

Boothbay Harbor Waterfront Park

Statement of Fact

October 2022

Here is the mission of BBHWP

Boothbay Harbor Waterfront Preservation (BBHWP) is a 501(c)(3) non-profit organization supported by community members who believe that a resource as beautiful and important as our waterfront must be preserved for generations to come. We are committed to protecting our working waterfront and protecting our community's right to waterfront access for recreational and commercial uses.

In October of 2019, after a year-long fundraising campaign, Boothbay Harbor Waterfront Preservation purchased the former Cap'n Fish Motel property on Atlantic, the historic center of Boothbay Harbor's fishing and boatbuilding industry. Since then, we've been developing a multiuse space that includes waterfront access and storage facilities for commercial fishermen, a public park and greenspace for recreational use, and a splashpad for children.

We hope that the park will serve as a beautiful place of quiet respite that celebrates our waterfront history, for locals and visitors alike.

So far, we have:

- Demolished and removed the old Cap'n Fish Motel, and blacktop surface on the site.
- Made a 10,300 square foot North Pier available for public use.
- Made the 11,000 square foot South Pier available for use by fishermen to load and unload gear, and work on traps and boats.
- Provided a staging area where OceansWide, a Newcastle-based nonprofit, can retrieve abandoned "ghost traps" that have been lost due to broken buoy rope in Boothbay waters. The nonprofit organization www.oceanswide.org returns usable traps to fishermen free of charge and recycles the rest. More than 1,300 traps have been recovered from our site so far.
- Provided waterfront winter storage for more than 3,000 traps for local fishermen.
- Made four moorings available for marine businesses at affordable rates.
- Created 11 parking spaces for commercial fishermen to load and unload gear.
- Created temporary tie up and summer storage for seven boats. When several Carter's Wharf floats were temporarily unusable, fishermen used our floats. When a fishermen became disabled and needed temporary waterfront trap storage, we provided it.
- Installed a concrete splash pad, a recreational area where kids can play and cool off under the water fountains. Installed new town water service to support the splash pad, as well as stonework sitting area in the surrounding area. Started to place a water distribution system for the irrigation of the park lawns and landscaping.
- Stripped and removed all pavement from existing parking areas and regraded as needed.
- Defined the parking areas to include a small concrete retaining wall.
- Placed sod on the eastern part of the site to stabilize it, as well as temporary mulch on the remaining areas until sod is installed in the spring. • Installed a flagpole and a concrete base.

In the future we plan to:

- Create a plaza area with new brick paver walkways.
- Add a newly-paved parking area and driveway.
- Install a lawn irrigation system.
- Plant trees, plantings, shrubbery and complete landscaping
- Install a boom and hoist on the south pier for convenient loading/unloading for commercial fishermen.
- Open the north pier for winter trap storage.
- Provide a dinghy dock for fishermen to access moored boats.
- Create a convenient “beach out” area where fishermen can tie up their boats and work on them.
- Develop a general store with accessible bathrooms that are ADA compliant.

There have been a number of delays on the project due to local regulatory issues. A summary of our filings, all of which are public record, is as follows:

- **October 14, 2020:** The Boothbay Harbor Planning Board approved the Initial Site Plan after extensive shoreline zoning review.
- **February 23, 2021:** Boothbay Harbor Code Enforcement officer confirmed that all local permitting had been obtained, and construction could proceed pending permits for individual structures.
- **September 8, 2021:** Boothbay Harbor Planning Board unanimously approved an amendment to the site plan, which included the 0.5% change to the impervious surface (bringing the total impervious surface to 29.5% from 28.9%), concluding that the amendment is “minor”.
- **November 11, 2021:** The code Enforcement Officer issued the park and marina a building permit.
- **January 13, 2022:** The Boothbay Harbor Board of Appeals held a hearing to consider an appeal to the issuance of the Building Permit by the abutting property owners. On the same day, an official from the Department of Environmental Protection submitted a letter to the Board of Appeals stating that the parking area did not meet the 75-foot setback.
- **September 6, 2022:** Boothbay Harbor Code Enforcement Officer issued a notice of violation alleging three violations related to the stabilization of exposed ground area, a retaining wall that was built outside of the approved project scope, and work being done within a special flood hazard development permit. In response to this notice of violation, BBHWP has:
 - o completed the stabilization of the exposed ground area
 - o confirmed that the concrete structures being poured at the property are part of a retaining wall necessary to prevent erosion beneath the south edged of a paved parking area, which was consistent with both the original and amended site plans, which were approved.
 - o Submitted the flood hazard development permit to do the work within the special flood hazard area.
- **January, 13 2022:** The Board of Appeals Remanded the park and marina permit back to the Planning Board.
- **June 23, 2022:** The Department of Environmental Protection withdrew its objection to the parking area.
- **October 14, 2022:** The Boothbay Harbor Planning Board voted to hold a public hearing on the Order of Remand on November 9, 2022. It voted unanimously to accept only information that was available in November 2022 and pertained directly to the specific remand questions.
- **Next Steps**
- **November 9, 2022:** The Planning Board considered the Board of Appeals remand questions and re-affirmed their original findings from November 2021.
- **January 31, 2023:** The Board of Appeals will hold a later public hearing to consider the Park and Marina building permit appeal.