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**BOOTHBAY HARBOR PLANNING BOARD**

MINUTES OF PUBLIC HEARING

**February 14, 2018**

MEMBERS PRESENT: Lee Corbin, Second Alternate

Jon Dunsford, First Alternate

Margaret Perritt

CEO, Geoff Smith

In addition to these typed minutes, audio recordings are available to be listened to at the Boothbay Harbor Town Office.

**OLD BUSINESS**

* Approval of January 10, 2018 Minutes

**NEW BUSINESS**

(Tabled until next month)

**OTHER BUSINESS**

* Mike Elkins, pre-application discussion concerning possible expansion of his business
* Advisory Workgroup update
* Discussion of proposed warrant articles
* Discussion of hiring a master planner to develop a "Master Harbor Plan"

Margaret Perritt called the February 14, 2018 Planning Board meeting to order and stated the first order of business was to elevate First Alternate, Jon Dunsford and Second Alternate, Lee Corbin, to **full voting members** since Chairman Hamblen, Vice Chairman Churchill, Chris Swanson and John Hochstein were absent.

**OLD BUSINESS**

Lee Corbin **motioned** to approve the minutes of the January 10, 2018 meeting. Jon Dunsford **seconded**. **Motion passed**.

OTHER BUSINESS

Mike Elkins, owner of Coastal Shipping, stated he'd been in business for three years and was interested in expanding his building by moving the footprint six feet into the parking area. [CEO, Geoff Smith confirmed he had the 15' setback room to do this.]

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The parking area would still have two spaces with room for UPS and FED EX to still pull off of the road. Mike stated he was interested in selling retail products related to shipping as well as "Elkins & Son" furniture and home accessories they would manufacture.

Jon Dunsford stated they would have to consider if the property would still have just one use.

CEO, Geoff Smith stated that multiple businesses by the same owner does not mean staying within their use.

Mike stated he would have to have the property surveyed so he would know how much space he has, since he needs to have four parking spaces per 1,000 square feet.

Mike asked if having a "pop-up" business on weekends when there are a lot of people in town would be allowed because he has relatives who paint and take photographs.

CEO, Geoff Smith stated if they started to sell art work they would be a gallery so a separate use.

Mike asked if it was more like a yard sale and advertised as such, would it be allowed.

CEO, Geoff Smith responded, if it was done like that he probably wouldn't have an issue with it since they don't regulate yard sales.

Mike commented he could ship Christmas wreaths if they had them for sale in a "pop-up" outside.

CEO, Geoff Smith stated not all retail stores are the same so using this for an argument to be able to sell a variety of items would not work.

Jon Dunsford mentioned at the next Planning Board meeting on March 14th they would be discussing some possible changes in the way uses are calculated that might make more uses possible for small properties.

Margaret Perritt asked for comments from the floor.

Denise Griffin stated that pop-up businesses were becoming more popular nation-wide and would be a good way to increase business in the off-season but would not like to see them become permanent.

Mike Tomko suggested building the addition over the parking spaces.

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Margaret Perritt stated they should table everything else on the agenda until there were more Planning Board members in attendance, with the exception of a brief **Advisory Workgroup** update.

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Jon Dunsford stated they should acknowledge what Chairman Hamblen had drafted for an update of **Advisory Workgroup** issues, for the record. [Lee Corbin offered to read these.]

 Advisory Workgroup update

Geoff and Jon can fill you in on our last meeting.  I just wanted to comment that we are moving away from the incentive structure, to a structure where the key zoning controls (height, views, setbacks, density) are part of the core zoning.  This is a simpler, cleaner structure and avoids the scenario where every development is a negotiation.  It turns out that our existing code has several features that match up well to what we envision for the east side.  As an example our code already provides a density bonus for multi-family (condo) construction.  The BBH code currently allows up to six units per acre (rather than 10,000 sq ft per dwelling). This is 7,260 per unit and very close to what Bob Faunce had recommended.  The other idea that has re-surfaced was that of impact fees; this time not to support waterfront infrastructure, but to support public access.  The idea would be to invest in providing improved public access to our existing (already town owned) boat ramp, footbridge, etc.

Jon Dunsford clarified that during three two-hour meetings that have been held they discussed the size of condo allocations. According to the present ordinance calculation, forty-six condos could be built on the east side of the harbor on the properties in question. The consensus of the group was that was too many and instead selected the round number of forty for study purposes only, not for a conclusion.

Jon added that the state is quite clear on a couple of things according to Colin Clark DEP's Shoreland Zoning Coordinator.

* The Fish Pier town landing has to remain as it is (for parking ONLY on the concrete deck - no garden to gain points for something else).
* Boothbay Harbor will need to raise its flood plain elevation.
* A 25 foot setback would be allowed for new construction but existing buildings can remain at zero in Boothbay Harbor. (The state standard setback for the Shoreland zone is seventy-five feet.)
* Any new construction to an existing building or substantial expansion would require the building to be move back "by the "greatest practical extent" from the Shoreland.

Jon Dunsford stated the second part of Chairman Hamblen's draft concerned hiring a master planner to develop a Master Harbor Plan to provide definition and graphical meaning for understanding what the town chooses to do with **both** the east and west sides of the harbor.

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Denise Griffin cautioned to think things through, giving an example of a community that approved a zone change to build a building that resulted in the need for a larger fire truck to provide protection for the building that resulted in the need for a larger fire station to house the larger fire truck.

Hiring a master planner to develop a "Master Harbor Plan"

Several people have suggested that we hire an independent professional planner to look at the zoning changes we are considering.  I don’t want to de-rail the Advisory Group process by bringing in another player somewhat late in the game, but having an independent professional develop a master plan for the entire harbor is a great idea. Thus I suggest we hire a professional consultant to look at/develop a master plan for the harbor.  Mitch Razor would be the natural candidate, but obviously we will need to get multiple bids.  This should not be tied to the current east side effort, but rather look beyond that to the entire harbor.  It might impact the east side (and the west side, and...) but that would be a future modification, not part of the current effort.  I am pretty sure the select board views this favorably. If you all agree, perhaps the board could pass a motion to proceed along these lines.  We could draft a request for proposals ( I could take a first swing at this if you would like) and then forward it to the select board for action.

Jon Dunsford stated they had also had discussion about the zoning on Union Street as being included in the Water/Marine Water Dependent zone.

Margaret Perritt asked for comments from the floor.

Cory Tibbetts expressed concern about making concessions for a developer. Cory stated many people already felt they have lost control.

Harvey Oest stated he was encouraged by the action plan that was being formulated.

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ADJOURN

The meeting was adjourned at 8:01 pm.

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Margaret Perritt, Board Member Kellie Bigos, Recording Secretary