

**PLANNING BOARD**  
**PACKET OF MATERIALS**  
**MEETING JULY 6, 2016**

- Cover page with date
- Agenda
- Minutes for approval
- Applications
- Supporting Documents

**Agenda**  
**Bar Harbor Planning Board**  
**Wednesday, July 6, 2016**  
**Council Chambers- Municipal Building**  
**93 Cottage Street**  
**4:00 P.M.**

**I. CALL TO ORDER**

**II. ADOPTION OF THE AGENDA**

**III. EXCUSED ABSENCES**

**IV. APPROVAL OF MINUTES (June 1, 2016)**

**V. REGULAR BUSINESS**

**a. Completeness Review – CU-2016-01– Mount Desert Street, LLC**

**Project Location:** 68 Mount Desert Street, Bar Harbor Tax Map 104, Lot 414-000

**Applicant:** Mount Desert Street, LLC (Cathy Coston and Stephen Coston)

**Application:** The applicant is proposing demolition of an existing 12-room motel and construction of the Mount Desert Street Inn Bed and Breakfast, a 3 and 4-story, 5,600 sq. ft., 36-room bed and breakfast (a bed and breakfast III use).

**b. Land Use Ordinance – Draft Parking Amendments – PUBLIC HEARING - Article III Land Use Activities and Standards, Article V Site Plan Review, Article XII Construction and Definitions and Appendix C Table of Permitted Uses draft amendments in the form of draft warrants.**

**1. Draft Warrant Article a - LAND USE ORDINANCE AMENDMENT – Parking –**

Shall an Ordinance dated June 1, 2016 and entitled “An amendment to parking regulations in the Land Use Ordinance” be enacted?

(An amendment to add the terms parking garage and parking deck with definitions, to add language to the definition of accessory use, to add certain parking uses and accessory uses to certain districts, delete certain accessory parking uses from certain districts and adds provisions for greater utilization of off-site, off-street parking).

**2. Draft Warrant Article b - LAND USE ORDINANCE AMENDMENT – Parking –** Shall an Ordinance dated June 1, 2016 and entitled “An amendment to restore parking garage use to the Bar Harbor Gateway district in the Land Use Ordinance” be enacted?

**3. Draft Warrant Article c - LAND USE ORDINANCE AMENDMENT – Parking –** Shall an Ordinance dated June 1, 2016 and entitled “An amendment to restore parking garage use to the Downtown Village I district in the Land Use Ordinance” be enacted?

**4. Draft Warrant Article d - LAND USE ORDINANCE AMENDMENT – Parking –** Shall an Ordinance dated June 1, 2016 and entitled “An amendment to restore parking garage use to the Downtown Village II district in the Land Use Ordinance” be enacted?

**Agenda**  
**Bar Harbor Planning Board**  
**Wednesday, July 6, 2016**  
**Council Chambers- Municipal Building**  
**93 Cottage Street**  
**4:00 P.M.**

**5. Draft Warrant Article e - LAND USE ORDINANCE AMENDMENT – Parking** – Shall an Ordinance dated June 1, 2016 and entitled “An amendment to add parking garage use to the Educational Institutional district and Scientific Research for Eleemosynary Purposes district in the Land Use Ordinance” be enacted?

**6. Draft Warrant Article f - LAND USE ORDINANCE AMENDMENT – Parking** – Shall an Ordinance dated June 1, 2016 and entitled “An amendment to remove parking garage use from the Downtown Residential District and Town Hill Business District in the Land Use Ordinance” be enacted?

**II. OTHER BUSINESS**

**a. Pending Applications** (Mount Desert Street, LLC)

**III. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA**

**IV. ADJOURNMENT**

**Minutes  
Bar Harbor Planning Board  
Wednesday, June 1, 2016  
Council Chambers – Municipal Building  
93 Cottage Street  
6:00 P.M.**

**I. CALL TO ORDER**

*The Chair called the meeting to order at 6:00 PM. Planning Board members present: Ivan Rasmussen, Chair; Tom St. Germain, Vice Chair; Basil Eleftheriou, Jr., Secretary and Joe Cough, Member.*

*Also present: Robert Osborne, Planning Director.*

**II. ADOPTION OF THE AGENDA**

*Mr. St. Germain moved to adopt the agenda as presented. Mr. Cough seconded the motion and the Board voted four in favor and none against the motion.*

**III. EXCUSED ABSENCES**

*John Fitzpatrick*

**IV. APPROVAL OF THE MINUTES**

**a. May 18, 2016**

*Mr. St. Germain made a motion to approve the minutes. Mr. Eleftheriou, Jr. seconded the motion and the Board voted four in favor and none against the motion.*

**I. REGULAR BUSINESS**

- a. Land Use Ordinance – Draft Parking Amendments - Article III Land Use Activities and Standards, Article V Site Plan Review, Article XII Construction and Definitions and Appendix C Table of Permitted Uses draft amendments in the form of draft warrants.**

*The Board discussed what actions had been taken on these items since the Joint Council/Planning Board Workshop on May 24, 2016. Mr. Osborne indicated that the warrant articles reflect the changes that were determined at that meeting and reflected in the minutes to the meeting. There are five separate articles regarding parking garage use and one article that is the remainder of the proposed parking amendments to the Land Use Ordinance.*

*The Board discussed possible actions that could be taken on these items. Mr. Osborne indicated that Ed Bearor has reviewed the draft warrant articles and indicated that they could go forward for public hearing.*

**1... Draft Warrant Article a LAND USE ORDINANCE AMENDMENT – Parking –**

Shall an Ordinance dated x, 2016 and entitled “An amendment to parking regulations in the Land Use Ordinance” be enacted?

(An amendment to add the terms parking garage and parking deck with definitions, to add language to the definition of accessory use, to add certain parking uses and accessory uses to certain districts, delete certain accessory parking uses from certain districts and adds provisions for greater utilization of off-site, off-street parking).

*Mr. Eleftheriou, Jr. made a motion that the Board set Article a, Land Use Ordinance Amendment for public hearing on July 6, 2016. Mr. St. Germain seconded the motion which was approved four in favor and none against.*

**2. Draft Warrant Article b LAND USE ORDINANCE AMENDMENT – Parking –**

Shall an Ordinance dated x, 2016 and entitled “An amendment to restore parking garage use to the Bar Harbor Gateway district in the Land Use Ordinance” be enacted?

*Mr. Eleftheriou, Jr. made a motion that the Board set Article b, Land Use Ordinance Amendment for public hearing on July 6, 2016. Mr. St. Germain seconded the motion which was approved four in favor and none against.*

**3. Draft Warrant Article c LAND USE ORDINANCE AMENDMENT – Parking –**

Shall an Ordinance dated x, 2016 and entitled “An amendment to restore parking garage use to the Downtown Village I district in the Land Use Ordinance” be enacted?

*Mr. Eleftheriou, Jr. made a motion that the Board set Article a, Land Use Ordinance Amendment for public hearing on July 6, 2016. Mr. St. Germain seconded the motion which was approved four in favor and none against.*

**4. Draft Warrant Article d LAND USE ORDINANCE AMENDMENT – Parking –**

Shall an Ordinance dated x, 2016 and entitled “An amendment to restore parking garage use to the Downtown Village II district in the Land Use Ordinance” be enacted?

*Mr. Eleftheriou, Jr. made a motion that the Board set Article d, Land Use Ordinance Amendment for public hearing on July 6, 2016. Mr. St. Germain seconded the motion which was approved four in favor and none against.*

**5. Draft Warrant Article e LAND USE ORDINANCE AMENDMENT – Parking –**

Shall an Ordinance dated x, 2016 and entitled “An amendment to add parking garage use to the Educational Institutional district and Scientific Research for Eleemosynary Purposes district in the Land Use Ordinance” be enacted?

*Mr. Eleftheriou, Jr. made a motion that the Board set Article e, Land Use Ordinance Amendment for public hearing on July 6, 2016. Mr. St. Germain seconded the motion which was approved four in favor and none against.*

**6. Draft Warrant Article f LAND USE ORDINANCE AMENDMENT – Parking –** Shall an Ordinance dated x, 2016 and entitled “An amendment to remove parking garage use from the Downtown Residential District and Town Hill Business District in the Land Use Ordinance” be enacted?

*Mr. Eleftheriou, Jr. made a motion that the Board set Article f, Land Use Ordinance Amendment for public hearing on July 6, 2016. Mr. St. Germain seconded the motion which was approved four in favor and none against.*

**b. Land Use Ordinance – Draft Commercial Waterborne Passenger Facility Amendments -** Article III Land Use Activities and Standards and Article XII Construction and Definitions draft amendments in the form of draft warrants.

*Mr. Osborne referred to the minutes of the Joint Council/Planning Board workshop to note that the consensus is to proceed with a new shoreland district for the ferry terminal site that will allow the needed flexibility to do the full range of uses a cruise ship operation would require. He indicated that the Board will continue to work on this item but that it will not be ready for the November ballot.*

**c. Land Use Ordinance – Draft Minimum Area Per Family Amendments -** Article III Land Use Activities and Standards draft amendments in the form of draft warrants.

*Mr. Osborne referred to the minutes of the Joint Council/Planning Board workshop to note that the discussion brought out a number of questions and concerns and will require more work. He indicated that the Board will continue to work on this item but that it will not be ready for the November ballot.*

**d. Land Use Ordinance – Draft Maximum Floor Area Ratio Amendments -** Article III Land Use Activities and Standards draft amendments in the form of draft warrants.

*Mr. Osborne referred to the minutes of the Joint Council/Planning Board workshop to note that the discussion brought out the need for a more complete set of amendments for housing. He indicated that the Board will continue to work on this item but that it will not be ready for the November ballot. He urged the Board to remain focused on the housing questions.*

## **V. OTHER BUSINESS**

*It was noted that there were no pending applications for Planning Board review.*

## **VI. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA**

*It was noted that Tom St. Germain’s term is up this year and he indicated that he has not yet put in papers to continue on. It was noted that he would need to do so in the next week or so in order to continue uninterrupted.*

*It was suggested that the joint workshop was of great benefit to the moving along of the LUO amendments and that another workshop would be welcome when the time is right with new materials. A possible time could be when the shoreland zone amendment is closer to being ready.*

*Mr. Cough asked if the Board could work on the ambiguity of the language governing loading berths and industrial uses. The Board indicated that they would be willing to have the Planner look at possible adjustments.*

**VII. ADJOURNMENT**

*Mr. Cough moved to adjourn the meeting at 6:45 pm. Mr. Eleftheriou, Jr. seconded the motion. The Board voted unanimously to adjourn.*

*Signed as approved:*

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**Basil Eleftheriou, Jr., Secretary  
Planning Board, Town of Bar Harbor**

**Date**

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**MEMORANDUM**

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**DATE:** JUNE 29, 2016  
**TO:** **BAR HARBOR PLANNING BOARD**  
**FROM:** ROBERT OSBORNE, PLANNING DIRECTOR  
**RE:** **LAND USE ORDINANCE DRAFT AMENDMENTS BACKGROUND AND UPDATE**

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The purpose of this memorandum is to provide some background to the draft Land Use Ordinance draft parking amendments and to update where we now are in the process.

In 2010 there were a number of new districts created in the town of Bar Harbor. When they were adopted there was not a clear presentation of what the old district allowed as uses and which uses were proposed to be deleted. One outcome of the adoption of the new districts was that in three cases parking garage and parking lot use was deleted from the Bar Harbor Gateway district (then the Bar Harbor Corridor district), Downtown Village I and Downtown Village II districts (then Downtown Business district).

As a result of a joint Town Council and Planning Board meeting the Planning Board was charged to develop a comprehensive set of parking amendments that addressed issues beyond the elimination of parking in the Bar Harbor Gateway, Downtown Village I and Downtown Village II districts. What resulted was a review of the town's off-street parking standards primarily for where is parking allowed and where is it not allowed and why, and this set of amendments was the outcome.

The amendments that appear in "warrant article a" were developed to address issues including definitions, districts and parking regulations related to off-site parking. The amendments that appear in article b-f are all specific to parking garage as a use. Parking garage use requiring Planning Board site plan review is proposed to be added to the Bar Harbor Gateway, Downtown Village I, Downtown Village II, Educational Institutional and Scientific Research districts and to be deleted from the Downtown Residential and Town Hill Business districts.

This review of parking amendments has been ongoing for months and the Planning Board has held a number of meetings and workshops on the topic leading up to the public hearing which has resulted in some accommodations to concerns from citizens in residential districts. This public hearing notice for the parking warrant articles was mailed to every landowner in Bar Harbor and advertised twice in the Islander.

The Maine Department of Environmental Protection was sent a letter and the draft amendments (by certified mail) for their comments under Shoreland Zoning. Staff received email from Dawn Abbot on June 29, 2016:

*Bob,*

*I have reviewed the draft Land Use Ordinance amendments. My comments are as follows:  
Concerning the Parking Deck, as long as the dimensional standards are met and it is not exempt from the ordinance regulations, the amendment is fine. Parking Deck definition is fine. Changes in the definition of Parking Garage is fine. Adding Accessory uses and Parking lot to Mount Desert Street Corridor District, and Downtown Village Transitional, is fine. Adding Accessory uses and Parking deck; Parking lot to Bar Harbor Gateway, Downtown Village I, Downtown village II, and Shoreland General Development III, is fine. Adding the reference (see parking requirements found in 125-67B(4)) is a good idea.*

*If you have any further questions, please feel free to contact me.*

*Thank you,*

*Dawn M. Abbott  
Maine Department of Environmental Protection  
Assistant Shoreland Zoning Coordinator  
106 Hogan Road, Suite 6  
Bangor, Maine 04401  
Ph- 207-356-8318  
Fax- 207-941-4584*

Staff supports the draft amendments as presented and pending public comments recommends that the Planning Board send them forward with "ought to pass" recommendations.

# Draft Order

## Of the Bar Harbor Town Council

### For the November 8, 2016 Town Meeting

It is hereby ordered that the following article be placed on the special town meeting warrant with voting thereon to be held by Australian ballot.

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### Draft Warrant Article a

**LAND USE ORDINANCE AMENDMENT – Parking** – Shall an Ordinance dated June 1, 2016 and entitled “An amendment to parking regulations in the Land Use Ordinance” be enacted?

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### Parking

**An amendment to add the terms parking garage and parking deck with definitions, to add language to the definition of accessory use, to add certain parking uses and accessory uses to certain districts, delete certain accessory parking uses from certain districts and adds provisions for greater utilization of off-site, off-street parking.**

*The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:*

[Please Note: Old language is ~~stricken~~. New language is underlined.]

## **Chapter 125 , LAND USE ORDINANCE**

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### **ARTICLE XII Construction and Definitions**

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#### **§ 125-109 Definitions.**

The following terms shall have the following meanings:

PARKING DECK - A structure used for parking or storage of automobiles parked at grade and a second level of automobiles parked on a deck supported above grade. Parking decks may utilize site grade differential to access both levels of parking without need for internal ramps. Parking decks may be public or private. A parking deck used solely in conjunction with a multifamily dwelling or hotel shall not be construed to be a parking deck but rather a permitted accessory structure and use, even though not on the same premises as the multifamily dwelling or hotel.

~~GARAGE, COMMERCIAL PARKING GARAGE~~ - A multi-story structure used for parking or storage of automobiles, ~~generally available to the public, and involving payment of a charge~~ either public or private, either self-service or valet, for such parking or storage. A garage used solely in conjunction with a multifamily dwelling or hotel shall not be construed to be a ~~commercial parking~~ garage but rather a permitted accessory structure and use, even though not on the same premises as the multifamily dwelling or hotel.

#### USE, ACCESSORY

A. A use which is:

- (1) Subordinate to and serves a principal use;
- (2) Subordinate in area, extent and purpose to the principal use served;
- (3) Located on the same lot as the principal use served, except as otherwise expressly

authorized by this chapter; and

- (4) Customarily incidental to the principal use.

B. An accessory use shall not include any use injurious or offensive to the neighborhood as initially determined by the Code Enforcement Officer.

C. Off-street parking shall always be considered a permitted accessory use when required or provided to serve a legally constituted use in any district.

[Please Note: Old language is ~~stricken~~. New language is underlined.]

## **Chapter 125 , LAND USE ORDINANCE**

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### **ARTICLE III Land Use Activities and Standards**

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#### **§ 125-17 Bar Harbor Gateway.**

D. Uses allowed by site plan.

(1) The following uses shall be permitted by site plan review in any part of this district: bank; bed-and-breakfast I; bed-and-breakfast II; bed-and-breakfast III; bed-and-breakfast IV; bed-and-breakfast V; child-care center; commercial boat yard; commercial fish pier; ferry terminal; farmers' market; hotel; marina; multifamily dwelling I; multifamily dwelling II; motel; nursing or convalescent homes or congregate housing; parking deck; parking lot; private compulsory school; professional office building;

restaurant; retail; road construction; services; take-out restaurant; wind turbines, and wireless communication facilities...

F. Other requirements.

(1) Parking lots shall require buffering and vegetative screening if visible from Route 3. (Also see parking requirements found in 125-67B(4) Off-street parking.)

### **§ 125-18 Village Historic.**

F. Other requirements.

[Amended 11-2-2010]

(1) All new construction and/or changes to facades and signs shall require Design Review Board approval if visible from a public way. Single-family homes are exempt from this provision unless otherwise included in Appendix A or B of this chapter.

(2) The Planning Board shall ensure that parking for bed-and-breakfast I shall be shielded from the view of neighboring properties located to the side and rear of the property where the bed-and-breakfast is located. Shielding shall consist of vegetative screening. (Also see parking requirements found in 125-67B(4))...

### **§ 125-19 Mount Desert Street Corridor District.**

C. Allowed uses.

(1) Principal uses allowed with a building permit or a change of use permit from the Code Enforcement Officer: art gallery, home occupation, museum, place of worship; public or private park, single- or two-family dwelling; vacation rentals.

(2) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure.

D. Uses allowed by site plan.

(1) Principal uses allowed by minor site plan approval: wind turbines, offices, all types of schools, bed-and-breakfast I and II.

(2) Principal uses allowed by major site plan: convalescent home; multifamily I and II; parking lot; theaters...

F. Other requirements.

(1) Design Review Board approval shall be required for all changes to existing or new facades if the subject property is listed in Appendix A or B of this chapter. (Also see parking requirements found in 125-67B(4))...

## **§ 125-20 Village Residential.**

D. Uses allowed by site plan.

(1) The following uses shall be permitted by site plan review in any part of this district: multifamily I; nursing/convalescent home in a building constructed before June 8, 2010, road construction...

G. Other requirements:

(1) Accessory structures shall be located in the side and rear yard of the property.

(2) The Planning Board shall ensure that parking lots are shielded from the view of neighboring properties by requiring parking lots to provide buffering and vegetative screening. (Also see parking requirements found in 125-67B(4))...

## **§ 125-21 Downtown Village I.**

C. Allowed uses:

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail; public information, municipal and government uses; restaurants and bars; theaters; galleries; services, professional offices; vacation rentals; all bed-and-breakfasts; food-processing establishment; theaters; single- and two-family dwelling units; laundry and dry cleaning; artist studio, eleemosynary institution, place of worship.

[Amended 11-5-2013]

(2) Uses allowed by site plan review: hotel; motel; conference centers; multifamily dwelling I and II; all types of child-care facilities, all types of schools; medical and dental clinics; banks; automobile service stations; hospitals; parking deck; parking lot; road construction.

(3) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure...

E. Other requirements.

(1) All changes to facades and signs require Design Review Board approval.

(2) Parking requirements. (Also see parking requirements found in 125-67B(4)).

## **§ 125-21.1 Downtown Village II.**

C. Allowed uses.

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail, public information; municipal and government uses; restaurants and bars on lots with frontage on Cottage Street, Main Street, Mount Desert Street or West Street; theaters; galleries; artist studios; banks; services, vacation rentals; theaters; all bed-and-breakfasts; food-processing establishment; professional office buildings; laundry and dry cleaning; artist studio

(2) Uses allowed by site plan review: hotel, motel; multifamily dwelling I and II; parking deck; parking lot; all types of child-care facilities; all types of schools; hospitals, medical and dental clinics; automobile service stations; redemption centers.

(3) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure...

E. Other requirements.

(1) All changes to facades and signs require Design Review Board approval.

(2) Parking requirements. (Also see parking requirements found in 125-67B(4))...

## **§ 125-21.2 Downtown Village Transitional.**

C. Allowed uses.

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail; public information; municipal uses; galleries; services; professional office buildings; vacation rentals; bed-and-breakfast I, II and III; single- and two-family residential; family child-care; food-processing establishments; laundry and dry cleaning; artist studio.

(2) Uses allowed by site plan review: multifamily dwelling I and II; parking lot; all other types of child-care facilities; medical clinics.

(3) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure...

E. Other requirements.

(1) All changes to facades and signs require Design Review Board approval.

(2) Parking requirements: (Also see parking requirements found in 125-67B(4)).

## **§ 125-49.1 Shoreland General Development III.**

D. Uses allowed by site plan.

(1) The following uses shall be permitted by site plan review in any part of this district: bank; bed-and-breakfast I; bed-and-breakfast II; bed-and-breakfast III; bed-and-breakfast IV; bed-and-breakfast V; child-care center; commercial boat yard; commercial fish pier; ferry terminal; farmers' market; hotel; marina; multifamily dwelling I; multifamily dwelling II; motel; nursing or convalescent homes or congregate housing; parking lot and parking deck, private compulsory school; professional office building; restaurant; retail; road construction; services; take-out restaurant; wind turbines, and wireless communication facilities.

[Please Note: Old language is ~~stricken~~. New language is underlined.]

## Chapter 125 , LAND USE ORDINANCE

### APPENDIX C, Table of Permitted Uses

|   | Downtown Residential | Educational Institution | Emery                      | Hulls Cove Business  | Hulls Cove Residential Corridor | Hulls Cove Rural | Indian Point Residential | Indian Point Rural              | Industrial                       | Ireson Hill Corridor          | Ireson Hill Residential | McFarland Hill Residential | McFarland Hill Rural           | Marine Research       | Otter Creek     |
|---|----------------------|-------------------------|----------------------------|----------------------|---------------------------------|------------------|--------------------------|---------------------------------|----------------------------------|-------------------------------|-------------------------|----------------------------|--------------------------------|-----------------------|-----------------|
| <del>Parking garage and parking lot</del>   | <del>b</del>         |                         |                            |                      |                                 |                  |                          |                                 |                                  |                               |                         |                            |                                |                       |                 |
| <del>Parking garage</del>   |                      |                         |                            |                      |                                 |                  |                          |                                 |                                  |                               |                         |                            |                                |                       |                 |
| <del>Parking deck</del>   |                      | <del>b</del>            |                            |                      |                                 |                  |                          |                                 |                                  |                               |                         |                            |                                |                       |                 |
| <del>Parking lot</del>  | <del>b</del>         | <del>b</del>            |                            | <del>b</del>         |                                 |                  |                          |                                 |                                  | <del>b</del>                  |                         |                            |                                |                       |                 |
| <del>Parking lot with 10 or fewer spaces-<br/>accessory to permitted uses</del>               | <del>e</del>         | <del>e</del>            | <del>e</del>               | <del>e</del>         | <del>e</del>                    | <del>e</del>     | <del>e</del>             | <del>e</del>                    | <del>e</del>                     | <del>e</del>                  | <del>e</del>            | <del>e</del>               | <del>e</del>                   | <del>e</del>          | <del>e</del>    |
| <del>Parking lot with 10 or more spaces-<br/>accessory to permitted uses</del>                |                      | <del>b</del>            |                            | <del>e, b2</del>     |                                 |                  |                          |                                 | <del>e, b2</del>                 |                               |                         |                            |                                | <del>e, b2</del>      |                 |
| Uses or structures accessory to permitted <u>legally constituted</u> uses or structures       | c, b1                | c, b1                   | c, b1                      | c, b1                | c, b1                           | c, b1            | c, b1                    | c, b1                           | b                                | c, b1                         | c, b1                   | c, b1                      | c, b1                          | c, b1                 | c, b1           |
| Uses or small structures accessory to permitted <u>legally constituted</u> uses or structures | c                    | c, b2                   | c                          | c                    | c                               | c                | c                        | c                               | c                                | c                             | c                       | c                          | c                              | c                     | c               |
|   | Resource Protection  | Salisbury Cove Corridor | Salisbury Cove Residential | Salisbury Cove Rural | Salisbury Cove Village          | Schooner Head    | Scientific Research      | Shoreland General Development I | Shoreland General Development II | Shoreland Limited Residential | Stream Protection       | Town Hill Business         | Town Hill Residential Corridor | Town Hill Residential | Town Hill Rural |
| <del>Parking garage and parking lot</del>   |                      |                         |                            |                      |                                 |                  |                          |                                 |                                  |                               |                         | <del>b</del>               |                                |                       |                 |
| <del>Parking garage</del>   |                      |                         |                            |                      |                                 |                  |                          |                                 |                                  |                               |                         |                            |                                |                       |                 |
| <del>Parking deck</del>   |                      |                         |                            |                      |                                 |                  | <del>b</del>             |                                 |                                  |                               |                         |                            |                                |                       |                 |
| <del>Parking lot</del>  |                      | <del>b</del>            |                            |                      |                                 |                  | <del>b</del>             |                                 |                                  |                               |                         | <del>b</del>               |                                |                       |                 |
| <del>Parking lot with 10 or fewer spaces-<br/>accessory to permitted uses</del>               | <del>b-12</del>      | <del>e</del>            | <del>e</del>               | <del>e</del>         | <del>e</del>                    | <del>e</del>     | <del>e</del>             | <del>e</del>                    | <del>e</del>                     | <del>e</del>                  |                         | <del>e</del>               | <del>e</del>                   | <del>e</del>          | <del>e</del>    |
| <del>Parking lot with 10 or more spaces-<br/>accessory to permitted uses</del>                |                      | <del>e, b2</del>        | <del>b</del>               |                      |                                 |                  |                          |                                 |                                  |                               |                         | <del>e, b2</del>           |                                |                       |                 |
| Uses or structures accessory to permitted <u>legally constituted</u> uses or structures       |                      | c, b1                   | c, b1                      | c, b1                | c, b1                           | c                | c, b1,2                  | c, b1                           | c, b1                            | c, b1                         | b5                      | c, b1                      | c, b1                          | c, b1                 | c, b1           |
| Uses or small structures accessory to permitted <u>legally constituted</u> uses or structures | c                    | c                       | c                          | c                    | c                               | c                | c                        | c                               | c                                | c                             | c                       | c                          | c                              | c                     | c               |

## Chapter 125 , LAND USE ORDINANCE

### ARTICLE V, Site Plan Review

#### § 125-67 General review standards.

D. Parking requirements. Any ~~site plan for an~~ activity that can be expected to generate vehicular traffic shall provide for off-street parking in accordance with the following requirements. Parking requirements may be reduced, as determined by the Planning Board, when at least 5% of the required parking spaces are designated for low-emitting and fuel-efficient vehicles, carpools or vanpools or any combination thereof, and are marked as such. Parking requirements may also be reduced, as determined by the Planning Board, for properties that are located on a regularly scheduled bus route.

[Amended 11-5-1991; 5-2-1994; 11-4-1997; 3-24-1998; 5-5-2003; 11-4-2003; 5-3-2004; 5-2-2005; 6-13-2006; 6-8-2010; 11-2-2010]

(1) Off-street parking shall always be considered a permitted accessory use when required or provided to serve a legally constituted use ~~conforming use~~ in any district.

(2) Required off-street parking shall be located on the same lot as the principal building or use that it serves, except that ~~in the Downtown Village and Shoreland General Development Districts~~, with site plan approval and subject to such conditions as the Planning Board may impose, off-street parking spaces may be located on land or premises of the same ownership as the lot containing the principal building or use if said land or premises is dedicated for ~~free public parking and is located anywhere within the aforesaid districts~~.

(a) If parking spaces are on an off-site parking lot, such parking lot may not be farther than 500 feet from each entity requesting utilize those spaces. This distance shall be measured following a reasonable, safe walking route between the primary use and the parking lot being utilized.

**EXPLANATION:** The term commercial garage is defined but not found in any district, this warrant replaces that term with parking garage. The term parking deck is coined and defined to provide a structural alternative somewhere between parking lot and parking garage. This proposal adds language to the definition of accessory use stating that parking shall always be considered a permitted accessory use. This warrant adds parking uses approved by Site Plan review in the following districts: Bar Harbor Gateway, Mount Desert Street Corridor, Downtown Village I, II and Transitional, Shoreland General Development III, Downtown Residential, Education Institution, Hulls Cove Business, Ireson Hill Corridor, Scientific Research, Town Hill Business. This warrant removes redundant accessory parking language from Appendix C. This warrant makes provisions for off-site, off-street parking through Site Plan approval.

# Draft Order

Of the Bar Harbor Town Council  
For the November 8, 2016 Town Meeting

It is hereby ordered that the following article be placed on the special town meeting warrant with voting thereon to be held by Australian ballot.

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## Draft Warrant Article b

**LAND USE ORDINANCE AMENDMENT – Parking** – Shall an Ordinance dated June 1, 2016 and entitled “An amendment to restore parking garage use to the Bar Harbor Gateway district in the Land Use Ordinance” be enacted?

---

---

## Parking

**An amendment to add parking garage use, to the Bar Harbor Gateway District.**

*The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:*

[Please Note: Old language is ~~stricken~~. New language is underlined.]

## Chapter 125 , LAND USE ORDINANCE

---

### ARTICLE III Land Use Activities and Standards

---

#### § 125-17 Bar Harbor Gateway.

D. Uses allowed by site plan.

(1) The following uses shall be permitted by site plan review in any part of this district: bank; bed-and-breakfast I; bed-and-breakfast II; bed-and-breakfast III; bed-and-breakfast IV; bed-and-breakfast V; child-care center; commercial boat yard; commercial fish pier; ferry terminal; farmers' market; hotel; marina; multifamily dwelling I; multifamily dwelling II; motel; nursing or convalescent homes or congregate housing; parking garage; private compulsory school; professional office building; restaurant; retail; road construction; services; take-out restaurant; wind turbines, and wireless communication facilities...

F. Other requirements.

(1) Parking lots shall require buffering and vegetative screening if visible from Route 3

**EXPLANATION:** This warrant adds parking garage use approved by Site Plan review in the Bar Harbor Gateway district. Parking garage use was previously allowed in the district that preceded the Bar Harbor Gateway district.



# Draft Order

Of the Bar Harbor Town Council  
For the November 8, 2016 Town Meeting

It is hereby ordered that the following article be placed on the special town meeting warrant with voting thereon to be held by Australian ballot.

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## Draft Warrant Article c

**LAND USE ORDINANCE AMENDMENT – Parking** – Shall an Ordinance dated June 1, 2016 and entitled “An amendment to restore parking garage use to the Downtown Village I district in the Land Use Ordinance” be enacted?

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### Parking

**An amendment to add parking garage use, to the Downtown Village I District.**

*The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:*

[Please Note: Old language is ~~stricken~~. New language is underlined.]

## **Chapter 125 , LAND USE ORDINANCE**

---

### **ARTICLE III Land Use Activities and Standards**

---

#### **§ 125-21 Downtown Village I.**

C. Allowed uses:

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail; public information, municipal and government uses; restaurants and bars; theaters; galleries;

services, professional offices; vacation rentals; all bed-and-breakfasts; food-processing establishment; theaters; single- and two-family dwelling units; laundry and dry cleaning; artist studio, eleemosynary institution, place of worship.

[Amended 11-5-2013]

(2) Uses allowed by site plan review: hotel; motel; conference centers; multifamily dwelling I and II; all types of child-care facilities, all types of schools; medical and dental clinics; banks; automobile service stations; hospitals; parking garage; road construction.

E. Other requirements.

(1) All changes to facades and signs require Design Review Board approval.

(2) Parking requirements.

**EXPLANATION:** This warrant adds parking garage use approved by Site Plan review in the Downtown Village I district. Parking garage use was previously allowed in the business district that preceded the Downtown Village I district.



# Draft Order

## Of the Bar Harbor Town Council

### For the November 8, 2016 Town Meeting

It is hereby ordered that the following article be placed on the special town meeting warrant with voting thereon to be held by Australian ballot.

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### Draft Warrant Article d

**LAND USE ORDINANCE AMENDMENT – Parking** – Shall an Ordinance dated June 1, 2016 and entitled “An amendment to restore parking garage use to the Downtown Village II district in the Land Use Ordinance” be enacted?

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### Parking

**An amendment to add parking garage use, to the Downtown Village II District.**

*The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:*

[Please Note: Old language is ~~stricken~~. New language is underlined.]

## Chapter 125 , LAND USE ORDINANCE

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### ARTICLE III Land Use Activities and Standards

---

#### § 125-21.1 Downtown Village II.

C. Allowed uses.

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail, public information; municipal and government uses; restaurants and bars on lots with frontage on Cottage Street, Main Street, Mount Desert Street or West Street; theaters; galleries; artist studios;

banks; services, vacation rentals; theaters; all bed-and-breakfasts; food-processing establishment; professional office buildings; laundry and dry cleaning; artist studio

(2) Uses allowed by site plan review: hotel, motel; multifamily dwelling I and II; parking garage; all types of child-care facilities; all types of schools; hospitals, medical and dental clinics; automobile service stations; redemption centers.

E. Other requirements.

(1) All changes to facades and signs require Design Review Board approval.

(2) Parking requirements.

**EXPLANATION:** This warrant adds parking garage use approved by Site Plan review in the Downtown Village II district. Parking garage use was previously allowed in the business district that preceded the Downtown Village II district.



# Draft Order

Of the Bar Harbor Town Council  
For the November 8, 2016 Town Meeting

It is hereby ordered that the following article be placed on the special town meeting warrant with voting thereon to be held by Australian ballot.

---

## Draft Warrant Article e

**LAND USE ORDINANCE AMENDMENT – Parking** – Shall an Ordinance dated June 1, 2016 and entitled “An amendment to add parking garage use to the Educational Institutional district and Scientific Research for Eleemosynary Purposes district in the Land Use Ordinance” be enacted?

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### Parking

**An amendment to add parking garage use, to Educational Institutional district and Scientific Research for Eleemosynary Purposes district.**

*The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:*

[Please Note: Old language is ~~stricken~~. New language is underlined.]

# Chapter 125 , LAND USE ORDINANCE

## APPENDIX C, Table of Permitted Uses

|                       | <b>Educational Institution</b> | <b>Scientific Research</b> |
|-----------------------|--------------------------------|----------------------------|
| <u>Parking garage</u> | <u>b</u>                       | <u>b</u>                   |

**EXPLANATION:** This warrant adds parking garage use approved by Site Plan review in the Educational Institutional district and Scientific Research for Eleemosynary Purposes district. The Educational Institutional district is in the area of College of the Atlantic and the Scientific Research district is in that area of The Jackson Laboratory. Parking garages are considered a tool to accommodate parking with reduced lot coverage. This is a new use for both districts.

# Draft Order

Of the Bar Harbor Town Council  
For the November 8, 2016 Town Meeting

It is hereby ordered that the following article be placed on the special town meeting warrant with voting thereon to be held by Australian ballot.

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## Draft Warrant Article f

**LAND USE ORDINANCE AMENDMENT – Parking** – Shall an Ordinance dated June 1, 2016 and entitled “An amendment to remove parking garage use from the Downtown Residential District and Town Hill Business District in the Land Use Ordinance” be enacted?

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---

### Parking

**An amendment to remove parking garage use from the Downtown Residential District and Town Hill Business District.**

*The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:*

[Please Note: Old language is ~~stricken~~. New language is underlined.]

# Chapter 125 , LAND USE ORDINANCE

## APPENDIX C, Table of Permitted Uses

|   | Downtown Residential | Town Hill Business |
|---|----------------------|--------------------|
| <del>Parking garage and parking lot</del> | ϕ                    | ϕ                  |
| <del>Parking garage</del>                 |                      |                    |
| <u>Parking lot</u>                        | b                    | b                  |

**EXPLANATION:** This warrant removes parking garage use approved by Site Plan review in the Downtown Residential district and Town Hill Business district. It continues to allow parking lot.

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**MEMORANDUM**

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**DATE:** JUNE 29, 2016  
**TO:** BAR HARBOR PLANNING BOARD  
**FROM:** ROBERT OSBORNE, PLANNING DIRECTOR  
**RE:** MOUNT DESERT, LLC COMPLETENESS REVIEW

---

The purpose of this memorandum is to evaluate the completeness Conditional Use/Site Plan application for the Mount Desert, LLC Bed and Breakfast. The site is located at 68 Mount Desert Street in the Mount Desert Street Corridor district. The following is what the Land Use Ordinance states concerning completeness reviews for conditional uses/major site plan. A bed and breakfast III use requires conditional use permit. A conditional use permit requires submission and approval of a major site plan application.

*E. Completeness review for major site plan.*

*(1) Generally. Upon receipt of an application, the Planning Board shall conduct an initial review for the sole purposes of determining whether the application is complete and establishing the initial amount of any technical assistance fee to be assessed pursuant to § 125-65D. If the application is deemed complete, it shall be deemed pending, and the Planning Board shall set the matter for a public hearing to take place within 45 days of the initial review. If the application is deemed incomplete, the Planning Board shall, within 10 days, notify the applicant, in writing, of the specific additional material needed to complete the application. Upon the applicant's submission of such additional material, all parties shall be given at least seven days to review the additional submissions before the Planning Board again reviews the application to determine completeness.*

*(2) Waiver of submission requirements. At the time of its initial review of an application, the Planning Board shall, at the applicant's request, attempt to clarify any of the procedural requirements of this chapter and act on any request to waive any of the submission requirements of this chapter that it is authorized to waive pursuant to § 125-63. Refusal of the Planning Board to grant a waiver shall require the applicant to submit the material for which a waiver was requested and to repeat the procedures outlined in Subsections A and E(1). In no event shall an application be deemed to be pending until and unless it has been deemed to be complete, nor shall the Planning Board conduct a substantive review, a review of the application to determine whether it complies with the standards set forth in this chapter and with other applicable requirements of law, until the application has been deemed complete.*

**Technical assistance fee.** The site plan constitutes the demolition of an existing 12 room motel building and construction of a larger 36-room, three and four-story, 5,600 sq. ft. building. There is new parking area proposed for this building as it is adjacent to an existing parking lot. Staff is not recommending that a technical assistance fee be required.

**Completeness of application.** The application is generally complete. The site plan itself is clear as it relates to the relationship of the proposed building and the neighboring properties within 200 feet of

the site. The application provides information regarding lot coverage, lot size, lot dimensions, distance between buildings. Applicant is proposing to utilize "grandfathered" lot coverage that slightly exceeds the 35% maximum and this is well documented in the site plan. Applicant has provided deed and boundary survey. The site is outside the 100 year flood plain. The application provide a cost estimate. An analysis of parking is provided.

Applicant has not secured the necessary Design Review Board Certificate of Appropriateness. This appears to be necessary for the Planning Board to consider a Conditional Use.

*Waiver of submission requirements.* Applicant has requested a number of waivers, most of which, are for items not applicable to this site plan. Applicant is requesting waiver of: 3B. purchase and sale agreement because they own the property outright; 4A-E. non-applicable legal documents; 5A&B non-applicable permits; 6D. non-applicable schools capacity statement; 7B,C,D,E,F. non-applicable private utilities plans; 7.1 A-E. non-applicable design approvals for state and local agencies; 9 non-applicable subdivision related site plan submissions; 12. Non-applicable street, sidewalk and access plan submissions; 13. Non-applicable E911 submissions; 15. Non-applicable subsurface wastewater disposal details; 16. Non-applicable groundwater (extraction) submissions; and 26. Non-applicable mining A-F submissions. Staff supports the request for waivers of these non-applicable issues without question. The waiver request also includes; 20D restaurant seating which would appear to be not applicable; and 24. Professional qualification details;

*Staff supplied materials.* Staff has requested capacity certifications and will provide them when available.

*Possible motion for finding of completeness.* A motion could be made that the Mount Desert Street, LLC conditional use/site plan application is complete and should proceed to public hearing to be set for August 3, 2016 if the Design Review Board process is completed at that time.

SITE PLAN APPLICATION  
FOR  
MOUNT DESERT LLC  
THE MOUNT DESERT STREET INN

CUA-16-01

TAX MAP 104 LOT 414

TOWN OF BAR HARBOR, MAINE

Owner:

Cathy and Stephen Coston  
Mount Desert Street LLC  
68 Mount Desert Street  
Bar Harbor, ME 04609



Prepared by:

G.F. Johnston & Associates  
*Consulting Civil Engineers*  
P.O. Box 197  
Southwest Harbor, Maine  
[www.gfjcivilconsult.com](http://www.gfjcivilconsult.com)

# SITE PLAN APPLICATION

|    |  |
|----|--|
| 1  | Section 1 - Site Plan Application                      |
| 2  | Section 2 - Fees Paid                                  |
| 3  | Section 3 - Title and Interest                         |
| 4  | Section 4 - Legal Documents                            |
| 5  | Section 5 - Permits                                    |
| 6  | Section 6 - Statements of Capacity and Design          |
| 7  | Section 7 - Design Plans and Design Approval           |
| 8  | Section 8 - Location Map                               |
| 9  | Section 9 - Site Plan                                  |
| 10 | Section 10 - Soil Survey                               |
| 11 | Section 11 - Landscaping, Buffering and Screening Plan |
| 12 | Section 12 - Street, Sidewalk and Access Plan          |
| 13 | Section 13 - E-911                                     |
| 14 | Section 14 - Photographs                               |
| 15 | Section 15 - Subsurface Wastewater Disposal            |
| 16 | Section 16 - Groundwater                               |
| 17 | Section 17 - Erosion and Sedimentation Plan            |
| 18 | Section 18 - Fire Protection                           |
| 19 | Section 19 - Solid and Hazardous Waste                 |
| 20 | Section 20 - Building Plans and Elevations             |
| 21 | Section 21 - Lighting Plan                             |
| 22 | Section 22 - Signs                                     |
| 23 | Section 23 - Traffic Impact                            |
| 24 | Section 24 - Technical and Financial Capacity          |
| 25 | Section 25 - Business Operations                       |
| 26 | Section 26 - Mining                                    |
| 27 |  |
| 28 |  |
| 29 |  |
| 30 |  |
| 31 |  |

JUN 22 2016

RECEIVED  
TOWN OF EAST TOWN  
PLANNING AND ZONING DEPARTMENT



G.F. Johnston & Associates  
Consulting Civil Engineers

### 1. SITE PLAN APPLICATION § 125-66 A.

- |   |                  |
|---|------------------|
| A. Checklist  | - Attached       |
| B. Property Owner's Name/Address                        | - Attached       |
| C. Applicant's Name/Address                             | - Attached       |
| D. Project Representative's Name/Address                | - Attached       |
| E. Abutters' Name/Address within 300' of Property Lines | - Attached       |
| F. Indication of registered farmland                    | - Staff Provided |
| G. Description of Proposed Use                          | - Attached       |
| H. Written Authorization for Town Official Access       | - Attached       |

Application Number: CU-16-01

Applicant Name Mount Desert Bed: Break

Map 104 Lot 414

Date: 5/18/16 Time: 10am

Department Official A. Chamberlain

Permitted Use Cond. Use B: B III

B. Osborne

### BAR HARBOR PLANNING DEPARTMENT SITE PLAN/SUBDIVISION APPLICATION CHECKLIST

**NOTICE TO APPLICANT:** A Planning Department Official will check each item reasonably expected to be required for a complete application. Additional information not suggested by the Department, may be required. If you do not wish to submit any of the items requested, you should submit a written request for a waiver and indicate it in the waiver column. A list of waivers should then be included with the application. The original checklist and all submissions, plus nine (9) additional copies, must be submitted to the Planning Department.

By its nature, this form is merely a summary of applicable sections of the Bar Harbor Land Use Ordinance. It is not intended to replace the ordinance and does not relieve the applicant of the obligation to read the ordinance and to be in compliance with the terms.

**The applicant is advised that the ordinance contains additional details and performance standards and should be consulted by the applicant in preparing a complete application**

PREAPPLICATION MEETING held on \_\_\_\_\_

|   | Exhibit                             | Waiver                              |
|---|-------------------------------------|-------------------------------------|
| <b>1. SITE PLAN APPLICATION (10 copies)</b>   |                                     |                                     |
| A <input checked="" type="checkbox"/> Checklist   | <input checked="" type="checkbox"/> | _____                               |
| B <input type="checkbox"/> Property Owner's Name/Address  | _____                               | _____                               |
| C <input type="checkbox"/> Applicant's Name/Address   | _____                               | _____                               |
| D <input type="checkbox"/> Project Representatives Name/Address                                     | _____                               | _____                               |
| E <input type="checkbox"/> Abutters Name & Address within 300 ft. of Property Lines                 | _____                               | _____                               |
| F <input type="checkbox"/> Indication of Registered Farmland within 150 ft. - <b>STAFF PROVIDED</b> | _____                               | _____                               |
| G <input type="checkbox"/> Description of Proposed Use  | _____                               | _____                               |
| H <input type="checkbox"/> Written Authorization for Town Official Access                           | _____                               | _____                               |
| <b>2. FEES PAID - Copy of Receipt</b>   |                                     |                                     |
| A <input type="checkbox"/> Administrative Fee   | <input checked="" type="checkbox"/> | _____                               |
| B <input type="checkbox"/> Evidence of Ordinance & Regulation Compliance - <b>STAFF PROVIDED</b>    | <input checked="" type="checkbox"/> | _____                               |
| <b>3. TITLE and INTEREST</b>  |                                     |                                     |
| A <input type="checkbox"/> Current Deed or  | <input checked="" type="checkbox"/> | _____                               |
| B <input type="checkbox"/> Purchase and Sale Agreement  | _____                               | <input checked="" type="checkbox"/> |
| C <input type="checkbox"/> Easements, Deed Restriction, R.O.W's, etc                                | <input checked="" type="checkbox"/> | _____                               |
| <b>4. LEGAL DOCUMENTS</b>   |                                     |                                     |
| A <input type="checkbox"/> Proposed Easements, Covenants, Agreements, etc.                          | _____                               | <input checked="" type="checkbox"/> |
| B <input type="checkbox"/> Proposed Deed for Roads or Other Property to be Dedicated                | _____                               | _____                               |
| C <input type="checkbox"/> Proposed Performance and Plant Maintenance Guarantees                    | _____                               | _____                               |
| D <input type="checkbox"/> For condominiums proposed declaration, By Laws, etc.                     | _____                               | _____                               |
| E <input type="checkbox"/> Site Restoration Guarantee (if required)                                 | _____                               | _____                               |

Exhibit      Waiver

**5. PERMITS**

- A  Army Corps of Engineers
- B  Maine D.E.P.
- C  Other **DOT DRB**

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

**6. STATEMENTS OF CAPACITY & DESIGN**

- A  Police - **STAFF PROVIDED**
- B  Public Works - Solid Waste; Storm Water; Street, and Recreation - **STAFF PROVIDED**
- C  Sewer - **STAFF PROVIDED**
- D  Schools & Busing
- E  Water - **STAFF PROVIDED**

|       |       |
|-------|-------|
| _____ | _____ |
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**7. DESIGN PLANS**

- A  Public Water Supply
- B  Central Private Water Supply
- C  Individual Wells
- D  Fire Hydrants, Dry Hydrants, and Fire Ponds
- E  Public Sewer
- F  Central Subsurface Wastewater System
- G  Shared Subsurface Wastewater System
- H  Stormwater Disposal System
- I  All Other Utilities, incl. Gas, Electricity, and Cable Television

|       |       |
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**7.1 DESIGN APPROVAL by State & Local Agencies**

- A  Central Water Supply (D.H.S.)
- B  Individual Wells (D.H.S.)
- C  Central Subsurface Sewage Disposal (D.H.S.)
- D  Waste Water Discharge (D.E.P.)
- E  Curb Cut (M.D.O.T. and/or Bar Harbor Public Work Dept)

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
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| _____ | _____ |
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**MAPS & PLANS**

**8. Location Map** (Location indicated on a USGS 7.5 minute map)

- Magnetic North
- Plan Preparation Date
- Graphic Scale
- Owner & Applicant Name/Address
- Designer, Surveyor, Engineer
- Name of each Municipality in which the development is located
- Tax Map & Lot Number(s)
- Land Use District(s)

|       |       |
|-------|-------|
| _____ | _____ |
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| _____ | _____ |
| _____ | _____ |

9. SITE PLAN Scale not to Exceed 1"=40'

|   | Exhibit | Waiver |
|---|---------|--------|
| <input type="checkbox"/> Magnetic North   | ✓       |        |
| <input type="checkbox"/> Plan Preparation Date  | ↓       |        |
| <input type="checkbox"/> Graphic Scale  | ↓       |        |
| <input type="checkbox"/> Owner & Applicant Name/Address   | ↓       |        |
| <input type="checkbox"/> Designer, Surveyor, Engineer   | ↓       |        |
| <input type="checkbox"/> Name of each Municipality in which the development is located            | ↓       |        |
| A <input type="checkbox"/> Abutting Property owners with Book and Page References                 | ↓       |        |
| B <input type="checkbox"/> Tax Map & Lot Number(s)  | ↓       |        |
| C <input type="checkbox"/> Land Use District(s)   | ↓       |        |
| D <input type="checkbox"/> Lot Line Dimensions (metes & bounds)                                   | ↓       |        |
| E <input type="checkbox"/> Lot Size in Square Feet  | ↓       |        |
| F <input type="checkbox"/> Locations of Lot Monumentations  | ✓       |        |
| G <input type="checkbox"/> Total Proposed Development Acreage                                     |         | ✓      |
| H <input type="checkbox"/> Remaining Undeveloped Land Retained                                    |         | ✓      |
| I <input type="checkbox"/> Lot Numbers  |         | ✓      |
| J <input type="checkbox"/> Lots Developed/Sold within Past 5 Years                                |         | ✓      |
| K <input type="checkbox"/> Subdivisions within 200 ft. With Owners Names                          |         | ✓      |
| L <input type="checkbox"/> Existing/Proposed Contours @ 5 or 10 ft. Intervals                     | ✓       |        |
| M <input type="checkbox"/> Items within 200 feet of the subject property:                         |         | ✓      |
| <input type="checkbox"/> Buildings & Structures   |         | ↓      |
| <input type="checkbox"/> Streets (W/names)  |         | ↓      |
| <input type="checkbox"/> Sidewalks  |         | ↓      |
| <input type="checkbox"/> Easements  |         | ↓      |
| <input type="checkbox"/> Driveways, Entrances, Exits  |         | ↓      |
| N <input type="checkbox"/> Location of Existing & Proposed Buildings/Structures On Site           | ✓       |        |
| O <input type="checkbox"/> Distance between Proposed Buildings/Structures On Site                 | ↓       |        |
| P <input type="checkbox"/> Utilities Locations - Existing/Proposed                                | ↓       |        |
| Q <input type="checkbox"/> Sign Locations - Existing/Proposed                                     | ↓       |        |
| R <input type="checkbox"/> Open Drainage Courses, Wetlands, and Gravel Aquifers                   |         | ✓      |
| S <input type="checkbox"/> Stone Walls, Graveyards, and Fences                                    |         | ↓      |
| T <input type="checkbox"/> Significant Wildlife Habitat or Spawning Grounds Locations (I.F.&W.)   |         | ↓      |
| U <input type="checkbox"/> Rare & Irreplaceable Natural Areas Locations ( Critical Areas Program) |         | ↓      |
| V <input type="checkbox"/> Historic & Archaeological Site Locations                               |         | ↓      |
| W <input type="checkbox"/> Wetlands & Waterbody Locations within 200' (regardless of size)        |         | ↓      |
| X <input type="checkbox"/> Shoreline  |         | ↓      |
| Y <input type="checkbox"/> 100 Year Flood Elevation   |         | ↓      |
| Z <input type="checkbox"/> Portions of the Site Subject to Routine Flood/Standing Water           |         | ↓      |
| AA <input type="checkbox"/> Lot Lines and Water bodies Setbacks                                   | ✓       |        |
| BB <input type="checkbox"/> Fire Hydrants & Fire Ponds Existing/Proposed                          |         | ✓      |
| CC <input type="checkbox"/> Fire/Emergency Equipment Site Access                                  |         | ↓      |
| DD <input type="checkbox"/> Easements/Access to Water Bodies Existing/Proposed                    |         | ↓      |
| EE <input type="checkbox"/> Access Locations to Adjacent Undeveloped Land                         |         | ↓      |
| FF <input type="checkbox"/> Recreation/Open Space Land Existing/Proposed                          |         | ↓      |
| GG <input type="checkbox"/> Solid, Industrial, Chemical, Explosive or Hazardous Waste Locations   |         | ↓      |
| HH <input type="checkbox"/> Lot Coverage Calculations - Existing/Proposed                         | ✓       |        |
| II <input type="checkbox"/> Parking Locations with Dimension, Angles, Radii, etc                  | ✓       |        |
| JJ <input type="checkbox"/> Subdivision Name  |         | ✓      |
| KK <input type="checkbox"/> Soil Test Pit Locations   |         | ✓      |





**24. TECHNICAL & FINANCIAL CAPACITY**

- A  Cost Estimate
- B  Financing Arrangements
- C  Curriculum Vita of Each Professional Assoc With Project
- D  Descriptions of Similar Project by Developer

Exhibit      Waiver

|   |   |
|---|---|
| ✓ |   |
| ✓ |   |
|   | ✓ |
|   | ✓ |

**25. BUSINESS OPERATIONS**

- A  Operating Statement & Mitigation Plan
- B  Employment & Operation Hours Projections
- C  Operator Information (if not owner)

|   |  |
|---|--|
| ✓ |  |
| ↓ |  |
| ↓ |  |

**26. MINING**

- A  D.E.P. Permit where Applicable
- B  Extraction Plan
- C  Restoration Plan
- D  Performance Guarantee for Restoration Plan
- E  Washing Operation Plans
- F  Evidence of Insurance

|  |   |
|--|---|
|  | ✓ |
|  | ↓ |
|  | ↓ |
|  | ↓ |
|  | ↓ |



**BAR HARBOR PLANNING BOARD**  
**APPLICATION FOR CONDITIONAL USE PERMIT**  
( as allowed by Section 125-69.V of the Bar Harbor Land Use Ordinance)

**APPLICATION #** CUA 16-01 **DATE** 6/22/2016

**FEE \$** \_\_\_\_\_ **MAP** 104 **LOT** 414 **USE** BnBIII

**APPLICANT :**

**Name** Mount Desert Street LLC, Cathy Coston and Stephen Coston

**Address** 38 Rodick Street, Bar Harbor, ME 04609

**Telephone** 207-244-1200

**Email** greg@gfjcivilconsult.com

**OWNER :**

**Name** same as above

**Address** \_\_\_\_\_

**Telephone** \_\_\_\_\_

**Email** \_\_\_\_\_

**PROJECT REPRESENTATIVES:**

**Name** Gregory F. Johnston - G.F. Johnston & Associates

**Address** PO Box 197, Southwest Harbor, ME 04609

Todd Hardy - Architect Eden Builders Inc.

**Telephone** 207-244-1200

**Email** greg@gfjcivilconsult.com



**BAR HARBOR PLANNING BOARD**  
**APPLICATION FOR CONDITIONAL USE PERMIT**  
( as allowed by Section 125-69.V of the Bar Harbor Land Use Ordinance)

**EXISTING CONDITIONS:**

Current Zoning or Project Site:

C - Mount Desert Street Corridor - 68 - Mount Desert Street

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Current Use of Project Site:

Commercial - 12 ROOM Motel

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**DESCRIPTION OF PROJECT:**

36 Room Bed and Breakfast with owner and operator residence onsite.

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**CONDITIONAL USE REVIEW STANDARDS:**

Please provide detailed information which demonstrates how the project will comply with the performance standards included in Section 125-69(V)(3) noted below. Note that upon initial Completeness Review of this application, the Planning Board, at its discretion, may request additional information from the applicant to substantiate its findings. In order to demonstrate compliance with each of the following performance standards, the applicant may utilize the same exhibits submitted for site plan review. However, the applicant should take care to ensure sufficient information has been provided to demonstrate the project has incorporated design measures which address each of the performance criteria below. Answers to the following questions may be attached as a separate document.



**BAR HARBOR PLANNING BOARD**  
**APPLICATION FOR CONDITIONAL USE PERMIT**  
( as allowed by Section 125-69.V of the Bar Harbor Land Use Ordinance)

Please describe how the proposed use will not cause vehicular and pedestrian traffic impacts on the streets, roads, and sidewalks serving the proposed use.

The Use is similar to many of the adjoining properties use. Existing buffering is being maintained around the property. Sufficient offstreet parking is provided including internal vehicular circulation

Please describe how the proposed use will not affect neighboring property owners in terms of odor, fumes, glare, hours of operation, noise, vibration, or fire hazard. This should also include an impact analysis of the effect the proposed structure could have on neighboring property owner's access to light and air.

The operation of the facility will not produce noxious fumes or odors. Access to sunlight is not prohibited by the building, rather the existing large trees surrounding the site that will remain separate the proposed building from the adjoining properties.

Please describe how the proposed use will not have potential impacts have on the natural environment. In particular, this portion of the application should focus on features such as wetlands or other sensitive habitat areas that are located at the site or found in close proximity to the property.

There are no protected natural resources on this downtown property.

Please describe how the proposed use will no cause and impact to any significant viewsheds or to significant wildlife habitat.

None of these resources are onsite nor viewed through the project site.



**BAR HARBOR PLANNING BOARD**  
**APPLICATION FOR CONDITIONAL USE PERMIT**  
( as allowed by Section 125-69.V of the Bar Harbor Land Use Ordinance)

Please describe how the proposed use will not adversely affect the value of adjacent properties.

The removal of the old motel onsite valued at \$800K with a newly landscaped and detailed design structure valued at over \$2M can not reduce the value of land as whole in the immediate area when compared to pre and post developed state.

\*\*\*Note that all new buildings require Design Review Board approval, which should be obtained prior to the issuance of the Planning Board's decision regarding the Conditional Use.\*\*\*

**CERTIFICATION:**

*This application and all information submitted herewith are true and correct to the best of my knowledge.*

  
Applicant

GF Johnston & Associates - Agent

6/22/2016

Date



G.F. Johnston & Associates  
Consulting Civil Engineers

**Exhibit 1.E**  
**Abutters within 300 ft of property**  
**Updated May 8, 2016**

|  |   |
|--|---|
| 107-031-001<br>Brotzman, John R & Cynthia S<br>7 Shannon Road<br>Bar Harbor, ME 04609    | 107-027-001<br>Grady's LLC<br>4 Shannon Road<br>Bar Harbor, ME 04609                            |
| 107-011-000<br>Deturris, John A & Martha J<br>11 Spring Street<br>Bar Harbor, ME 04609   | 107-009-000<br>Ginevan, Michael E & Jean A<br>9 Spring Street<br>Bar Harbor, ME 04609           |
| 107-008-000<br>Moran, Robert<br>5 Spring Street<br>Bar Harbor, ME 04609                  | 104-412-000<br>Turnball, Howard S JR & Jean P<br>76 Mount Desert Street<br>Bar Harbor, ME 04609 |
| 107-012-000<br>Powell, Steve E<br>12 Armory Lane<br>Bar Harbor, ME 04609                 | 107-007-000<br>Bar Harbor Housing Authority<br>80 Mount Desert Street<br>Bar Harbor, ME 04609   |
| 107-010-000<br>Powell, Steve E.<br>12 Armory Lane<br>Bar Harbor, ME 04609                | 107-003-000<br>Lubrano, Christina E & Valerio<br>73 Mount Desert Street<br>Bar Harbor, ME 04609 |
| 104-189-000<br>52 Strawberry LLC<br>51 Holland Ave<br>Bar Harbor, ME 04609               | 104-413-000<br>ME Properties LLC<br>7 Mount Desert Street<br>Bar Harbor, ME 04609               |
| 10-188-000<br>McCallion, Brandan E & Monika K<br>47 Holland Ave<br>Bar Harbor, ME 04609  | 104-190-000<br>Smith, Chadbourn H<br>77 Mount Desert Street<br>Bar Harbor, ME 04609             |
| 104-236-000<br>Burns, Marian S LTD Partnership<br>50 Holland Ave<br>Bar Harbor, ME 04609 | 104-237-000<br>52 Strawberry, LLC<br>73 Mount Desert Street<br>Bar Harbor, ME 04609             |
| 104-238-000<br>Burns, Marian S LTD Partnership<br>50 Holland Ave<br>Bar Harbor, ME 04609 | 104-255-000<br>K & J Heist LLC<br>67 Mount Desert Street<br>Bar Harbor, ME 04609                |
| 104-254-000<br>Bahr, Robert A & Anne M<br>57 Mount Desert Street<br>Bar Harbor, ME 04609 | 104-296-000<br>St. Sauveur Development Corp<br>51 Mount Desert Street<br>Bar Harbor, ME 04609   |



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|   |   |
|---|---|
| 104-419-000<br>Roman Catholic Church<br>56 Mount Desert Street<br>Bar Harbor, ME 04609                                  | 107-070-000<br>Musetti, Michael D & Deborah L<br>5 Shannon Way<br>Bar Harbor, ME 04609                |
| 107-046-000<br>Roman Catholic Bishop/Portland<br>Shannon Way<br>Bar Harbor, ME 04609                                    | 104-418-000<br>Abbe, Brie & Ngoima, Mwaura Jt<br>3 Shannon Way<br>Bar Harbor, ME 04609                |
| 107-026-000<br>Coston, Paul A. JR<br>4 Spring Street<br>Bar Harbor, ME 04609  | 107-027-000<br>Wellman, Laurie<br>2 Shannon Road<br>Bar Harbor, ME 04609                              |
| 107-068-000<br>Liscomb, Rosemarie<br>6 Shannon Road<br>Bar Harbor, ME 04609   | 107-067-000<br>Haggett, Burton N & Sandra C<br>8 Shannon Road<br>Bar Harbor, ME 04609                 |
| 104-416-000<br>Maggie's LLC<br>64 Mount Desert Street<br>Bar Harbor, ME 04609   | 104-415-000<br>Lawnledge House LLC - Attn: Lisa Ade<br>66 Mount Desert Street<br>Bar Harbor, ME 04609 |
| 107-029-000<br>Edgar, Joanne L Lambert & Edgar, John B & Scott R<br>6 Spring Street<br>Bar Harbor, ME 04609             | 107-030-000<br>Merrill, George W<br>5 Shannon Road<br>Bar Harbor, ME 04609                            |
| 107-031-000<br>Shannon Cottage LLC<br>7 Shannon Road<br>Bar Harbor, ME 04609  | 104-421-000<br>Martin, Lawrence H JR & Linda L<br>25 LedgeLawn Ave<br>Bar Harbor, ME 04609            |
| 107-0289-000<br>Harding, William D Trustee ET ALS<br>Harding, John K & Janet H<br>4 Shannon Way<br>Bar Harbor, ME 04609 |   |



## Exhibit 1.G

### Description of Proposed Use

The site is currently operated as a 12 room motel. The operators and owners of the motel reside onsite in a detached single family residence. The proposed use is to remove the existing building and re-develop the site into the Mount Desert Street Inn, a 36 room Bed and Breakfast.

The Mount Desert Island Inn will be open seasonally for guests roughly May through October. The inn will be constructed such that all or part of the building can be kept operational during the winter months, if ever it makes economic sense to stay open on a year-round basis.

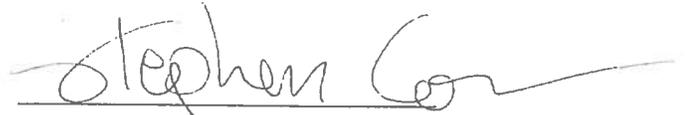
The new inn will be operated by Cathy Coston and Stephen Coston, presently the owners and operators of the Mount Desert Street Motel. Additionally, Paul Coston will become an owner of the new inn, but it will continue to be operated primarily by Cathy and Stephen. Cathy, Stephen, and Paul all have multiple years of ownership and employment experience in the Bar Harbor lodging industry. In addition to Cathy and Stephen, the inn is likely to employ five housekeepers and one to two other employees to do laundry, service the grounds, and serve breakfast. On the average day in season, we expect three to four housekeepers to work 5-6 hours, from roughly 9 AM to 2 PM. A breakfast attendant is expected to work from roughly 6 AM to 11 AM, and a houseman is expected to do laundry and keep up the grounds from roughly 9 AM to 3 PM. The property is ideally located in a spot that allows guests to park their cars and venture into downtown on foot, as well as to Acadia National Park via the Island Explorer Shuttle.

MOUNT DESERT STREET, LLC

68 MOUNT DESERT STREET

BAR HARBOR, MAINE 04609

This letter serves as authorization for G.F. Johnston & Associates to act on behalf of Mount Desert Street, LLC regarding all State, Municipal, and Federal permitting procedures. This authorization includes, but is not limited to, filing applications, exhibits and representation at meetings with regard to permitting associated with property located in Bar Harbor, Maine.



Signature



Title



Date



G.F. Johnston & Associates  
*Consulting Civil Engineers*

## **2. Copy of Receipt § 125-66 B.**

- A. Administrative Fee – The applicants have paid all applicable fees set forth in § 125-65. A receipt for this transaction has been included with the application package.
  
- B. Evidence of Ordinance and Regulation Compliance – Town Staff has made the determination that the project parcel is in compliance with all applicable local codes. Staff provided.



G.F. Johnston & Associates  
Consulting Civil Engineers

### 3. Title and Interest § 125-66 C.

- |  |                    |
|--|--------------------|
| A. Current Deed                              | - Attached         |
| B. Purchase and Sale Agreement               | - Waiver Requested |
| C. Easements, Deed Restriction, R.O.Ws, etc. | - Attached         |



**Exhibit 3.A  
Current Deed  
Attached**

**Exhibit 3. C  
Easements, Deed Restriction, R.O.Ws, etc.  
Contained in Current Deed**

Deed Easement Narrative

The first reservation in the deed is for a ROW for the existing Ledgelawn Inn Parcel (at the time the parent parcel included Rockhurst) to over to what is now the northerly end of Shannon Road (formerly Glen Mary). The ROW is not appurtenant to the current parcel. The ROW is not part of nor adjoining the current parcel.

The deed also restricts and prohibits the construction of a blacksmith shop, manufacturing or public stable onsite. The proposed use is none of these prohibited uses.

The last reservation on the current deed referencing book 1322 page 151 reserves the right for the now extinct pool onsite to draw water across the reserved lands of Munce. ( Ledgelawn Inn). The properties current water service is provided from Spring street and does not use this easement referenced.



OR BK 6378 PGS 110 - 112 04/21/2015 11:32:09 AM  
INSTR # 2015004568 JULIE A. CURTIS  
HANCOCK COUNTY, ME REGISTER OF DEEDS

QUITCLAIM DEED WITH COVENANT

THE WITHAM FAMILY LIMITED PARTNERSHIP, a Maine limited partnership, having a mailing address of 215 High Street, Ellsworth, Maine 04605, for consideration paid, GRANTS to MOUNT DESERT STREET, LLC, a Maine limited liability company, having a mailing address of 38 Rodick Street, Bar Harbor, Maine 04609, with QUITCLAIM COVENANT, a certain lot or parcel of land together with any and all structures and improvements situated thereon, and appurtenances thereto, situated in Bar Harbor, Hancock County, Maine, and being more particularly described on Exhibit "A" attached hereto.

TOGETHER WITH all rights, easements, privileges and appurtenances belonging to the granted estate.

IN WITNESS WHEREOF, The Witham Family Limited Partnership has caused this deed to be signed by David J. Witham, it's General Partner, duly authorized this 2<sup>nd</sup> day of April, 2015.

David J. Witham  
THE WITHAM FAMILY LIMITED PARTNERSHIP  
BY: DAVID J. WITHAM, General Partner

STATE OF MAINE  
COUNTY OF HANCOCK

2 APRIL, 2015

Then personally appeared the above named, DAVID J. WITHAM, General Partner of The Witham Family Limited Partnership and acknowledged the foregoing instrument to be his free act and deed.

Before me,

[Signature]  
Notary Public

My Commission Expires:  
August 20, 2020

JAN MARIE MILLER  
Print Name / Affix Seal

**SEAL**

MAINE REAL ESTATE  
TRANSFER TAX PAID

EXHIBIT "A"

Property of The Witham Family Limited Partnership  
To be conveyed to Mount Desert Street, LLC  
Mount Desert Street  
Bar Harbor, Maine

A certain lot or parcel of land together with any and all structures and improvements situated thereon, and appurtenances thereto, situated in Bar Harbor, Hancock County, Maine and being the same premises as described in a deed from Rockhurst, LLC to The Witham Family Limited Partnership, dated May 30, 2012 and recorded in Book 5824, Page 284 of the Hancock County, Maine, Registry of Deeds in which deed said premises are bounded and described as follows, to wit:

Beginning at the northeast corner of a stone pier set in the ground in the southerly side line of Mount Desert Street and in the westerly side line of a private way known as Glen Mary Road; thence South seven degrees thirty minutes West but always following the westerly side line of said Glen Mary Road three hundred and three feet to an iron pipe set in the ground at the southeast corner of a stone pier; thence North seventy nine degrees forty five minutes West four hundred and ninety nine feet to an iron pipe set in the ground in the easterly side line of Spring Street at the southwest corner of a stone pier; thence North eight degrees East but always following the easterly side line of Spring Street two hundred fifty eight and two tenths feet to the northwest corner of a stone pier set in the ground in the southerly side line of Mount Desert Street; thence in a southeasterly direction but always following the southerly side line of Mount Desert Street four hundred and ninety five feet to the stone pier at the point of beginning and containing three and eight hundredths acres, more or less. Courses are magnetic as of September 1948. The above description is in accordance with a survey made by Cleaves and Hill, Engineers, September, 1948.

Together with and as appurtenant to the herein described lot a right of way for all purposes of a way over the private way known as Glen Mary Road which adjoins said lot on the east. Said way is to be used in common with others having similar rights therein.

This conveyance is made expressly subject to the following restriction of record which affects a portion of the herein described lot, to wit: that no blacksmith shop, manufactory or public stable shall be erected upon said land.

Excepting from the above and not hereby conveying so much thereof described in the following deeds:

1. George E. Munce and Elizabeth A. Munce to Rockland Savings Bank dated April 1, 1974 and recorded in the Hancock County Registry of Deeds in Book 1188, Page 724;
2. George E. Munce and Elizabeth A. Munce to Heritage Savings Bank dated April 6, 1976 and recorded in said Registry of Deeds in Book 1256, Page 179; and

3. George E. Munce to Nancy R. Cloud dated June 16, 1978 and recorded in said Registry of Deeds in Book 1322, Page 151.

The above-described premises are conveyed expressly subject to a utility easement conveyed by George E. Munce and Elizabeth A. Munce to Bangor Hydro-Electric Company dated December 20, 1967 and recorded in said Registry of Deeds in Book 1054, Page 479.

Being the same premises described as conveyed in the deed from Joanne E. Munce to Rockhurst Motel, Inc. dated January 19, 1996 and recorded in said Registry of Deeds in Book 2487, Page 262.

Meaning and intending to convey the same property described in a deed from Rockhurst Motel, Inc. to Prime Properties LLC dated December 23, 2008 and recorded in said Registry of Deeds in Book 5113, Page 19.

Together with, and as appurtenant to the herein conveyed premises, the following right of way reserved in the deed from George E. Munce to Nancy R. Cloud dated June 16, 1978 and recorded in Book 1322, Page 151, to wit:

Reserving, however, to George E. Munce, his heirs and assigns forever, the right to use, maintain and service a water line or lines as they now exist beneath the face of the earth from a point at or near the northeast corner of the above described lot or parcel of land across the northerly and westerly sides of said lot or parcel of land to a lot of land retained by George E. Munce.



G.F. Johnston & Associates  
Consulting Civil Engineers

#### 4. Legal Documents § 125-66 D.

- |  |                           |
|--|---------------------------|
| A. Proposed Easements, Covenants, Agreements, etc.           | - <i>Waiver Requested</i> |
| B. Proposed Deed for Roads or Other Property to be dedicated | - <i>Waiver Requested</i> |
| C. Proposed Performance and Plant Maintenance Guarantees     | - <i>Waiver Requested</i> |
| D. For condominiums proposed declaration, By Laws, etc.      | - <i>Waiver Requested</i> |
| E. Site Restoration Guarantee                                | - <i>Waiver Requested</i> |



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Consulting Civil Engineers

## 5. Permits § 125-66 E.

- A. Army Corp of Engineers      - *Waiver Requested*
- B. Maine D.E.P                    - *Waiver Requested*
- C. Other                              - *Department of Transportation*

There are no protected natural resources onsite impacted by the proposed activity.



G.F. Johnston & Associates  
Consulting Civil Engineers

**6. Statements of Capacity & Design § 125-66 F.**

- A. Police                    - *Staff Provided*
- B. Public Works         - *Staff Provided*
- C. Sewer                   - *Staff Provided*
- D. Schools and Busing   - *Waiver Requested*
- E. Water                   - *Staff Provided*

The applicant is currently meeting with the Town Public Works Department to incorporate any additional specifications for the connections required.



| Land Use Ordinance Article V   | Yes | No | N/A |
|--|-----|----|-----|
| <b>General Review Standards: §125-67 EE, Fire Protection</b>   |     |    |     |
| This plan meets the general review standards of the Bar Harbor Land Use Ordinance, Article V, §125-67 EE. Fire Protection (1)-(4). | ✓   |    |     |

**Comments:**

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**Conditions of approval (if any):**

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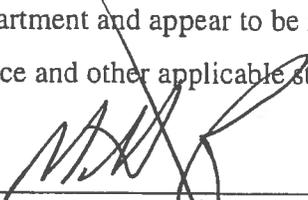


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The above noted application and plans dated 7-1-16 have been reviewed by this department and appear to be in compliance with the Town of Bar Harbor Land Use Ordinance and other applicable standards, unless otherwise noted above.

  
 \_\_\_\_\_  
 Matt Bartlett, Fire Chief

7-1-16  
 \_\_\_\_\_  
 Date

**Note:**  
 A checkmark in one of the right three columns indicates whether the plans reviewed by the department:  
**Yes** = appear to comply with the Land Use Ordinance section noted.  
**No** = appear not to comply with the Land Use Ordinance section noted.  
**N/A** = In the opinion of the department, the noted section of the Land Use Ordinance is not applicable to the application reviewed, and the Department has no objection to a Planning Board decision to waive this requirement as permitted by Article V, §125-63, Waiver of Submissions.



## 7. Detailed Design Plans § 125-66 G.

- |  |                                |
|--|--------------------------------|
| A. Public Water Supply   | - <i>On Site Plan</i>          |
| B. Central Public Water Supply                                       | - <i>Waiver Requested</i>      |
| C. Individual Well   | - <i>Waiver Requested</i>      |
| D. Fire Hydrants, Dry Hydrants, and Fire Ponds                       | - <i>Waiver Requested</i>      |
| E. Public Sewer  | - <i>On Site Plan</i>          |
| E. Central Subsurface Wastewater System                              | - <i>Waiver Requested</i>      |
| F. Shared Subsurface Wastewater System                               | - <i>Waiver Requested</i>      |
| G. Stormwater Disposal System  | - <i>Attached/On Site Plan</i> |
| H. All Other Utilities, Incl. Gas, Electricity, and Cable Television | - <i>On Site Plan</i>          |



### 7.1 Design Approval by D.H.S. or D.E.P. § 125-66 H.

- |   |                           |
|---|---------------------------|
| A. Central Private Water Supply (D.H.S)                   | - <i>Waiver Requested</i> |
| B. Individual Wells (D.H.S)                               | - <i>Waiver Requested</i> |
| C. Central Subsurface Sewage Disposal (D.H.S.)            | - <i>Waiver Requested</i> |
| D. Wastewater Discharge License (D.E.P.)                  | - <i>Waiver Requested</i> |
| E. Curb Cut (M.D.O.T and/or Bar Harbor Public Work Dept.) | - <i>Waiver Requested</i> |

The entrances to the project use the existing curb cuts presently used to access the motel onsite.



G.F. Johnston & Associates  
*Consulting Civil Engineers*

**Exhibit 7.G**  
**Stormwater Disposal System**



**Stormwater Management Report**  
**For**  
**Mount Desert Street LLC - Bed and Breakfast**  
**For**  
**Site Plan Application**

**Introduction**

The Town of Bar Harbor Land Use Ordinance Section § 125-66 G. requires that an adequate stormwater management plan be developed as part of the Site Plan review applications. To estimate the amount of runoff generated from a particular site HydroCAD®8.5 software is used as the industry standard for modeling runoff.

The Stormwater Analysis for this project was performed using the HydroCAD®8.5 Software modeling 4.90" of rain for the 25yr/24hr Storm event. HydroCAD uses the Unit Hydrograph method of modeling runoff based on techniques developed by the Soil Conservation Service (SCS). The results of these analysis gives a design professional indications that a given drainage system is adequately designed to receive runoff flows without adverse effects from erosion and flooding. The proposed Best Management Practices are to control the rate to assimilate Pre-developed conditions. This is accomplished by releasing the excess runoff over time. The downstream conveyance structures (i.e. swales, ditches, storm pipes) will not experience at any instant in time more runoff than existed in the Pre-developed state. This will minimize problems associated with erosion and flooding.

**Pre-Development Conditions**

The existing site is developed as a motel with parking in and along the front of the building. The slope of the land is generally into the property from Mt Desert and down from the sidewalk along Spring street. The rear of the property is vegetated with some tree cover with poorly drained and previously disturbed soils. The southwest section of the property is the low point of the site. Much of the runoff ponds onsite near isolated low point created by previous disturbances and tree roots. As the southwest section is the low point of the site this area was studied as the point of discharge for pre and post development runoff flows.

**Soils**

The soils present in each watershed were identified by referencing the USDA and NRCS Soil Survey for Hancock County. Soil are classified as hydrological soil group numbers A, B,C and D based on their capacity to infiltrate runoff. The soil group is used to calculate the watershed Runoff Curve number (Cn) required for the hydrological analysis. The description of the general characteristics of soil groups A, B, C, and D as presented by the National Resources Conservation Service is as follows:



Group A soils have low runoff potential and high infiltration rates even when thoroughly wetted. They consist chiefly of deep, well to excessively drained sands and gravels, and have a high rate of water transmission (greater than 0.30 in/hr).

Group B soils have moderate infiltration rates when thoroughly wetted, and consist chiefly of moderately deep to deep, moderately well to well drained soils with moderately fine to moderately coarse textures. These soils have a moderate rate of water transmission (0.15-0.30 in/hr).

Group C soils have low infiltration rates when thoroughly wetted, and consist chiefly of soils with a layer that impedes downward movement of water, and soils with moderately fine to fine texture. These soils have a low rate of water transmission (0.05-0.15 in/hr).

Group D soils have high runoff potential. They have very low infiltration rates when thoroughly wetted, and consist chiefly of clay soils with a high swelling potential, soils with a permanent high water table, soils with a clay pan or clay layer at or near the surface, and shallow soils over nearly impervious material. These soils have a very low rate of water transmission (0-0.05 in/hr).

The attached SCS soil survey shows that the site is comprised of Udorthents-Urban Land Complex. This is a soil that consists of fill material greater than 20" thick that has been placed on underlying soils of varying drainage classes. Permeability, internal drainage, runoff and water capacity of Udorthent soils vary and is based on the characteristics of the fill. Because the soils are compacted historic fills, the ability for them to absorb water is nearly non-existent. For this reason we have conservatively used hydrologic soil group D for the site. These soils will be modeled as hydrologic soil group D, such as to maximize potential runoff and reflect a more conservative design analysis.

The Hancock County Soil Survey for this site is attached. The soils contained within each catchment have been tabulated below.

SCS/USDA Hydrological Soil Groups

| Soil Complex Symbol | Soil Complex Name | Hydrologic Soil Group |
|---------------------|-------------------|-----------------------|
| Ud                  | Udorthents        | D                     |

#### **Time of Concentration -Tc**

The Time-of-Concentration, or Tc, is commonly defined as the time required for runoff to travel from the most hydrologically distant point of the watershed to the point of discharge from the site. The time of



concentration for each catchment area was calculated using the topography and soil cover conditions. These topography and soil conditions were verified onsite by observing topography and runoff response to recent rain events. The flowpaths for the time of concentrations were investigated onsite to provide a more accurate depiction of true flow conditions in the model. Generally, sheet flow can approach distances of up to 300 feet in natural conditions. In the parking area configuration the length available for sheet flow before channelization by curbing is less than 40 feet. Because the current roof tops discharge directly to the surface of the ground that which is poorly drained a time of concentration was chosen of 15 minutes for the pre developed conditions. This represented some roof flow but a relative short period of time for peak flows to flow to the southwest corner of the site. This is conservative approach as it models the flows to represent peaks flows that may be experienced during frozen ground rain events.

Section § 125-67 L of the Town of Bar Harbor Land Use Ordinance requires that all stormwater systems, excepting detention pond spillways, be designed to meet the criteria of the 25 year storm event. The NRCS rainfall data for Hancock Count, 25 year storm event is 4.90 inches of rain in a 24 hour period. The analysis of this site was based upon the required 25 year storm event.

The subcatchment size, ground cover, topography and time of concentration were used to construct the hydrological model. The model construction and calculations were assisted by using HydroCAD®8.5 runoff modeling software. The analysis followed the SCS Unit Hydrograph method of analysis. The result of the pre-developed runoff analysis for the site is attached and has been summarized below.

**Summary of Pre-Developed Runoff Analysis**  
25 year 24 hour Storm Event

| Study Point – Runoff Discharge Offsite | Contributing Area (Onsite Only) | Peak Runoff Q (cubic feet per second) |
|--|---------------------------------|---------------------------------------|
| ABOUTPRE                               | 1.25 AC                         | 4.15 cfs                              |

**Post – Developed Conditions**

The post developed site includes the addition of the new parking and landscape areas. The building entrance will be graded to enter the existing storm on Spring Street via the Mt. Desert Street curblin. This grading of the entrance reduces the amount of impervious area that is contributing as surface runoff to the southwest corner of the property. These flows are routed below grade in the Town' Storm system and ultimately pass to the existing basin where the project is proposed to connect.

The new building is designed with rain gutters and "rain leaders" which connect all roof generating flows directly to a below grade enclosed storm system.



The parking areas and all site improvements are sloped away from adjacent sites and towards the middle of the parking areas. This is represented by the arrows shown on the proposed stormwater management plan. Interior to the existing parking areas drain to a pipe collection system as do the flows coming from the sidewalk along Spring Street. The piping network is proposed to connect to the existing Town storm system at the southwest corner of the site. The pipe in the basin at the connection point on Spring street is slightly larger than 10" PVC and is fairly new and in good condition. The model shows that the 10" pipe in an extreme storm event even in the predeveloped state ponds 20" inside the manhole (below the rim, not in street). This condition will also be present during the reduced flows during the developed condition. Capacity of the pipe is well within the hydraulic head in the manhole structure.

The revised pervious and impervious areas from the site were updated in the model to reflect developed conditions. The anticipated flows at the southwest corner of the site are tabulated below and in the model results attached.

Summary of **Post-Developed** Runoff Analysis  
25 year 24 hour Storm Event

| Study Point – Runoff Discharge Offsite       | Contributing Area Onsite | Post Peak Runoff Q | Pre Peak Runoff Q        |
|--|--------------------------|--------------------|--------------------------|
| ABOUTPOST to Street                          | 0.05 AC                  | 0.21 CFS           |                          |
| Post Out in Enclosed System                  | 1.20 AC                  | 3.39 CFS           |                          |
| Total Post out to Town System                | 1.25 AC                  | 3.58 CFS           | 4.15 CFS PRE             |
| Capacity of 10" Pipe With ponding in Manhole |                          | 3.40 CFS           | VS 3.39 CFS CONTRIBUTING |

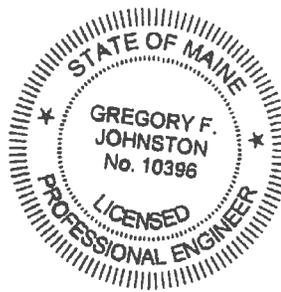


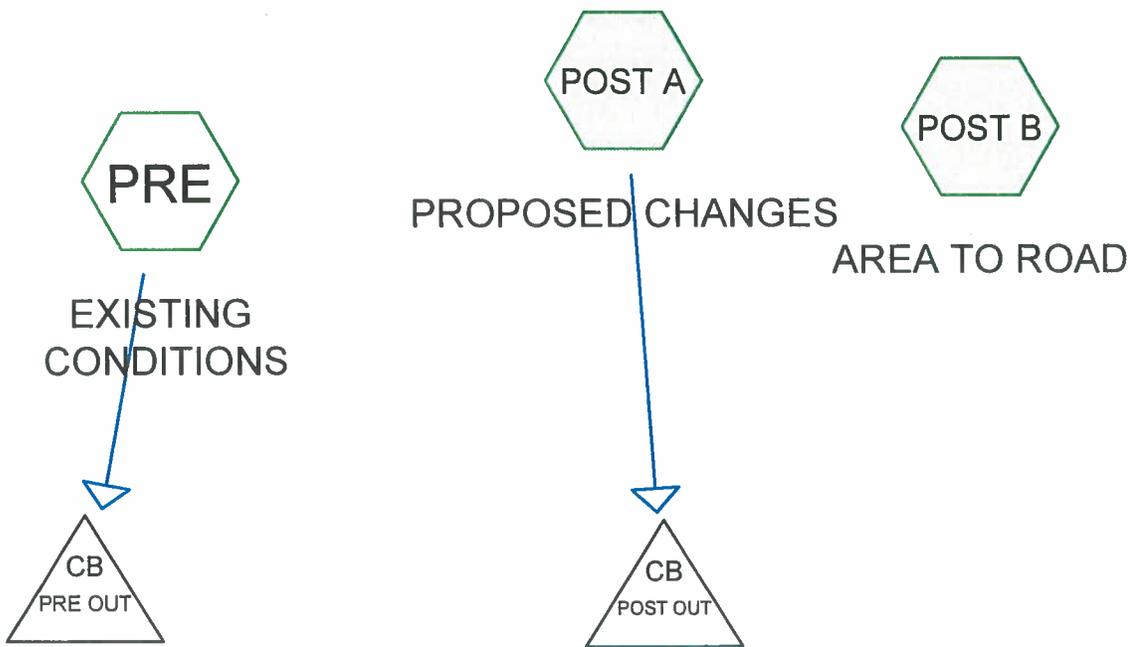
## Summary

The proposed project reduces overland discharges along the southwest portion of the site by collecting previously unrestricted run off flows. By collecting the improved surfaces and maintaining the landscaped buffer negative impacts to adjacent sites from runoff can be mitigated effectively.

As supported by the preceding stormwater calculations, the changed in surface runoff flows due to the proposed project may be reduced. By installation of an onsite collection system overland flows at the south side of the project can be reduced to below pre-developed conditions. The existing pipe system at southwest corner of the site has adequate capacity without overtopping to accept the post developed flows. This is not a surprising result at the lot coverage in the pre and post states are similar. Though the site drainage will be significantly improved by providing positive collection of new improvements, whereas the existing site is very flat, on compacted silty soils and poorly drained.

The proposed stormwater management system in place must be maintained in accordance with standard practices. The maintenance must include cleaning in the spring for winter sand accumulation and in the fall for leaf removal. By employing best management practices during construction and maintenance of the drainage systems following construction, the site may be developed without adverse effects to adjacent properties or infrastructure from stormwater runoff.





# BED AND BREAKFAST STORM CALCS

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Page 2

## Area Listing (selected nodes)

| Area<br>(acres) | CN        | Description<br>(subcatchment-numbers)          |
|-----------------|-----------|--|
| 0.790           | 61        | >75% Grass cover, Good, HSG B (POST A, POST B) |
| 0.789           | 74        | >75% Grass cover, Good, HSG C (PRE)            |
| 0.921           | 98        | Paved parking, HSG B (POST A, POST B, PRE)     |
| <b>2.499</b>    | <b>79</b> | <b>TOTAL AREA</b>                              |

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## Soil Listing (selected nodes)

| Area<br>(acres) | Soil<br>Group | Subcatchment<br>Numbers |
|-----------------|---------------|-------------------------|
| 0.000           | HSG A         |                         |
| 1.711           | HSG B         | POST A, POST B, PRE     |
| 0.789           | HSG C         | PRE                     |
| 0.000           | HSG D         |                         |
| 0.000           | Other         |                         |
| <b>2.499</b>    |               | <b>TOTAL AREA</b>       |

# BED AND BREAKFAST STORM CALCS

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## Ground Covers (selected nodes)

| HSG-A<br>(acres) | HSG-B<br>(acres) | HSG-C<br>(acres) | HSG-D<br>(acres) | Other<br>(acres) | Total<br>(acres) | Ground<br>Cover        | Subcatchment<br>Numbers   |
|------------------|------------------|------------------|------------------|------------------|------------------|------------------------|---------------------------|
| 0.000            | 0.790            | 0.789            | 0.000            | 0.000            | 1.579            | >75% Grass cover, Good | POST A,<br>POST B,<br>PRE |
| 0.000            | 0.921            | 0.000            | 0.000            | 0.000            | 0.921            | Paved parking          | POST A,<br>POST B,<br>PRE |
| <b>0.000</b>     | <b>1.711</b>     | <b>0.789</b>     | <b>0.000</b>     | <b>0.000</b>     | <b>2.499</b>     | <b>TOTAL AREA</b>      |                           |

**BED AND BREAKFAST STORM CALCS**

Type III 24-hr 25 YR Rainfall=4.90"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment POST A: PROPOSED**

Runoff Area=52,084 sf 35.80% Impervious Runoff Depth>2.12"  
Flow Length=419' Tc=3.7 min CN=74 Runoff=3.39 cfs 0.211 af

**Subcatchment POST B: AREA TO ROAD**

Runoff Area=2,352 sf 58.89% Impervious Runoff Depth>2.89"  
Flow Length=372' Tc=1.3 min CN=83 Runoff=0.21 cfs 0.013 af

**Subcatchment PRE: EXISTING**

Runoff Area=54,440 sf 36.88% Impervious Runoff Depth>2.89"  
Flow Length=286' Tc=8.0 min CN=83 Runoff=4.15 cfs 0.301 af

**Pond POST OUT:**

Peak Elev=65.67' Inflow=3.39 cfs 0.211 af  
Outflow=3.39 cfs 0.211 af

**Pond PRE OUT:**

Peak Elev=66.50' Inflow=4.15 cfs 0.301 af  
Outflow=4.15 cfs 0.301 af

**Total Runoff Area = 2.499 ac Runoff Volume = 0.525 af Average Runoff Depth = 2.52"**  
**63.16% Pervious = 1.579 ac 36.84% Impervious = 0.921 ac**

**BED AND BREAKFAST STORM CALCS**

Type III 24-hr 25 YR Rainfall=4.90"

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**Summary for Subcatchment POST A: PROPOSED CHANGES**

Runoff = 3.39 cfs @ 12.06 hrs, Volume= 0.211 af, Depth> 2.12"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type III 24-hr 25 YR Rainfall=4.90"

| Area (sf) | CN | Description                   |
|-----------|----|-------------------------------|
| 18,646    | 98 | Paved parking, HSG B          |
| 33,438    | 61 | >75% Grass cover, Good, HSG B |
| 52,084    | 74 | Weighted Average              |
| 33,438    |    | 64.20% Pervious Area          |
| 18,646    |    | 35.80% Impervious Area        |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description  |
|----------|---------------|---------------|-------------------|----------------|--|
| 1.2      | 101           | 0.0390        | 1.38              |                | <b>Shallow Concentrated Flow,</b><br>Short Grass Pasture Kv= 7.0 fps                                   |
| 1.7      | 77            | 0.0120        | 0.77              |                | <b>Shallow Concentrated Flow,</b><br>Short Grass Pasture Kv= 7.0 fps                                   |
| 0.2      | 22            | 0.0500        | 1.57              |                | <b>Shallow Concentrated Flow,</b><br>Short Grass Pasture Kv= 7.0 fps                                   |
| 0.0      | 15            | 0.0100        | 5.22              | 2.85           | <b>Pipe Channel,</b><br>10.0" Round Area= 0.5 sf Perim= 2.6' r= 0.21'<br>n= 0.010 PVC, smooth interior |
| 0.6      | 204           | 0.0080        | 5.27              | 4.14           | <b>Pipe Channel,</b><br>12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25'<br>n= 0.010 PVC, smooth interior |
| 3.7      | 419           | Total         |                   |                |  |

**BED AND BREAKFAST STORM CALCS**

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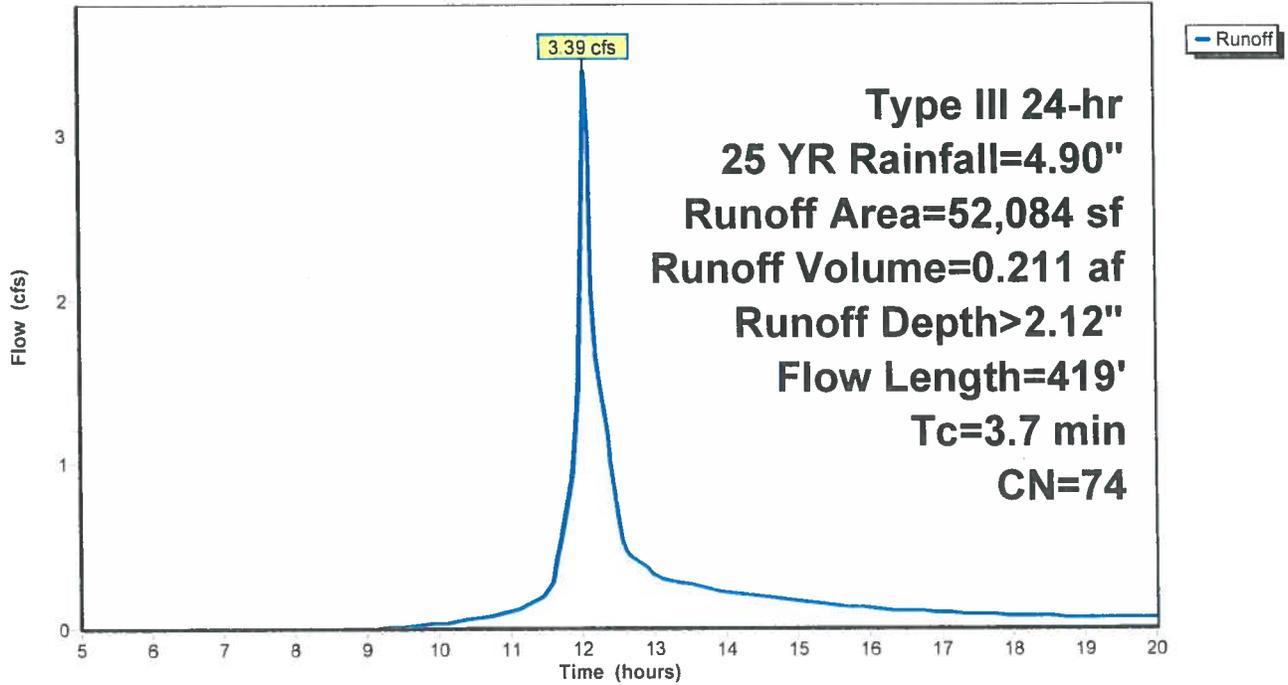
Type III 24-hr 25 YR Rainfall=4.90"

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**Subcatchment POST A: PROPOSED CHANGES**

Hydrograph



**BED AND BREAKFAST STORM CALCS**

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Type III 24-hr 25 YR Rainfall=4.90"

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**Summary for Subcatchment POST B: AREA TO ROAD**

Runoff = 0.21 cfs @ 12.02 hrs, Volume= 0.013 af, Depth> 2.89"

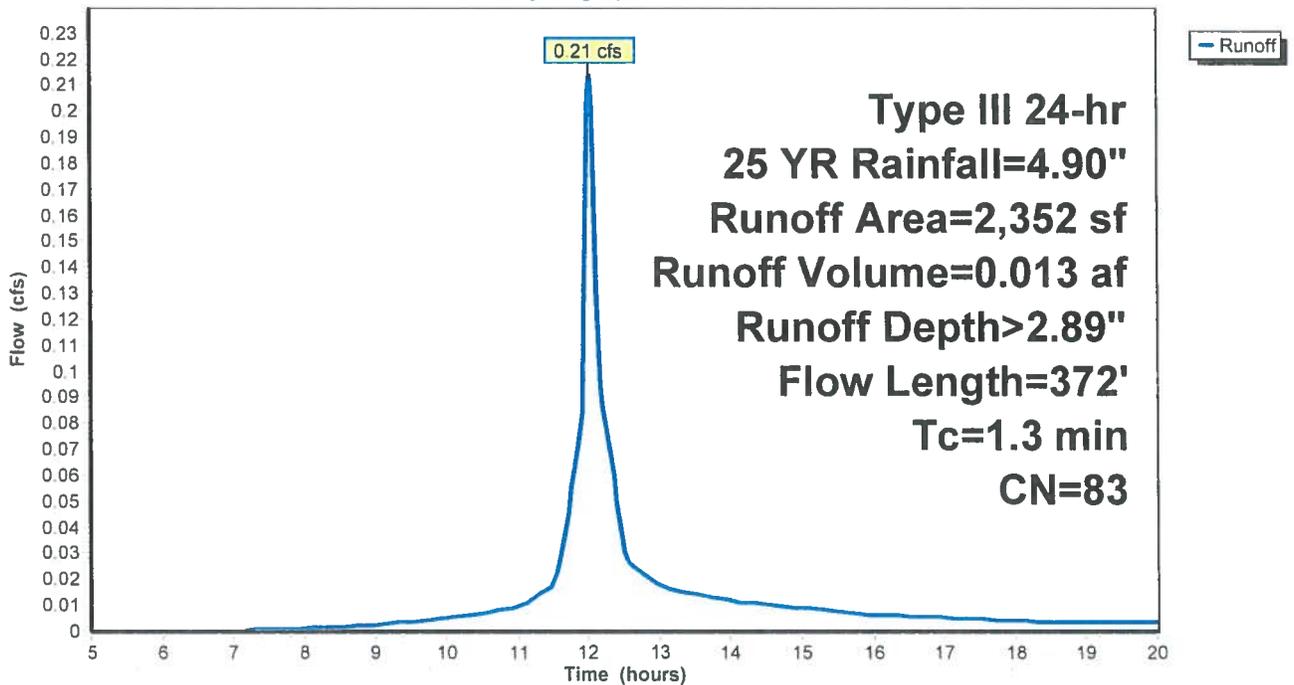
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type III 24-hr 25 YR Rainfall=4.90"

| Area (sf) | CN | Description                   |
|-----------|----|-------------------------------|
| 967       | 61 | >75% Grass cover, Good, HSG B |
| 1,385     | 98 | Paved parking, HSG B          |
| 2,352     | 83 | Weighted Average              |
| 967       |    | 41.11% Pervious Area          |
| 1,385     |    | 58.89% Impervious Area        |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description   |
|----------|---------------|---------------|-------------------|----------------|---|
| 0.3      | 80            | 0.0600        | 4.97              |                | Shallow Concentrated Flow,<br>Paved Kv= 20.3 fps  |
| 0.2      | 42            | 0.0250        | 3.21              |                | Shallow Concentrated Flow,<br>Paved Kv= 20.3 fps  |
| 0.8      | 250           | 0.0100        | 5.22              | 2.85           | Pipe Channel,<br>10.0" Round Area= 0.5 sf Perim= 2.6' r= 0.21'<br>n= 0.010 PVC, smooth interior |
| 1.3      | 372           | Total         |                   |                |   |

**Subcatchment POST B: AREA TO ROAD**

Hydrograph



# BED AND BREAKFAST STORM CALCS

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Type III 24-hr 25 YR Rainfall=4.90"

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## Summary for Subcatchment PRE: EXISTING CONDITIONS

Runoff = 4.15 cfs @ 12.11 hrs, Volume= 0.301 af, Depth> 2.89"

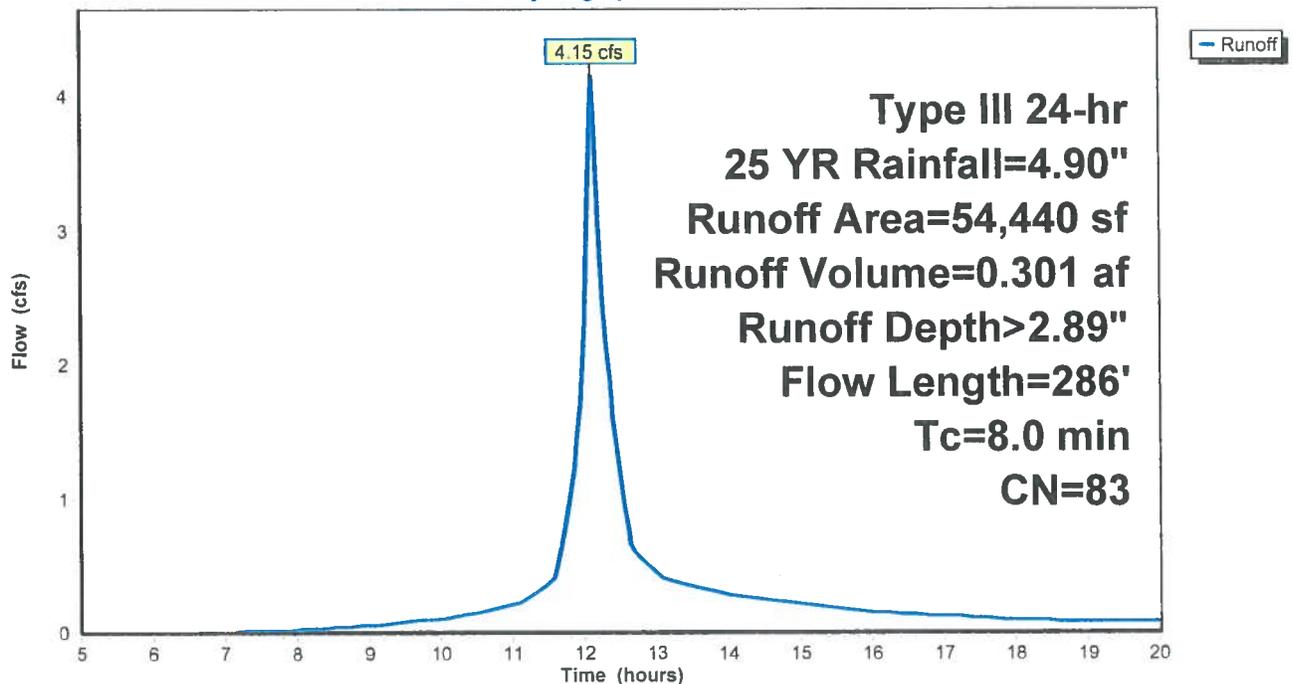
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type III 24-hr 25 YR Rainfall=4.90"

| Area (sf) | CN | Description                   |
|-----------|----|-------------------------------|
| 20,076    | 98 | Paved parking, HSG B          |
| 34,364    | 74 | >75% Grass cover, Good, HSG C |
| 54,440    | 83 | Weighted Average              |
| 34,364    |    | 63.12% Pervious Area          |
| 20,076    |    | 36.88% Impervious Area        |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description   |
|----------|---------------|---------------|-------------------|----------------|---|
| 0.2      | 31            | 0.1290        | 2.51              |                | Shallow Concentrated Flow,<br>Short Grass Pasture Kv= 7.0 fps |
| 1.5      | 86            | 0.0350        | 0.94              |                | Shallow Concentrated Flow,<br>Woodland Kv= 5.0 fps            |
| 6.3      | 169           | 0.0080        | 0.45              |                | Shallow Concentrated Flow,<br>Woodland Kv= 5.0 fps            |
| 8.0      | 286           | Total         |                   |                |   |

## Subcatchment PRE: EXISTING CONDITIONS

Hydrograph



**BED AND BREAKFAST STORM CALCS**

Type III 24-hr 25 YR Rainfall=4.90"

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**Summary for Pond POST OUT:**

Inflow Area = 1.196 ac, 35.80% Impervious, Inflow Depth > 2.12" for 25 YR event  
Inflow = 3.39 cfs @ 12.06 hrs, Volume= 0.211 af  
Outflow = 3.39 cfs @ 12.06 hrs, Volume= 0.211 af, Atten= 0%, Lag= 0.0 min  
Primary = 3.39 cfs @ 12.06 hrs, Volume= 0.211 af

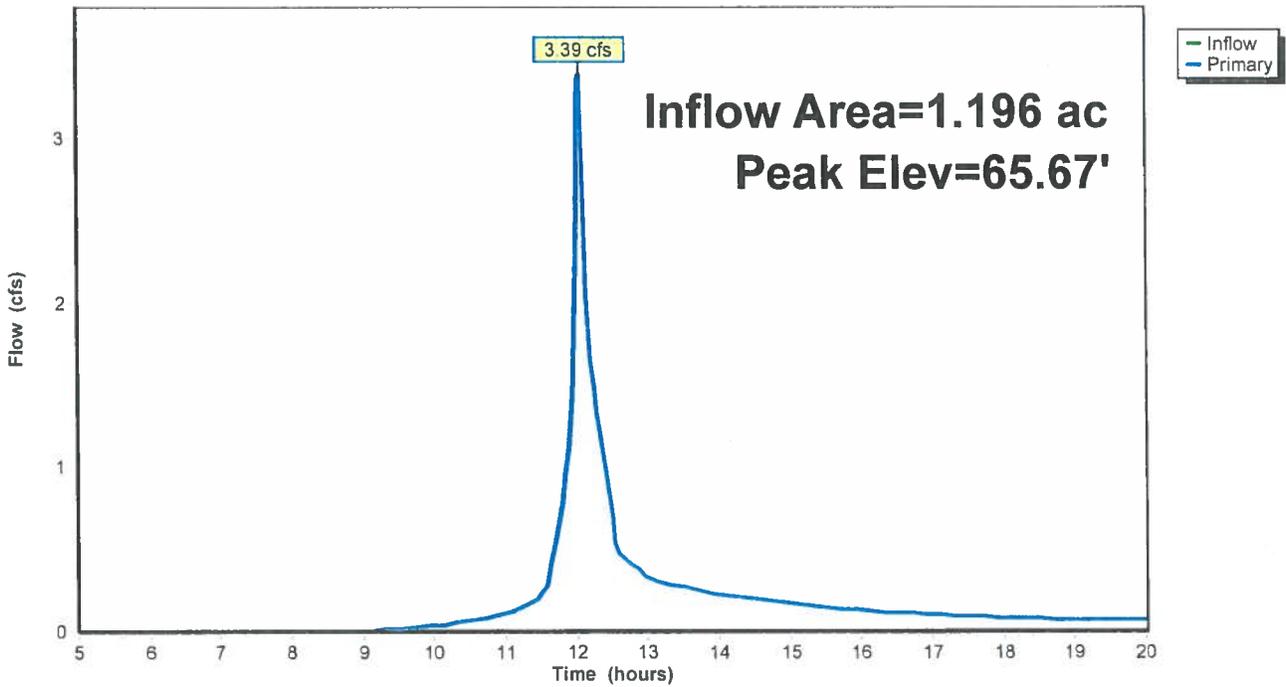
Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Peak Elev= 65.67' @ 12.06 hrs

| Device | Routing | Invert | Outlet Devices                     |
|--------|---------|--------|------------------------------------|
| #1     | Primary | 63.60' | 10.0" Vert. Orifice/Grate C= 0.600 |

Primary OutFlow Max=3.28 cfs @ 12.06 hrs HW=65.58' (Free Discharge)  
←1=Orifice/Grate (Orifice Controls 3.28 cfs @ 6.01 fps)

**Pond POST OUT:**

Hydrograph



# BED AND BREAKFAST STORM CALCS

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Type III 24-hr 25 YR Rainfall=4.90"

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## Summary for Pond PRE OUT:

Inflow Area = 1.250 ac, 36.88% Impervious, Inflow Depth > 2.89" for 25 YR event  
Inflow = 4.15 cfs @ 12.11 hrs, Volume= 0.301 af  
Outflow = 4.15 cfs @ 12.11 hrs, Volume= 0.301 af, Atten= 0%, Lag= 0.0 min  
Primary = 4.15 cfs @ 12.11 hrs, Volume= 0.301 af

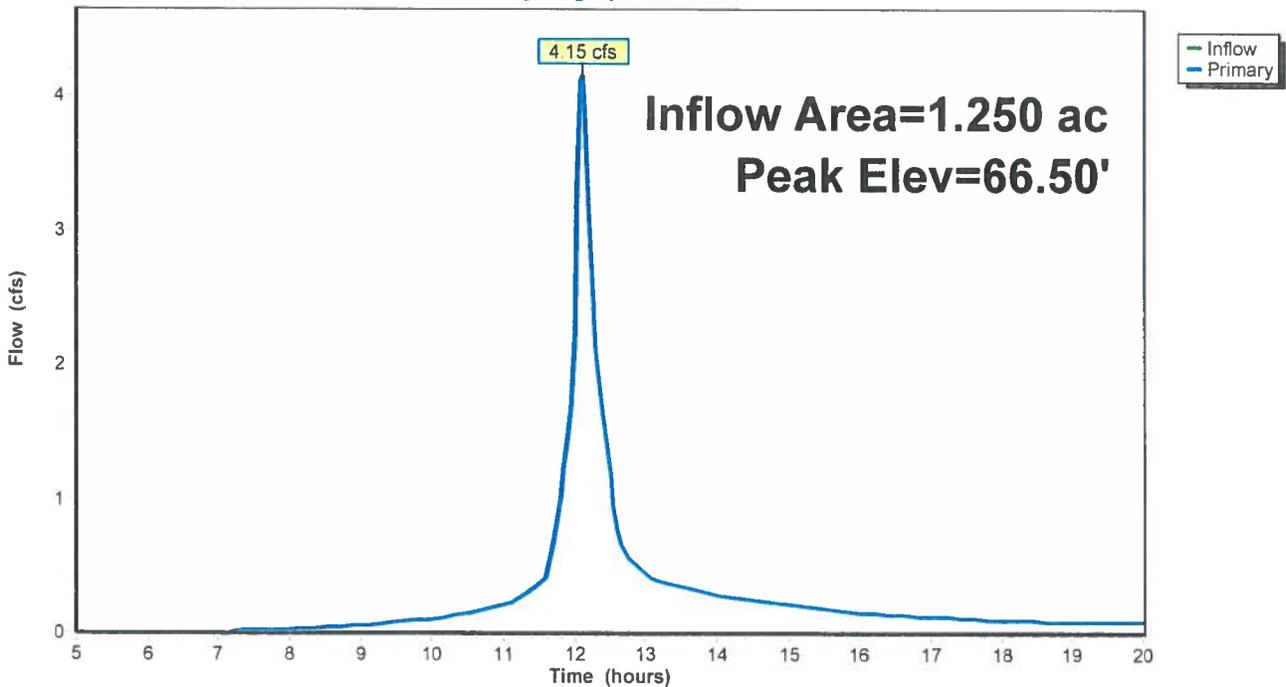
Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Peak Elev= 66.50' @ 12.11 hrs

| Device | Routing | Invert | Outlet Devices                     |
|--------|---------|--------|------------------------------------|
| #1     | Primary | 63.60' | 10.0" Vert. Orifice/Grate C= 0.600 |

Primary OutFlow Max=4.04 cfs @ 12.11 hrs HW=66.39' (Free Discharge)  
↑1=Orifice/Grate (Orifice Controls 4.04 cfs @ 7.41 fps)

## Pond PRE OUT:

Hydrograph

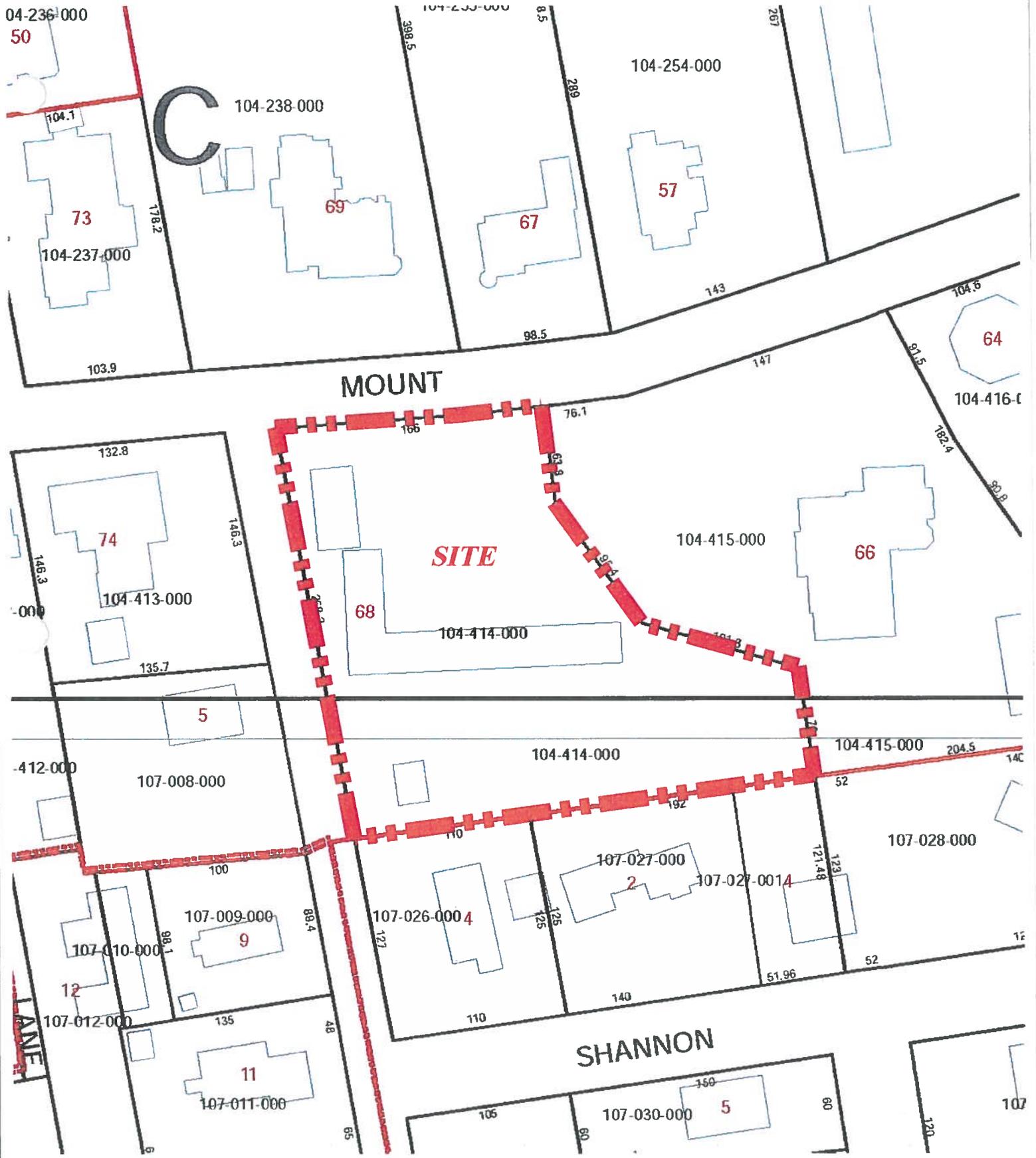




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Consulting Civil Engineers

## 8. Location Map – USGS § 125-66 J.

- |  |                       |
|--|-----------------------|
| A. Magnetic North  | - <i>On Site Plan</i> |
| B. Plan Preparation Date   | - <i>On Site Plan</i> |
| C. Graphic Scale   | - <i>On Site Plan</i> |
| D. Owner & Applicant Name/Address                                | - <i>On Site Plan</i> |
| E. Designer, Surveyor, Engineer                                  | - <i>On Site Plan</i> |
| F. Name of each Municipality in which the development is located | - <i>On Site Plan</i> |
| G. Tax Map & Lot Number(s)                                       | - <i>On Site Plan</i> |
| H. Land Use District   | - <i>On Site Plan</i> |



SCALE: 1"=80'

**PROJECT: 68 MOUNT DESERT ST  
 PORTION OF BAR HARBOR TAX MAP 104 AND 107  
 BAR HARBOR, MAINE**

**G.F. Johnston & Associates**  
 Consulting Civil Engineers  
 P.O. Box 197  
 Southwest Harbor, Maine 04679



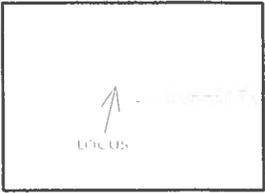
## 9. Maps & Plans § 125-66 J.

A ledger sized copy of the Site Plan has been included in this exhibit. The ledger sized plan is not to scale. A plan sized, scaled version of the site plan has been included at the end of this binder.

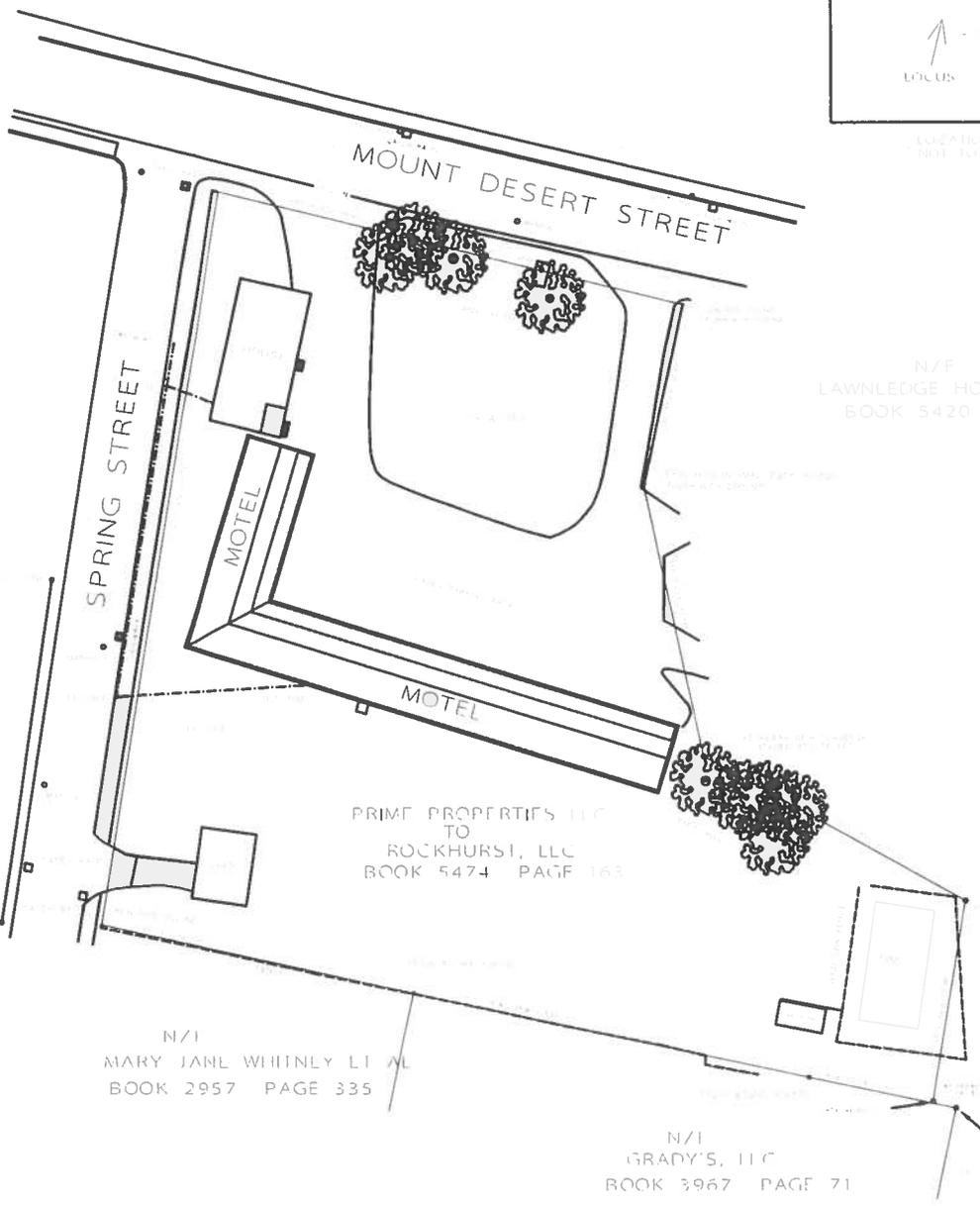
|   |                           |
|---|---------------------------|
| A. – Abutting Property Owners and on list                           | - <i>On Site Plan</i>     |
| E. Lot Size in Square Feet  | - <i>On Site Plan</i>     |
| F. Locations of Lot Monumentations                                  | - <i>On Site Plan</i>     |
| G. Total Proposed Development Acreage                               | - <i>Waiver Requested</i> |
| H. Remaining Undeveloped Land Retained                              | - <i>Waiver Requested</i> |
| I. Lot Numbers  | - <i>Waiver Requested</i> |
| J. Lots Developed/Sold within the Past 5 Years                      | - <i>Waiver Requested</i> |
| K. Subdivisions within 200 ft. With Owners Names                    | - <i>Waiver Requested</i> |
| L. Existing/Proposed Contours at 5 or 10 ft. Intervals              | - <i>On Site Plan</i>     |
| M. Items within 200' of the subject property                        | - <i>Waiver Requested</i> |
| N. Location of Existing and Proposed Buildings/Structures On Site   | - <i>On Site Plan</i>     |
| O. Distance between Proposed Buildings/Structures On Site           | - <i>On Site Plan</i>     |
| P. Utilities Locations - Existing/Proposed                          | - <i>On Site Plan</i>     |
| Q. Sign Locations – Existing/Proposed                               | - <i>On Site Plan</i>     |
| R. Open Drainage Courses, Wetlands, and Gravel Aquifers             | - <i>Waiver Requested</i> |
| S. Stone Walls, Graveyards, and Fences                              | - <i>Waiver Requested</i> |
| T. Significant Wildlife Habitat                                     | - <i>Waiver Requested</i> |
| U. Rare and Irreplaceable Natural Areas                             | - <i>Waiver Requested</i> |
| V. Historic and Archaeological Site Locations                       | - <i>Waiver Requested</i> |
| W. Wetlands & Water body Locations within 200' (regardless of size) | - <i>Waiver Requested</i> |
| X. Shoreline  | - <i>Waiver Requested</i> |
| Y. 100 Year Flood Elevation   | - <i>Waiver Requested</i> |
| Z. Portions of the Site Subject to Routine Flood/Standing Water     | - <i>Waiver Requested</i> |
| AA. Lot Lines and Water bodies Setbacks                             | - <i>Site Plan</i>        |
| BB. Fire Hydrants and Fire Ponds Existing/Proposed                  | - <i>Waiver Requested</i> |
| CC. Fire/Emergency Equipment Site Access                            | - <i>Waiver Requested</i> |
| DD. Easements/Access to Water Bodies Existing/Proposed              | - <i>Waiver Requested</i> |
| EE. Access Locations to Adjacent Undeveloped Land                   | - <i>Waiver Requested</i> |
| FF. Recreation/Open Space Land Existing/Proposed                    | - <i>Waiver Requested</i> |
| GG. Solid, Industrial, Chemical, Explosive or Hazardous Waste Loc.  | - <i>Waiver Requested</i> |
| HH. Lot Coverage Calculations – Existing/Proposed                   | - <i>On Site Plan</i>     |
| II. Parking Locations with Dimension, Angles, Radii, etc.           | - <i>On Site Plan</i>     |
| JJ. Subdivision Name  | - <i>Waiver Requested</i> |
| KK. Soil Test Pit Locations   | - <i>Waiver Requested</i> |



SCALE: 1" = 20'  
DATE: 11/10/10  
BY: EDWARD B. JACKSON



LOCUS MAP  
NOT TO SCALE



N/F  
LAWNLEDGE HOUSE LLC  
BOOK 5420 PAGE 144

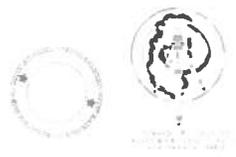
PRIME PROPERTIES LLC  
TO  
ROCKHURST, LLC  
BOOK 5474 PAGE 163

N/F  
MARY JANE WHITNEY LT AL  
BOOK 2957 PAGE 335

N/F  
GRADY'S, LLC  
BOOK 3967 PAGE 71

STANDARD BOUNDARY SURVEY  
FOR  
**ROCKHURST, LLC**

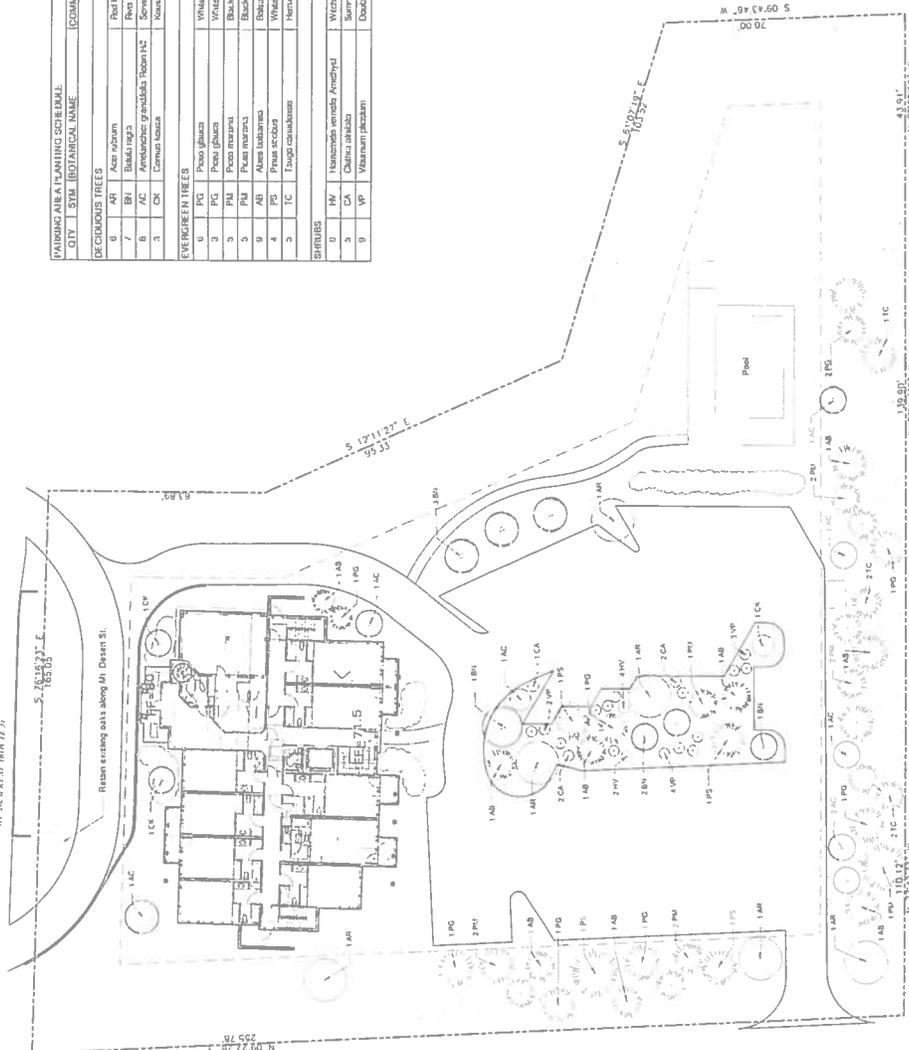
AT  
BAR HARBOR  
HANCOCK COUNTY, MAINE  
NOVEMBER 2010 SCALE 1" = 20'  
BY EDWARD B. JACKSON  
PIS 1091  
BAR HARBOR, MAINE



EDWARD B. JACKSON  
1000 WASHINGTON STREET  
PORTLAND, ME 04101  
TEL: 603.761.1111  
FAX: 603.761.1112  
WWW.EBJACKSON.COM

DATE: \_\_\_\_\_

| QTY                    | SYM | BOTANICAL NAME         | COMMON NAME   | SIZE     | ROOT | REMARKS             |
|------------------------|-----|------------------------|---------------|----------|------|---------------------|
| <b>DECIDUOUS TREES</b> |     |                        |               |          |      |                     |
| 6                      | AR  | Azadirachta indica     | Neem Tree     | 10-12 Ht | BA1  | Mulchless Specimens |
| 7                      | BN  | Bauhinia speciosa      | Pink Bells    | 8-10 Ht  | BA1  | Mulchless Specimens |
| 8                      | AC  | Acacia saligna         | Black Wattle  | 8-10 Ht  | BA1  | Mulchless Specimens |
| 3                      | CR  | Cordia litoralis       | Key Lime Tree | 8-10 Ht  | BA1  | Mulchless Specimens |
| <b>EVERGREEN TREES</b> |     |                        |               |          |      |                     |
| 1                      | PG  | Protea laurifolia      | White Spruce  | 12-15 Ht | BA1  | Ful                 |
| 3                      | PG  | Protea laurifolia      | White Spruce  | 8-10 Ht  | BA1  | Ful                 |
| 5                      | PM  | Protea munita          | Black Spruce  | 12-15 Ht | BA1  | Ful                 |
| 5                      | PM  | Protea munita          | Black Spruce  | 8-10 Ht  | BA1  | Ful                 |
| 9                      | AB  | Abies balsamea         | Blue Spruce   | 12-15 Ht | BA1  | Ful                 |
| 4                      | PS  | Pinus strobus          | White Pine    | 12-15 Ht | BA1  | Ful                 |
| 3                      | TC  | Taxus canadensis       | Hemlock       | 12-15 Ht | BA1  | Ful                 |
| <b>SHRUBS</b>          |     |                        |               |          |      |                     |
| 6                      | WV  | Wisteria floribunda    | Wisteria      | 4-5      | BA1  |                     |
| 3                      | CA  | Chaenactis grandiflora | Cholla        | 4-5      | BA1  |                     |
| 9                      | VP  | Viburnum plicatum      | Douglas Yucca | 4-5      | BA1  |                     |

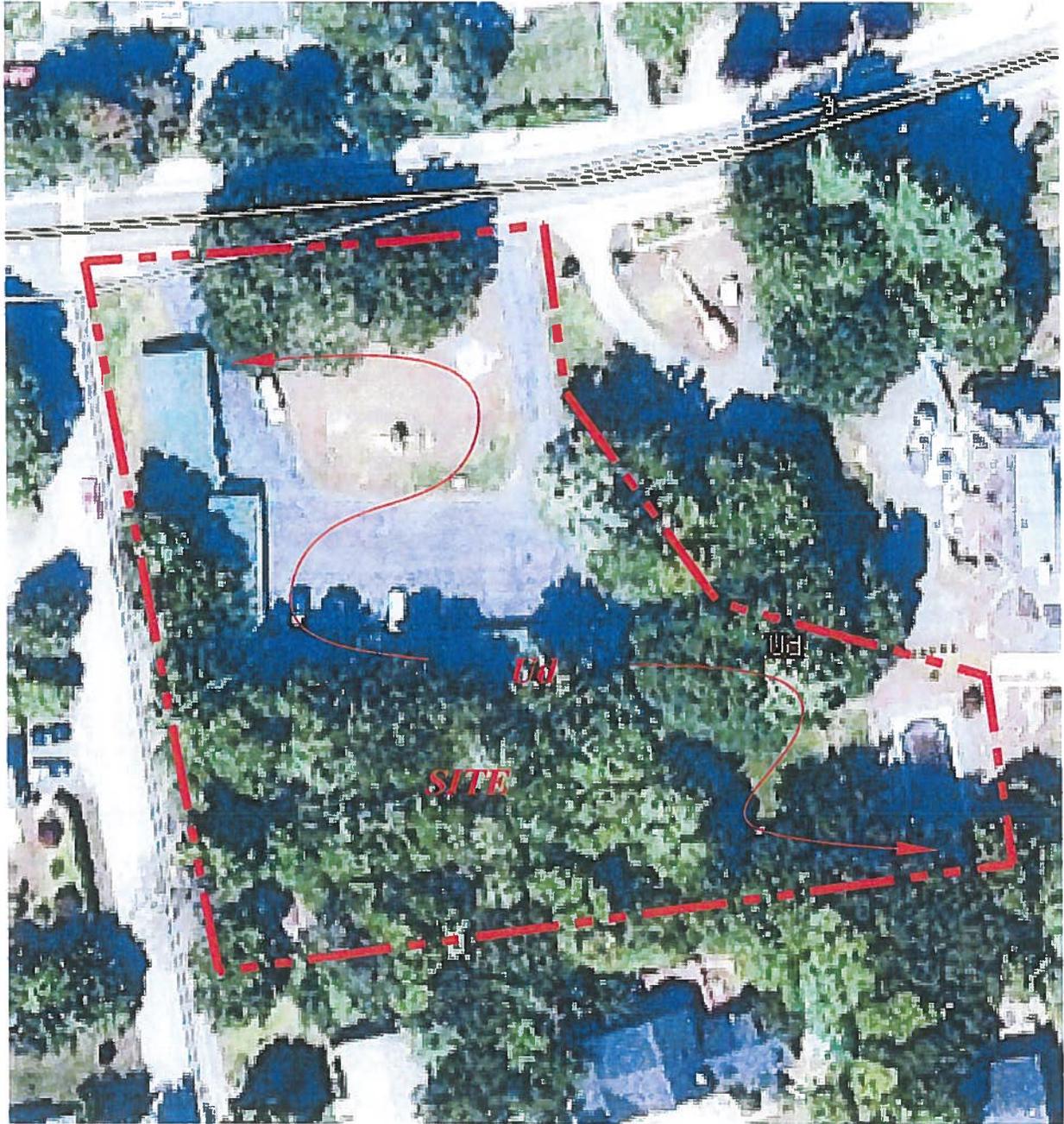




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**10. Medium Density Soil Survey § 125-66 J. (15)**

A Medium Density Soil Survey is included in this section of the application. – *Attached*



*Ud - Udorthents-Urban Land Complex*

*SCALE: 1"=60'*

**PROJECT: 68 MOUNT DESERT ST  
SOILS MAP  
BAR HARBOR, MAINE**

**G.F. Johnston & Associates**



*Consulting Civil Engineers  
P.O. Box 197  
Southwest Harbor, Maine 04679*

TABLE 14.--Engineering Index Properties--Continued

| Soil name and map symbol | Depth | USDA texture  | Classification       |                    | Frag-ments<br>> 10<br>inches | Frag-ments<br>3-10<br>inches | Percentage passing<br>sieve number-- |        |       |       | Liquid<br>limit | Plas-ticity<br>index |
|--------------------------|-------|---|----------------------|--------------------|------------------------------|------------------------------|--------------------------------------|--------|-------|-------|-----------------|----------------------|
|                          |       |   | Unified              | AASHTO             |                              |                              | 4                                    | 10     | 40    | 200   |                 |                      |
|                          | In    |   |                      |                    | Pct                          | Pct                          |                                      |        |       |       | Pct             |                      |
| TWC*:<br>Tunbridge       | 0-6   | Fine sandy loam.  | SM, ML               | A-4, A-2           | 0-1                          | 0-5                          | 85-100                               | 80-95  | 55-95 | 30-85 | <20             | NP-2                 |
|                          | 6-15  | Silt loam, gravelly sandy loam, channery fine sandy loam. | SM, ML               | A-2, A-5           | 0-5                          | 0-15                         | 70-100                               | 60-95  | 35-95 | 20-85 | <50             | NP-6                 |
|                          | 15-29 | Silt loam, gravelly sandy loam, channery fine sandy loam. | SM, ML               | A-2, A-4           | 0-5                          | 0-15                         | 70-100                               | 60-95  | 35-95 | 20-85 | <20             | NP-2                 |
|                          | 29-33 | Unweathered bedrock.                                      | ---                  | ---                | ---                          | ---                          | ---                                  | ---    | ---   | ---   | ---             | ---                  |
| Lyman                    | 0-5   | Fine sandy loam.  | ML, SM               | A-4, A-1, A-2      | 0-1                          | 0-15                         | 80-95                                | 70-90  | 40-85 | 20-80 | <35             | NP-6                 |
|                          | 5-17  | Loam, channery sandy loam, silt loam.                     | SM, ML, GM           | A-2, A-4, A-1      | 0-5                          | 0-20                         | 65-95                                | 60-90  | 35-85 | 20-80 | <30             | NP-4                 |
|                          | 17-21 | Unweathered bedrock.                                      | ---                  | ---                | ---                          | ---                          | ---                                  | ---    | ---   | ---   | ---             | ---                  |
| Marlow                   | 0-8   | Fine sandy loam.  | SM, ML, CL-ML, SC    | A-2, A-4           | 0-1                          | 0-10                         | 90-100                               | 75-90  | 50-90 | 30-80 | <30             | NP-10                |
|                          | 8-21  | Fine sandy loam, loam, gravelly sandy loam.               | SM, ML, SC-SM, CL-ML | A-2, A-4, A-1-B    | 0-10                         | 0-15                         | 75-95                                | 60-90  | 40-85 | 20-65 | <30             | NP-10                |
|                          | 21-65 | Fine sandy loam, loam, gravelly sandy loam.               | SM, ML, SC-SM, CL-ML | A-2, A-4, A-1-B    | 0-10                         | 0-15                         | 70-90                                | 60-85  | 35-80 | 20-60 | <30             | NP-10                |
| Ud*:<br>Udorthents       | 0-65  | Gravelly sandy loam.                                      | ML, SM, GM, GP       | A-1, A-2, A-3, A-4 | ---                          | 0-30                         | 25-100                               | 20-100 | 10-90 | 2-80  | 15-35           | NP-10                |
| Urban land               | 0-6   | Variable  | ---                  | ---                | ---                          | ---                          | ---                                  | ---    | ---   | ---   | ---             | ---                  |
| WA*:<br>Waskish          | 0-65  | Peat  | PT                   | A-8                | 0                            | 0                            | ---                                  | ---    | ---   | ---   | ---             | ---                  |
| Sebago                   | 0-34  | Mucky peat  | PT                   | A-8                | ---                          | 0-15                         | ---                                  | ---    | ---   | ---   | ---             | ---                  |
|                          | 34-65 | Hemic material, fibric material, mucky-peat.              | PT                   | A-8                | ---                          | 0-15                         | ---                                  | ---    | ---   | ---   | ---             | ---                  |

See footnote at end of table.

TABLE 15.--Physical and Chemical Properties of the Soils--Continued

| Soil name and<br>map symbol | Depth | Clay | Moist<br>bulk<br>density | Permeability | Available<br>water<br>capacity | Soil<br>reaction<br>pH | Shrink-swell<br>potential | Erosion<br>factors |     | Organic<br>matter<br>Pct |
|-----------------------------|-------|------|--------------------------|--------------|--------------------------------|------------------------|---------------------------|--------------------|-----|--------------------------|
|                             |       |      |                          |              |                                |                        |                           | K                  | T   |                          |
|                             | In    | Pct  | G/cc                     | In/hr        | In/in                          |                        |                           |                    |     |                          |
| SmB-----                    | 0-7   | 3-5  | 1.00-1.30                | 0.6-6.0      | 0.11-0.21                      | 3.6-6.5                | Low-----                  | 0.17               | 3   | 2-6                      |
| Sheepscot                   | 7-18  | 1-5  | 1.20-1.50                | 0.6-6.0      | 0.06-0.15                      | 3.6-6.5                | Low-----                  | 0.10               |     |                          |
|                             | 18-24 | 0-3  | 1.45-1.70                | >6.0         | 0.02-0.09                      | 3.6-6.5                | Low-----                  | 0.10               |     |                          |
|                             | 24-65 | 0-3  | 1.45-1.70                | >6.0         | 0.01-0.06                      | 4.5-6.5                | Low-----                  | 0.05               |     |                          |
| SoB, SoC-----               | 0-7   | 3-5  | 1.00-1.30                | 0.6-6.0      | 0.09-0.15                      | 3.6-6.5                | Low-----                  | 0.17               | 3   | ---                      |
| Sheepscot                   | 7-18  | 1-5  | 1.20-1.50                | 0.6-6.0      | 0.06-0.15                      | 3.6-6.5                | Low-----                  | 0.10               |     |                          |
|                             | 18-24 | 0-3  | 1.45-1.70                | >6.0         | 0.02-0.09                      | 3.6-6.5                | Low-----                  | 0.10               |     |                          |
|                             | 24-65 | 0-3  | 1.45-1.70                | >6.0         | 0.01-0.06                      | 4.5-6.5                | Low-----                  | 0.05               |     |                          |
| SrB*:                       |       |      |                          |              |                                |                        |                           |                    |     |                          |
| Sheepscot-----              | 0-7   | 3-5  | 1.00-1.30                | 0.6-6.0      | 0.11-0.21                      | 3.6-6.5                | Low-----                  | 0.17               | 3   | 2-6                      |
|                             | 7-18  | 1-5  | 1.20-1.50                | 0.6-6.0      | 0.06-0.15                      | 3.6-6.5                | Low-----                  | 0.10               |     |                          |
|                             | 18-24 | 0-3  | 1.45-1.70                | >6.0         | 0.02-0.09                      | 3.6-6.5                | Low-----                  | 0.10               |     |                          |
|                             | 24-65 | 0-3  | 1.45-1.70                | >6.0         | 0.01-0.06                      | 4.5-6.5                | Low-----                  | 0.05               |     |                          |
| Rock outcrop----            | 0-60  | ---  | ---                      | ---          | ---                            | ---                    | -----                     | ---                | --- | ---                      |
| ThC*:                       |       |      |                          |              |                                |                        |                           |                    |     |                          |
| Thorndike-----              | 0-3   | 5-10 | 0.90-1.20                | 0.6-2.0      | 0.12-0.22                      | 3.6-6.0                | Low-----                  | 0.17               | 2   | ---                      |
|                             | 3-18  | 5-10 | 1.00-1.30                | 0.6-2.0      | 0.09-0.22                      | 3.6-6.0                | Low-----                  | 0.17               |     |                          |
|                             | 18-22 | ---  | ---                      | 0.01-20      | ---                            | ---                    | -----                     | ---                |     |                          |
| Wirmecook-----              | 0-4   | 3-10 | 0.90-1.20                | 0.6-2.0      | 0.12-0.22                      | 3.6-6.0                | Low-----                  | 0.24               | 3   | ---                      |
|                             | 4-32  | 3-10 | 1.10-1.40                | 0.6-2.0      | 0.09-0.22                      | 3.6-6.0                | Low-----                  | 0.28               |     |                          |
|                             | 32-36 | ---  | ---                      | 0.01-20      | ---                            | ---                    | -----                     | ---                |     |                          |
| TuB*, TuC*:                 |       |      |                          |              |                                |                        |                           |                    |     |                          |
| Tunbridge-----              | 0-6   | 5-9  | 0.80-1.20                | 0.6-6.0      | 0.14-0.23                      | 3.6-6.0                | Low-----                  | 0.24               | 2   | 2-8                      |
|                             | 6-15  | 3-9  | 1.20-1.40                | 0.6-6.0      | 0.10-0.21                      | 3.6-6.0                | Low-----                  | 0.20               |     |                          |
|                             | 15-29 | 3-7  | 1.20-1.50                | 0.6-6.0      | 0.09-0.15                      | 5.1-6.5                | Low-----                  | 0.20               |     |                          |
|                             | 29-33 | ---  | ---                      | 0.01-20      | ---                            | ---                    | -----                     | ---                |     |                          |
| Lyman-----                  | 0-5   | 2-10 | 0.75-1.20                | 2.0-6.0      | 0.08-0.25                      | 3.6-6.0                | Low-----                  | 0.28               | 2   | 1-4                      |
|                             | 5-17  | 2-10 | 0.90-1.40                | 2.0-6.0      | 0.08-0.28                      | 3.6-6.0                | Low-----                  | 0.32               |     |                          |
|                             | 17-21 | ---  | ---                      | 0.01-20      | ---                            | ---                    | -----                     | ---                |     |                          |
| TWC*:                       |       |      |                          |              |                                |                        |                           |                    |     |                          |
| Tunbridge-----              | 0-6   | 5-9  | 0.80-1.20                | 0.6-6.0      | 0.14-0.23                      | 3.6-6.0                | Low-----                  | 0.24               | 2   | 2-8                      |
|                             | 6-15  | 3-9  | 1.20-1.40                | 0.6-6.0      | 0.10-0.21                      | 3.6-6.0                | Low-----                  | 0.20               |     |                          |
|                             | 15-29 | 3-7  | 1.20-1.50                | 0.6-6.0      | 0.09-0.15                      | 5.1-6.5                | Low-----                  | 0.20               |     |                          |
|                             | 29-33 | ---  | ---                      | 0.01-20      | ---                            | ---                    | -----                     | ---                |     |                          |
| Lyman-----                  | 0-5   | 2-10 | 0.75-1.20                | 2.0-6.0      | 0.08-0.25                      | 3.6-6.0                | Low-----                  | 0.28               | 2   | 1-4                      |
|                             | 5-17  | 2-10 | 0.90-1.40                | 2.0-6.0      | 0.08-0.28                      | 3.6-6.0                | Low-----                  | 0.32               |     |                          |
|                             | 17-21 | ---  | ---                      | 0.01-20      | ---                            | ---                    | -----                     | ---                |     |                          |
| Marlow-----                 | 0-8   | 3-10 | 1.00-1.30                | 0.6-2.0      | 0.10-0.23                      | 3.6-6.0                | Low-----                  | 0.24               | 3   | 2-6                      |
|                             | 8-21  | 3-10 | 1.30-1.60                | 0.6-2.0      | 0.06-0.20                      | 3.6-6.0                | Low-----                  | 0.32               |     |                          |
|                             | 21-65 | 3-10 | 1.70-2.05                | 0.06-0.6     | 0.05-0.12                      | 3.6-6.0                | Low-----                  | 0.20               |     |                          |
| Ud*:                        |       |      |                          |              |                                |                        |                           |                    |     |                          |
| Udorthents-----             | 0-65  | 1-15 | 1.00-2.00                | 0.06-20.0    | 0.01-0.20                      | 4.5-7.8                | Low-----                  | ---                | --- | ---                      |
| Urban land-----             | 0-6   | ---  | ---                      | ---          | ---                            | ---                    | -----                     | ---                | --- | ---                      |
| WA*:                        |       |      |                          |              |                                |                        |                           |                    |     |                          |
| Waakish-----                | 0-65  | ---  | 0.02-0.10                | >6.0         | 0.55-0.65                      | <4.5                   | -----                     | ---                | 5   | >90                      |
| Sebago-----                 | 0-34  | ---  | 0.10-0.30                | 2.0-6.0      | 0.20-0.40                      | 3.6-4.4                | -----                     | ---                | 1   | 80-99                    |
|                             | 34-65 | ---  | 0.10-0.30                | 2.0-6.0      | 0.20-0.40                      | 3.6-4.4                | -----                     | ---                |     |                          |

See footnote at end of table.

TABLE 16.--Soil and Water Features--Continued

| Soil name and map symbol    | Hydro-logic group | Flooding  |          |         | High water table |          |         | Bedrock |          | Total subsidence | Potential frost action | Risk of corrosion |          |
|-----------------------------|-------------------|-----------|----------|---------|------------------|----------|---------|---------|----------|------------------|------------------------|-------------------|----------|
|                             |                   | Frequency | Duration | Months  | Depth            | Kind     | Months  | Depth   | Hardness |                  |                        | Uncoated steel    | Concrete |
|                             |                   |           |          | ft      |                  |          |         |         | in       |                  |                        |                   |          |
| SKC*:                       |                   |           |          |         |                  |          |         |         |          |                  |                        |                   |          |
| Schoodic                    | D                 | None      | ---      | ---     | >6.0             | ---      | ---     | 1-10    | Hard     | ---              | Low                    | Low               | High     |
| Rock outcrop                | D                 | None      | ---      | ---     | >6.0             | ---      | ---     | 0       | Hard     | ---              | ---                    | ---               | ---      |
| Naskeag                     | C                 | None      | ---      | ---     | 0-1.5            | Apparent | Nov-May | 20-40   | Hard     | ---              | Moderate               | Low               | High     |
| SmB, SoB, SoC<br>Sheepscoot | B                 | None      | ---      | ---     | 1.5-2.5          | Apparent | Nov-May | >60     | ---      | ---              | Low                    | Low               | High     |
| SzB*:                       |                   |           |          |         |                  |          |         |         |          |                  |                        |                   |          |
| Sheepscoot                  | B                 | None      | ---      | ---     | 1.5-2.5          | Apparent | Nov-May | >60     | ---      | ---              | Low                    | Low               | High     |
| Rock outcrop                | D                 | None      | ---      | ---     | >6.0             | ---      | ---     | 0       | Hard     | ---              | ---                    | ---               | ---      |
| ThC*:                       |                   |           |          |         |                  |          |         |         |          |                  |                        |                   |          |
| Thorndike                   | C/D               | None      | ---      | ---     | >6.0             | ---      | ---     | 10-20   | Hard     | ---              | Moderate               | Moderate          | High     |
| Winnecook                   | C                 | None      | ---      | ---     | >6.0             | ---      | ---     | 20-40   | Hard     | ---              | Moderate               | Moderate          | High     |
| TuB*, TuC*:                 |                   |           |          |         |                  |          |         |         |          |                  |                        |                   |          |
| Tunbridge                   | C                 | None      | ---      | ---     | >6.0             | ---      | ---     | 20-40   | Hard     | ---              | Moderate               | High              | High     |
| Lyman                       | C/D               | None      | ---      | ---     | >6.0             | ---      | ---     | 10-20   | Hard     | ---              | Moderate               | Low               | High     |
| TWC*:                       |                   |           |          |         |                  |          |         |         |          |                  |                        |                   |          |
| Tunbridge                   | C                 | None      | ---      | ---     | >6.0             | ---      | ---     | 20-40   | Hard     | ---              | Moderate               | High              | High     |
| Lyman                       | C/D               | None      | ---      | ---     | >6.0             | ---      | ---     | 10-20   | Hard     | ---              | Moderate               | Low               | High     |
| Marlow                      | C                 | None      | ---      | ---     | 2.0-3.5          | Perched  | Mar-Apr | >60     | ---      | ---              | Moderate               | Low               | Moderate |
| Ud*:                        |                   |           |          |         |                  |          |         |         |          |                  |                        |                   |          |
| Udorthents                  | -                 | None      | ---      | ---     | >2.0             | ---      | ---     | >60     | ---      | ---              | ---                    | ---               | ---      |
| Urban land                  | -                 | None      | ---      | ---     | >2.0             | ---      | ---     | >10     | ---      | ---              | ---                    | ---               | ---      |
| WA*:                        |                   |           |          |         |                  |          |         |         |          |                  |                        |                   |          |
| Waskish                     | D                 | None      | ---      | ---     | 0-2.0            | Apparent | Nov-Jul | >60     | ---      | ---              | High                   | High              | High     |
| Sebago                      | D                 | None      | ---      | ---     | +1-0.5           | Apparent | Sep-Jul | >60     | ---      | ---              | High                   | High              | High     |
| WK*:                        |                   |           |          |         |                  |          |         |         |          |                  |                        |                   |          |
| Winnecook                   | C                 | None      | ---      | ---     | >6.0             | ---      | ---     | 20-40   | Hard     | ---              | Moderate               | Moderate          | High     |
| Thorndike                   | C/D               | None      | ---      | ---     | >6.0             | ---      | ---     | 10-20   | Hard     | ---              | Moderate               | Moderate          | High     |
| Wo                          |                   |           |          |         |                  |          |         |         |          |                  |                        |                   |          |
| Wonsqueak                   | D                 | Frequent  | Long     | Mar-Oct | +1-0.5           | Apparent | Sep-Jul | >60     | ---      | ---              | High                   | Moderate          | Moderate |
| Ws*:                        |                   |           |          |         |                  |          |         |         |          |                  |                        |                   |          |
| Wonsqueak                   | D                 | None      | ---      | ---     | +1-0.5           | Apparent | Sep-Jul | >60     | ---      | ---              | High                   | Moderate          | Moderate |
| Ecksport                    | D                 | None      | ---      | ---     | +1-0.5           | Apparent | Sep-Jul | >60     | ---      | ---              | High                   | Moderate          | High     |

See footnote at end of table.

the shallow depth of the Lyman and Tunbridge soils, roads should be planned to reduce cuts as much as possible. The Marlow soils in this unit are the better sites for roads.

### **Ud—Udorthents-Urban land complex**

This unit consists of fill material that has been placed on soils of various drainage classes and parent materials and areas that are covered by streets, parking lots, and buildings. Examples of these areas are airports, industrial areas, and commercial areas of towns and cities. This unit is mainly in the coastal area. Areas are irregular in shape and range from 3 to 300 acres. Slope ranges from 0 to 30 percent.

This unit consists of about 50 percent Udorthents, 30 percent Urban land, and 20 percent other soils.

Udorthents consist of fill material more than 20 inches thick over various soils. Most of the larger towns and cities are on marine terraces, and much of this fill material is over marine sediments. Some areas are fill over glacial till and bedrock. The fill material is mainly gravelly, but includes some other soil materials removed from adjacent areas by excavation for foundations.

Urban land consists of areas covered by concrete, asphalt, buildings, and other impervious surfaces. The underlying soil material is mainly marine sediments, but includes glacial till or bedrock.

Included with this unit in mapping are a few areas of undisturbed Buxton, Lamoine, Scantic, Lyman, Tunbridge, Schoodic, Dixfield or Hermon soils. In a few areas the fill material consists of nonsoil material such as building rubbish, cinders, ash, sawdust, bark, and quarry rubble. Also included are small areas that have slopes of 30 to 60 percent.

Permeability, internal drainage, runoff, and available water capacity of the Udorthents is variable and depends on the characteristics of the type of fill material.

Onsite investigation is needed to determine the potentials and limitations of these areas for any use.

### **WA—Waskish and Sebago soils**

This very deep, nearly level unit is in depressions in glaciated uplands and glaciofluvial deposits. Slopes are smooth and slightly convex. Slope ranges from 0 to 1 percent. Areas of the unit are mainly oval.

Some areas consist of very poorly drained Waskish soils, some of very poorly drained Sebago soils, and

some of both soils. The Waskish and Sebago soils were mapped together because they have no major differences in use and management. The total acreage of the unit has about 45 percent Waskish soils, 40 percent Sebago soils, and 15 percent other soils.

Typically, the surface, subsurface, and bottom layers of the Waskish soils are very dusky red or dark reddish brown peat. The peat material extends to a depth of 63 inches or more. Mucky peat material is commonly below 63 inches.

Typically, the surface layer of the Sebago soil is black mucky peat 34 inches thick. The next layer is very dusky red peat to a depth of 54 inches. Below 54 inches is black mucky peat.

Included with this unit in mapping are small areas of well decomposed Wonsqueak and Bucksport soils mainly at the edges of the unit. These areas make up about 10 percent of the mapped acreage. Also included are areas of very poorly drained alluvial soils along streams and very poorly drained Biddeford soils in coastal areas and river valleys. These areas make up about 5 percent of the mapped acreage.

A seasonal high water is commonly within 2 feet of the surface from late fall to summer in the Waskish soil and commonly within 6 inches of the surface from fall to early summer in the Sebago soil. Permeability is rapid or very rapid in the Waskish soil and moderately rapid in the Sebago soil. Surface runoff is very slow on the Sebago soil, or it is ponded. Available water capacity is high for both soils. Waskish soils are extremely acid. Sebago soils range from extremely acid to strongly acid. Plant growth is restricted by the acidity of the soils and the high water table.

These areas are dominated by heath plants and sphagnum moss. A few scattered trees grow around the edges of the units. A few areas have been mined for agricultural peat.

This unit is wetland that has potential for controlling floodwater and erosion, improving water quality and quantity, providing habitat for wetland wildlife, and providing recreational opportunities.

The Waskish soils in this unit have value as a source of horticultural peat, but the small size of many of the units limits the use of mechanical harvesting equipment.

This unit is poorly suited for commercial wood production because of the high water table, acidity, and composition of the organic materials. Trees on this unit are very slow growing and often stunted. Common species growing on the edges of the unit are black spruce, eastern larch, and balsam fir.



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## 11. Landscaping, Buffering and Screening Plan § 125-66 J. (22-23)

- |                               |                            |
|-------------------------------|----------------------------|
| A. Botanical & Common Names   | - <i>On Landscape Plan</i> |
| B. Plant Locations and Size   | - <i>On Landscape Plan</i> |
| C. Installation Schedule      | - <i>On Landscape Plan</i> |
| D. Maintenance Plan           | - <i>On Landscape Plan</i> |
| E. Vegetation Clearing Limits | - <i>On Site Plan</i>      |
| F. Trees (8' +)               | - <i>Onsite Plan</i>       |



## 12. Street, Sidewalk and Access Plan § 125-66 J. (44)

- |  |                           |
|--|---------------------------|
| A. Drainage Scheme at all Intersections Existing/Proposed                      | – <i>Waiver Requested</i> |
| B. Intersections of Proposed Streets with Existing Streets                     | – <i>Waiver Requested</i> |
| C. Access – Roadway ROW w/ Edge of Pavement, Shoulders,<br>Sidewalks and Curbs | – <i>Waiver Requested</i> |
| D. Drainage Feature – Type, Size, Profile, Cross-Section, and Inverts          | – <i>Waiver Requested</i> |
| E. Horizontal and Vertical Curve Data  | – <i>Waiver Requested</i> |
| F. Intersections – Turning Radii   | – <i>Waiver Requested</i> |
| G. Centerline Grade  | – <i>Waiver Requested</i> |
| H. Bearing, Distance, Tangent, Radii for All Street Lines                      | – <i>Waiver Requested</i> |
| I. Location, Dimension, Grade, Radii of Accel and Decel Lanes                  | – <i>Waiver Requested</i> |
| J. Design Details for Street Improvements                                      | – <i>Waiver Requested</i> |
| K. Travel Direction  | – <i>Waiver Requested</i> |
| L. Crosswalk Locations   | – <i>Waiver Requested</i> |
| M. Street Names  | – <i>Waiver Requested</i> |



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**13. E-911 § 125-66 K.**

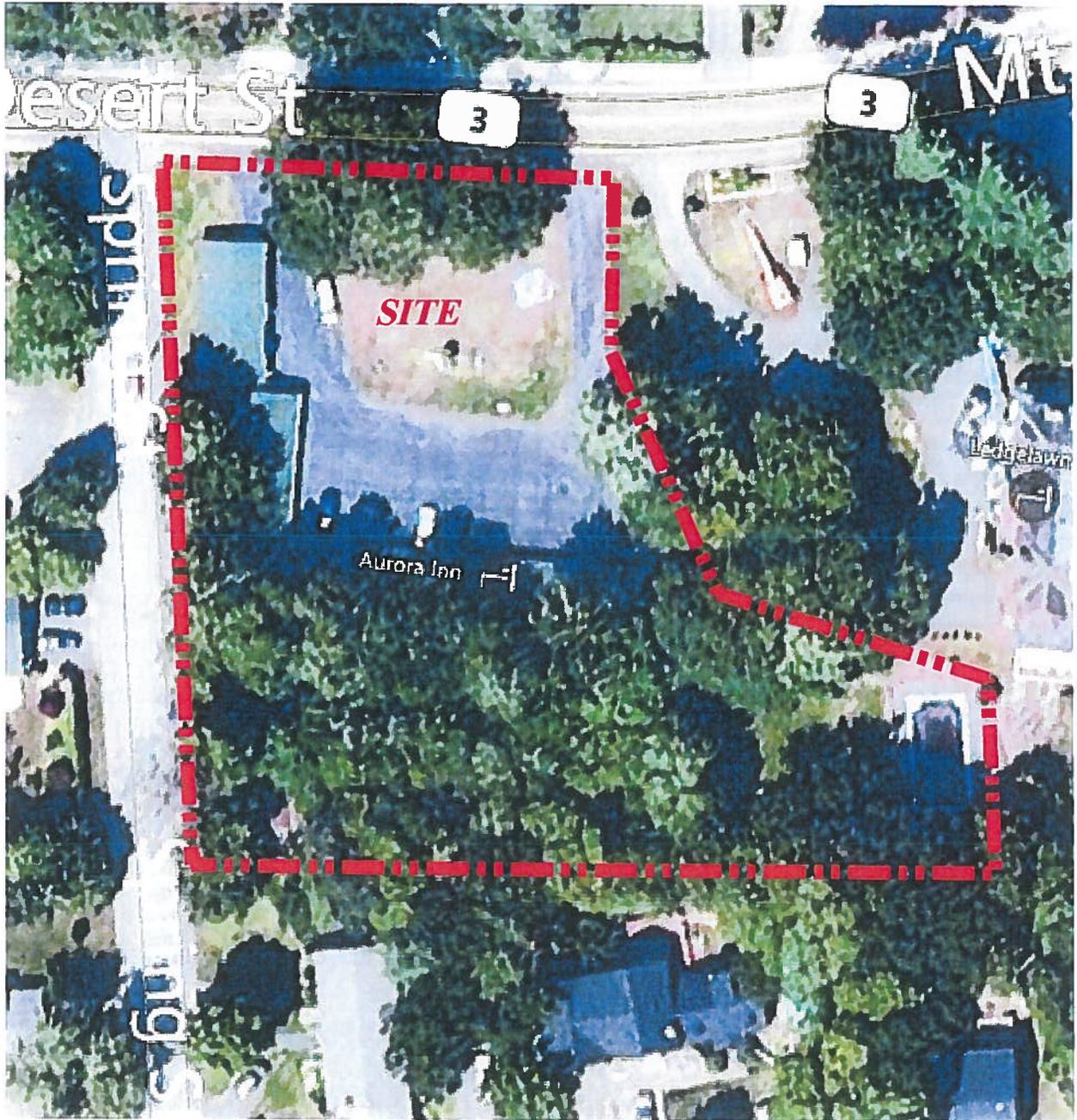
A. Street Name Certification by the Tax Assessor – *Waiver Requested*



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**14. Photographs § 125-66 L.**

- A. Towns Aerial Photograph - Included in Application Package - *Attached*
- B. Pictorial of Site from Public Ways, Site Location - Included in Application Package - *Attached*



SCALE: 1"=60'

**PROJECT: 68 MOUNT DESERT ST  
AERIAL PHOTO  
BAR HARBOR, MAINE**

**G.F. Johnston & Associates**



*Consulting Civil Engineers*  
P.O. Box 197  
Southwest Harbor, Maine 04679  
207-244-1200



## Photo Exhibit



Existing Motel Facing Southwest



Existing Motel Facing South



East View on Mt Desert Street standing at intersection with Spring Street



View West on Mt Desert Street



View North on Spring Street



View South On Spring Street



View West Across Spring Street



View northeast



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**15. Subsurface Wastewater Disposal § 125-66 M.**

- A. HHE 200 Forms *– Waiver Requested*
- B. Cumulative Impact Assessment *– Waiver Requested*



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**16. Groundwater § 125-66 N.**

- A. Use Assessment Daily, Monthly, and Annually - *Waiver Requested*
- B. Hydrological Impact Study - *Waiver Requested*



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### **17. Erosion and Sedimentation Control Plan § 125-66 0.**

The erosion control standards required for the construction of the addition to the existing building are shown on the Site Plan. All construction onsite will adhere to the erosion control specifications contained in this section. The specifications for erosion control are attached as part of this application; any permits on this site are subject to the requirements of this section.



**LEGEND**

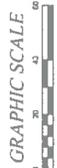
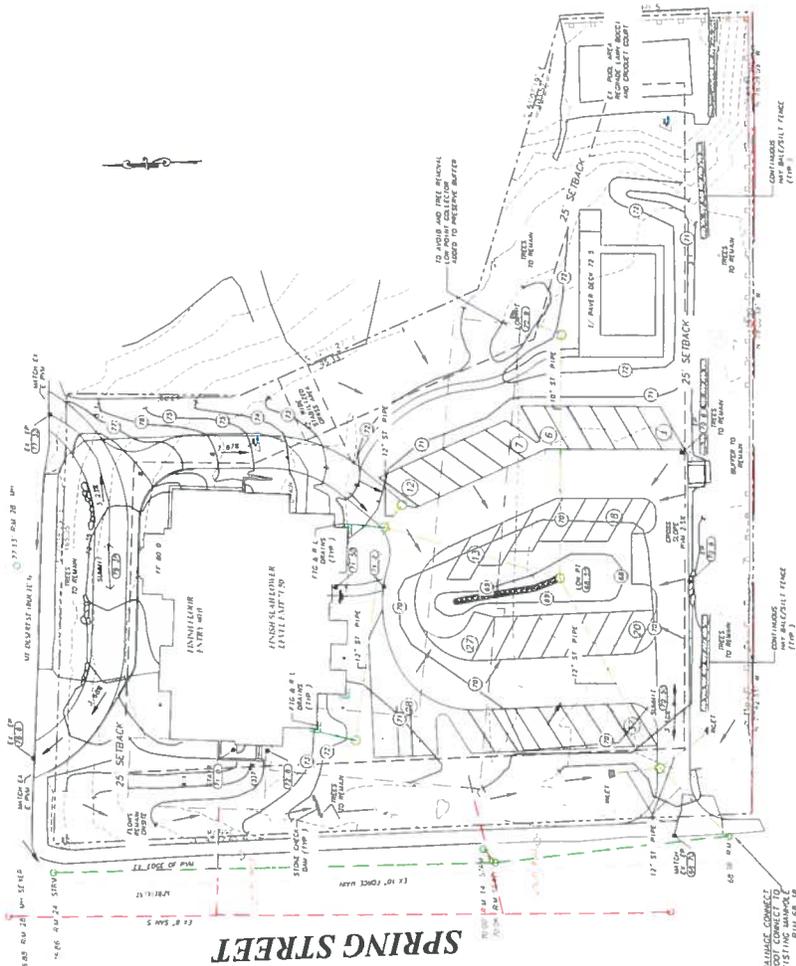
- PROPERTY LINE
- EASEMENT LINE
- SETBACK LINE
- EDGE OF GRAVEL
- EX. BUILDING
- EX. CONTOUR
- WATERMAIN
- WATER MAIN
- EX. WATER VALVE
- NEW WATER VALVE
- FIRE HYDRANT
- POWER POLE
- SANITARY SEWER LINE
- SANITARY MANHOLE
- TAPERED END SECTION
- STORM SEWER LINE
- STORM MANHOLE
- ELEV. COMM. LINE
- S.L.P. GAS
- 0.15 FT CANDLES

1. EXISTING AND PROPOSED CONTOUR, UTILITIES, EASEMENTS, EROSION CONTROL MEASURES MUST BE IN PLACE PRIOR TO DEMOLITION AND RECONSTRUCTION.
2. ALL UTILITIES SHALL BE DEEPENED AND PROTECTED AS SHOWN ON THIS PLAN.
3. THE MEASUREMENTS SHOWN ON THIS PLAN ARE BASED ON THE INFORMATION OF THE ENGINEER AND FIELD SURVEY.
4. THE MEASUREMENTS SHOWN ON THIS PLAN ARE BASED ON THE INFORMATION OF THE ENGINEER AND FIELD SURVEY.
5. THE MEASUREMENTS SHOWN ON THIS PLAN ARE BASED ON THE INFORMATION OF THE ENGINEER AND FIELD SURVEY.
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9. THE MEASUREMENTS SHOWN ON THIS PLAN ARE BASED ON THE INFORMATION OF THE ENGINEER AND FIELD SURVEY.
10. THE MEASUREMENTS SHOWN ON THIS PLAN ARE BASED ON THE INFORMATION OF THE ENGINEER AND FIELD SURVEY.

**EROSION CONTROL AND STORMWATER MANAGEMENT PLAN FOR THE MOUNT DESERT STREET INN**

C2

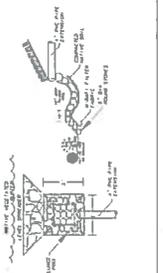
**MOUNT DESERT STREET**



**SPRING STREET**

STORM DRAINAGE CONNECT TO EXISTING STORM DRAIN INVERT EX. 10' - 63.60

ALL UTILITY CONNECTIONS SHALL BE MADE IN ACCORDANCE WITH THE TOWN OF BANGS ORDINANCE OF DEPRESSION IN USE OF PUBLIC WORKS



INLET MANHOLE DETAIL SCALE: N.T.S.



STONE CHECK DAM SECTION SCALE: N.T.S.



SLOPE AND HAIR PILES DETAIL SCALE: N.T.S.





Paul R. LaPage  
GOVERNOR

STATE OF MAINE  
Department of Public Safety  
Office of State Fire Marshal  
52 State House Station  
Augusta, ME 04333-0052

John E. Morris  
COMMISSIONER

Joseph E. Thomas  
STATE FIRE MARSHAL

June 21, 2016

Todd Hardy  
Eden Builders, Inc.

RE: Mount Desert Island Hotel

Todd,

Upon preliminary review of the above reference project with you at our office, I have not noticed any concerns with the conceptual design for this project. This does not constitute a complete plan review and approval. This will be done once our office receives a full set of construction documents along with the required Construction Permit applications for the project.

Please let me know if you have any questions or concerns on this matter.

Thank you.

Richard Nason CFPE CFI1  
Plans Examiner

Maine State Fire Marshals Office  
45 Commerce Drive

Augusta, Maine 04333-0165

Office 207-626-3884

Fax 207 287-6251

[richard.e.nason@maine.gov](mailto:richard.e.nason@maine.gov)

<http://www.maine.gov/dps/fmo/index.htm>

PREVENTION \* LAW ENFORCEMENT \* RESEARCH

OFFICES LOCATED AT: 45 CIVIC CENTER DRIVE, AUGUSTA, MAINE 01330  
(207) 626-3870 ADMINISTRATION/ INVESTIGATIONS (207) 287-3659 TDD (207) 287-6251 FAX  
(207) 626-3880 INSPECTIONS/ PLANS REVIEW



G.F. Johnston & Associates  
*Consulting Civil Engineers*

## **19. Solid and Hazardous Waste § 125-66 Q.**

### **A. Description of Amount and Nature of Solid and Hazardous Waste.**

All solid waste will be contained onsite in a screened dumpster. The waste from this dumpster is contracted with a private disposal company to be picked up a minimum of 3 days per week.



G.F. Johnston & Associates  
Consulting Civil Engineers

## 20. Building Plans & Elevations § 125-66 R

- A. Floor Plans for Levels of All Structures - *Attached*
- B. All Elevations Indicating Height with Proposed Exterior Materials - *Attached*
- C. Proposed Use of All Floors including Basements and Attics - *Attached*
- D. Proposed Maximum Seating Capacity- Restaurant - *Waiver Requested*





02  
1 OF 2

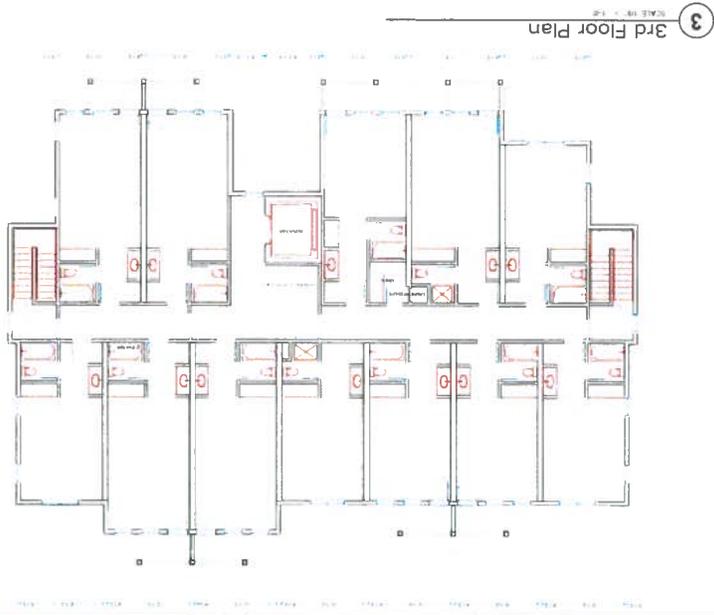
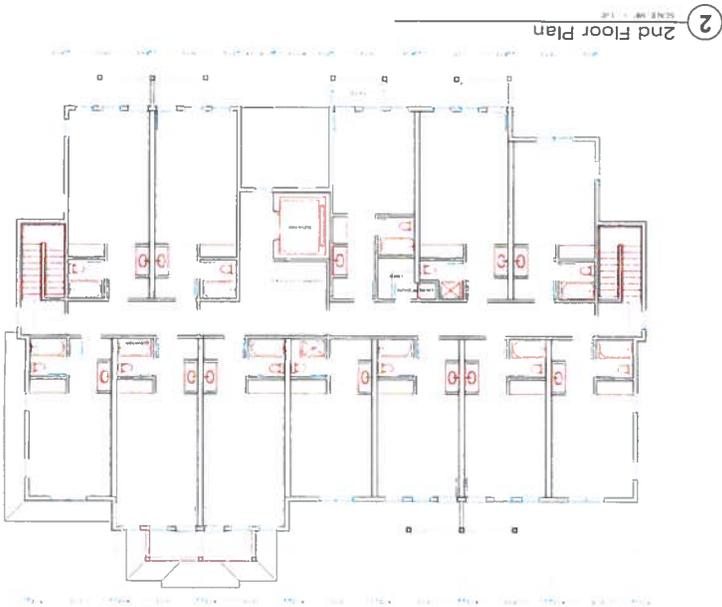
ISSUED & CODE REVIEW

**MOUNT DESERT STREET LLC**  
Mount Desert Street Inn  
68 Mount Desert Street, Bar Harbor, ME 04699

PROJECT

**FLOOR PLANS**

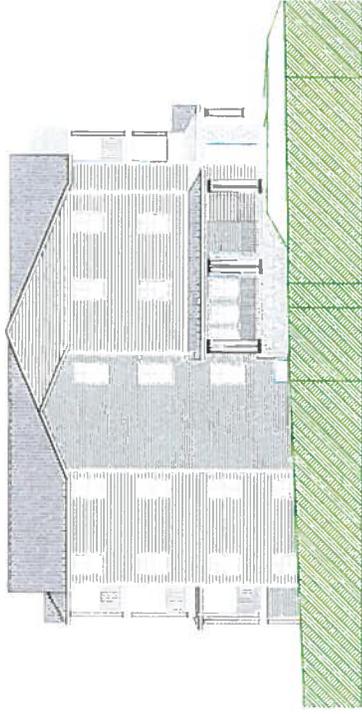
TITLE



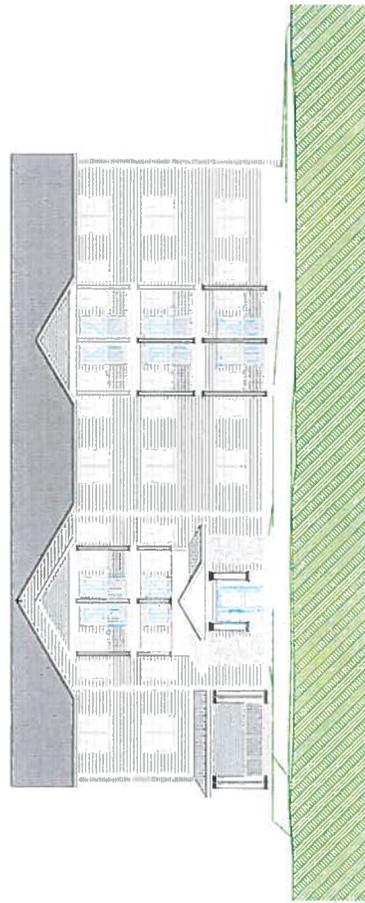
MOUNT DESERT STREET LLC - Mount Desert Street Inn



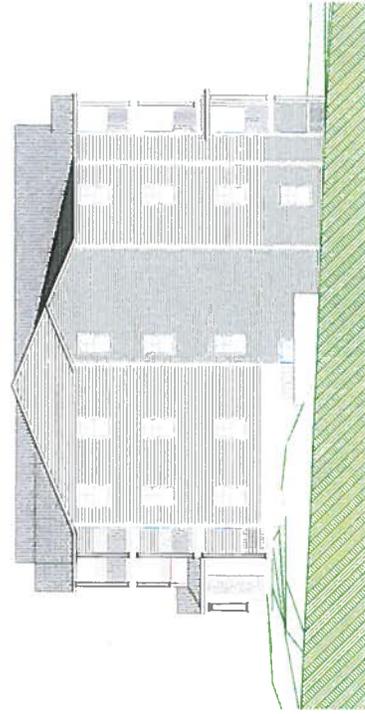
**4** SOUTH ELEVATION  
SCALE 1/8" = 1'-0"



**3** EAST ELEVATION  
SCALE 1/8" = 1'-0"



**2** NORTH ELEVATION  
SCALE 1/8" = 1'-0"



**1** WEST ELEVATION  
SCALE 1/8" = 1'-0"



**EXTERIOR ELEVATIONS**

TITLE

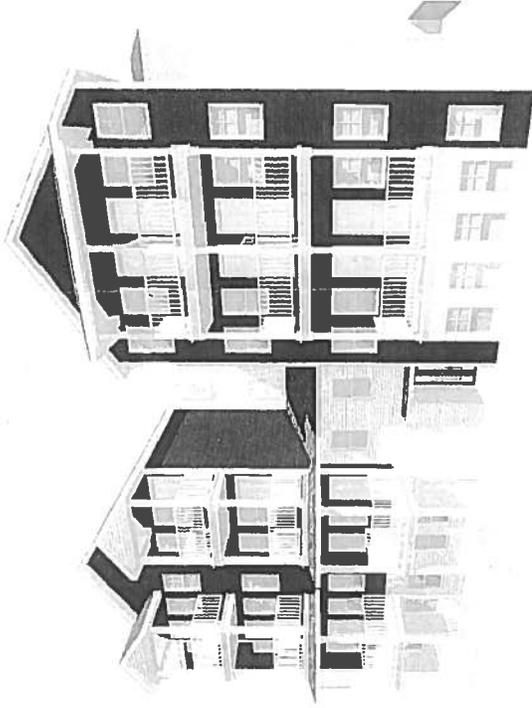
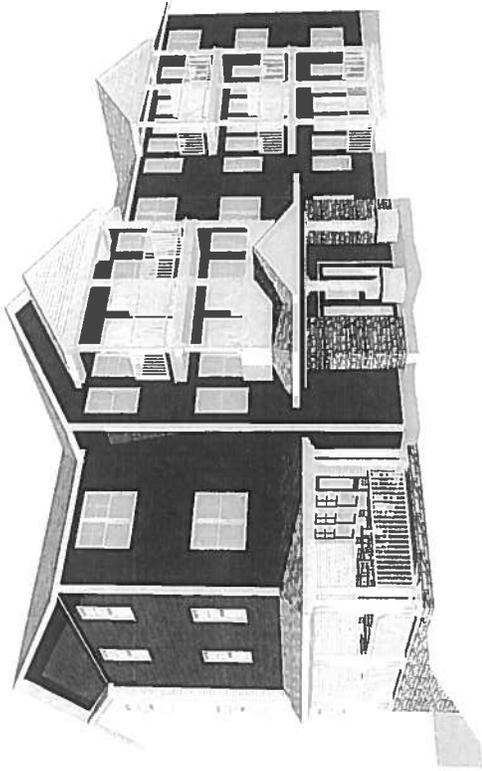
**MOUNT DESERT STREET LLC**  
Mount Desert Street Inn  
68 Mount Desert Street, Bar Harbor, ME 04619

PROJECT

REVIEW  
DATE 11/18/2021

**03**  
3 OF





Eden BUILDERS, INC.

PERSPECTIVE VIEWS

TITLE

PROJECT

MOUNT DESERT STREET LLC  
 Mount Desert Street Inn  
 68 Mount Desert Street, Bar Harbor, ME 04609

REVISIONS  
 08/17/18 CODE REVIEW

04

4 OF





G.F. Johnston & Associates  
Consulting Civil Engineers

## 21. Lighting Plan § 125-66 S.

- |  |                       |
|--|-----------------------|
| A. Exterior Lighting Details Existing and Proposed             | - <i>On Site Plan</i> |
| B. Types of Fixtures with Manufacturer's Specifications Sheets | - <i>On Site Plan</i> |
| C. Radius of Intensity of Illumination                         | - <i>On Site Plan</i> |

*Photometrics shown based on a 20 ft mounted height of a 100 watt HPS bulb with cutoff shield.*



G.F. Johnston & Associates  
*Consulting Civil Engineers*

**22. Signs § 125-66 T.**

A. Design Details Existing & Proposed      - *Attached*

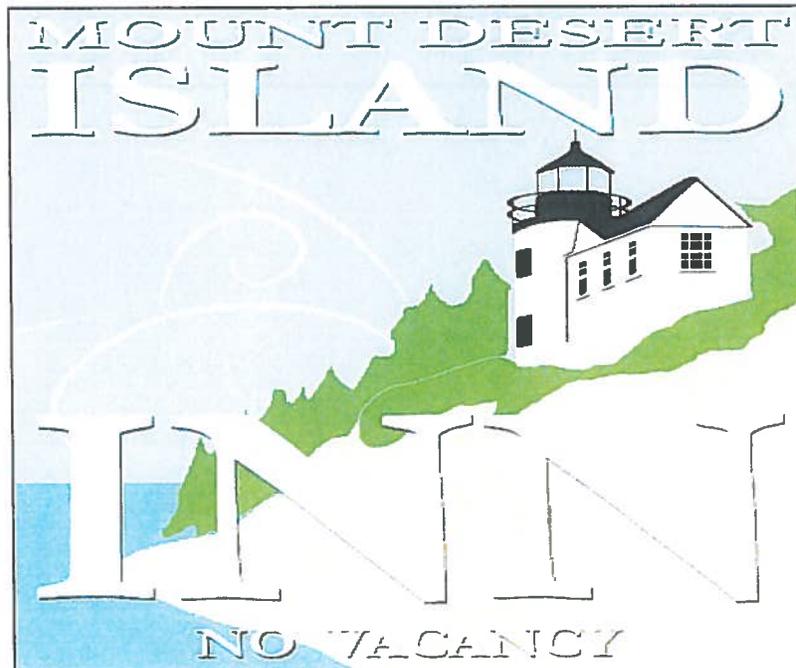


## Signage Mount Desert Street Inn

The new sign will be similar to the existing sign shown below.  
The existing sign is 44" x 62". The sign will be located on the left of the entrance drive as one would drop off at the front. The graphics for the final sign though not completely final will be similar as shown below.



Existing Sign, similar to proposed with modified lettering.



Proposed Sign Graphics 44" x 62"



### 23. Traffic Impact § 125-66 U

A. 10 + Lots or Units or 100+ Trips per Day - *attached*

- Trip Estimates - Amount & Type – Day & Peak Hours                      - *Attached*
- Detailed Engineering Impact Analysis    - *Waiver Requested*

Site specific data indicates that peak vehicle trip generation will not exceed 100 vehicles per day



### 23. Traffic Impact § 125-66 U.

#### A. 10+ Lots or Units or 100+ Trips per Day.

##### Trip Generation Information

| Traffic Description                          | Traffic Rate      | Traffic Volume |
|--|-------------------|----------------|
| AM Peak Hour, Bed & Breakfast                | 0.4/room          | 13 vph         |
| PM Peak Hour, Bed & Breakfast                | 0.3/room          | 10 vph         |
| Daily Arrivals                               | 1.19/room         | 38 vpd         |
| Daily Departures                             | 1.15/room         | 37 vpd         |
| <b>Total Bed &amp; Breakfast Daily Trips</b> | <b>2.34/ room</b> | <b>75 vpd</b>  |

The proposed Bed & Breakfast at 68 Mount Desert Street will replace the existing Mount Desert Street Motel. The proposed development is within a convenient walking distance of Bar Harbor's primary shopping and restaurant downtown area. Traffic counts conducted at the site were used to assist with establishment of traffic generation rates for the proposed Bed & Breakfast. For example, afternoon counts indicated more arrival and departures from the site on foot than by vehicle during the afternoon. Actual numbers observed for the afternoon included: 2 car exits, 5 car arrivals, 6 pedestrian exits and 2 pedestrian arrivals in four hours. Due to the unique nature of downtown Bar Harbor overnight room rentals it was determined actual counts would provide a better reflection of expected future traffic. Based on the counts, discussion with the office personnel and interviews with overnight guests it was determined the existing hotel is generating somewhat over two trips per unit per day. Interviews indicated some guests would have an arrival or departure associated with the room rental and at times an exit and a return trip associated with a tour of island attractions by automobile.

The proposed Bed & Breakfast will represent an increase of twenty (20) rooms over the current site motel. Based on the traffic counts counted at the site the new Bed & Breakfast will generate 75 trips per day. The site will provide parking for all overnight guests and combined with the proximity to the Bar Harbor attractions the project will not have a significant impact on the traffic flow on Mount Desert Street of Spring Street.



G.F. Johnston & Associates  
Consulting Civil Engineers

#### **24. Technical and Financial Capacity § 125-66 V.**

- A. Cost Estimate *- Attached*
- B. Financing Arrangements *- Attached*
- C. Curriculum Vitae of Each Professional Associated with the Project *- Waiver Requested*
- D. Descriptions of Similar Project by Developer *- Waiver Requested*



G.F. Johnston & Associates  
Consulting Civil Engineers

**Exhibit 24.A**  
**Cost Estimate**

|                     |                |
|---------------------|----------------|
| Site Work           | \$ 400,000     |
| Materials           | \$ 600,000     |
| Labor               | \$ 600,000     |
| Electrical/Plumbing | \$ 300,000     |
| Other               | \$ 200,000     |
| <b>Total</b>        | <b>\$ 2.1M</b> |



G.F. Johnston & Associates  
*Consulting Civil Engineers*

**Exhibit 24.B**  
**Financing Arrangements**  
**Letter of Financial Capacity**

The owners have financing through The First. At the time of print letter confirming this was not available. One will be presented at the Completeness hearing.



G.F. Johnston & Associates  
Consulting Civil Engineers

**25. Business Operations § 125-66 W.**

- A. Operating Statement *- Attached*
- B. Operation Hours Projections, Number of Employees, Proposed Shifts *- Attached*
- C. Operator Information *- Attached*



### **Exhibit 25.A, B, C Business Operations**

The Mount Desert Island Inn will be open seasonally for guests roughly May through October. The inn will be constructed such that all or part of the building can be kept operational during the winter months, if ever it makes economic sense to stay open on a year-round basis.

The new inn will be operated by Cathy Coston and Stephen Coston, presently the owners and operators of the Mount Desert Street Motel. Additionally, Paul Coston will become an owner of the new inn, but it will continue to be operated primarily by Cathy and Stephen. Cathy, Stephen, and Paul all have multiple years of ownership and employment experience in the Bar Harbor lodging industry. In addition to Cathy and Stephen, the inn is likely to employ five housekeepers and one to two other employees to do laundry, service the grounds, and serve breakfast. On the average day in season, we expect three to four housekeepers to work 5-6 hours, from roughly 9 AM to 2 PM.

A breakfast attendant is expected to work from roughly 6 AM to 11 AM, and a houseman is expected to do laundry and keep up the grounds from roughly 9 AM to 3 PM. The property is ideally located in a spot that allows guests to park their cars and venture into downtown on foot, as well as to Acadia National Park via the Island Explorer Shuttle.



## 26. Mining § 125-66 X

- |   |                    |
|---|--------------------|
| A. DEP Permit where Applicable                | – Waiver Requested |
| B. Extraction Plan                            | – Waiver Requested |
| C. Restoration Plan                           | – Waiver Requested |
| D. Performance Guarantee for Restoration Plan | – Waiver Requested |
| E. Washing Operation Plans                    | – Waiver Requested |
| F. Evidence of Insurance                      | – Waiver Requested |

*Pursuant to Section 125-63 of the Land Use Ordinance we respectfully submit this document as a written request for waiver of the foregoing Exhibits required for completeness of application.*

### **Waiver Request Form**

The Preceding includes list of waiver requests in reference to the submittal package for Conditional Use review for the proposed Mount Desert Street Inn. The waiver requests were developed with Town Staff meetings with the applicant. The list of waivers requested is based on the knowledge that certain requirements set forth in Section § 125-66: Site Plan Application requirements of the Land Use Ordinance are not applicable to this project or may not be required for the Board to develop a complete understanding of the project scope. It is understood that the Planning Board reserves the right to request additional information regarding any exhibit, at any time during the review process, regardless of granting a waiver for submittal of an exhibit during the site plan review of a project.