom Churchill motions that §170-69(E) is not applicable, as no buildings are proposed. Seconded by Lee Corbin, the movement was approved unanimously.

Tom Churchill motions that §170-69(F) is not applicable because no exposed materials are proposed to be stored on the site. Seconded by Jon Dunsford, the motion passes unanimously.

Tom Churchill motions that §170-69(G) is not applicable because there's no water supply on the site. Seconded by Lee Corbin, the movement was approved unanimously.

Tom Churchill motions that §170-69(H) is not applicable because there are no proposed sewage disposal facilities on the site. Seconded by Bill Hamblen, the motion is approved unanimously.

Tom Churchill motions that §170-69(I) is not applicable, as no utilities are proposed to be on the site. Seconded by Lee Corbin, the motion is approved unanimously.

There is a discussion about how natural features will change according to the Site Plan.

Lee Corbin motions that the existing natural features will not be disturbed aside from the additional 6 inches of gravel in parking areas. Seconded by Bill Hamblen, the motion is approved unanimously.

Tom Churchill motions that §170-69(K)(1-2) regarding water quality protection is in compliance and is seconded by Lee Corbin.

There is a discussion regarding whether or not a system is required to maintain car waste. There is overall agreeance that it is not a requirement in a parking lot of this density.

Jon Dunsford moves that §170-69(K)(1-2) regarding management of stormwater complies. Seconded, by Bill Hamblen, this motion is approved unanimously.

Bill Hamblen moves that the application complies with §170-69(L) as no hazardous, special, or radioactive materials are proposed to be on the site, and no flammable or explosive liquids solids

or gases are proposed to be anywhere near the area. Seconded by Lee Corbin, this motion is approved unanimously.

Lee Corbin motions that §170-69(M) is inapplicable as the site is not in the Shoreline Zone. Seconded by Tom Minerich, the movement is approved unanimously.

Lee Corbin motions that according to the applicant's letter that shows Squirrel Island Corporation's financial capacity, §170-69(N) is in compliance. Seconded by Bill Hamblen, the motion is approved unanimously.

Tom Churchill motions that §170-69(O) complies as there are no solid waste materials on the site. Seconded by Lee Corbin, the movement was approved unanimously.

Tom Minerich recommends that the applicant consider putting a trash barrel by the entrance to manage waste.

Bill Hamblen moves that the application complies with §170-69(P) as no known historical or archaeological resources have been identified on this parcel. Seconded by Lee Corbin, the motion is approved unanimously.

Tom Churchill motions that §170-69(Q) complies, as the site is not in the floodplain. Seconded by Bill Hamblen, the movement is approved unanimously.

Lee Corbin motions that the Site Plan complies with §170-69(R), as this project lies outside the boundaries identified in the section. Seconded by Tom Minerich, the motion is approved unanimously.

Tom Churchill motions that §170-69(S) complies, as there are no proposed off-site improvements. Seconded by Bill Hamblen, the movement is approved unanimously.

Lee Corbin motions to approve the Site Plan as proposed, with the conditions that have been discussed; however, the planning board feels that the plan has yet to be completed.

Tom Churchill motions to suspend this motion and reconvene **\*on April 26 at 6 P.M.** Seconded by Lee Corbin, the motion is approved unanimously.

Boothbay Harbor Select Board member, Denise Griffin, expresses concern regarding the proposed ordinance for employee housing and recommends a workshop to discuss the issue further.

Tom Churchill motions to adjourn the meeting at 8:58 pm. Seconded by Bill Hamblen, the movement is approved unanimously.

*\*The meeting for April 26, 2023, has been canceled and rescheduled for May 10, 2023.*

