

PLANNING BOARD

PACKET OF MATERIALS

MEETING JULY 20, 2016

Cover page with date

Agenda

Minutes for approval

Applications

Supporting Documents

Agenda
Bar Harbor Planning Board
Wednesday, July 20, 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 (July 6, 2016)

V. REGULAR BUSINESS

- a. **Subdivision Sketch Plan Review (Pre-application) – SD-2016-04–** Acadia Corporation
Project Location: 134 Main Street, Bar Harbor Tax Map 104, Lot 504-000
Applicant: Acadia Corporation
Application: The applicant is proposing demolition of an existing building and and construction of a two-story building with commercial activity on the first floor and 4 dwelling units on the second floor in a Downtown Village I district.

- b. **Land Use Ordinance Discussion of Draft Shoreland District at Ferry Terminal**

VI. OTHER BUSINESS

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

VII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

VIII. ADJOURNMENT

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

I. ELECTION OF OFFICERS

Bob Osborne explained that the Town Charter calls for election of officers at the Board's first meeting in July. He asked the Board to offer nominations for Chair of the Planning Board. Joe Cough nominated Ivan Rasmussen as Chair. As there were no other nominations Mr. Cough then moved to vote Ivan Rasmussen as Chair, Basil Eleftheriou, Jr. seconded the motion which was approved unanimously.

Mr. Osborne then passed the remaining election of officers to the Chair.

Chair Rasmussen opened nominations for Vice Chair. Tom St. Germain was nominated by John Fitzpatrick to be Vice Chair. As there were no other nominations John Fitzpatrick then moved to vote Tom St. Germain as Vice Chair, Basil Eleftheriou, Jr. Seconded the motion which was approved unanimously.

Chair Rasmussen opened nominations for Secretary. John Fitzpatrick was nominated by Basil Eleftheriou, Jr. to be Secretary. As there were no other nominations Basil Eletheriou, Jr. then moved to vote John Fitzpatrick as Secretary, Joe Cough seconded the motion which was approved unanimously.

II. CALL TO ORDER

The Chair called the meeting to order at 4:05 PM. Planning Board members present: Ivan Rasmussen, Chair; Tom St. Germain, Vice Chair; John Fitzpatrick, Secretary; Member Basil Eleftheriou, Jr., and Joe Cough, Member.

Also present: Robert Osborne, Planning Director and Angela Chamberlain, Code Enforcement Officer.

III. ADOPTION OF THE AGENDA

Mr. Eleftheriou, Jr. moved to adopt the agenda as presented (with election of officers). Mr. Cough seconded the motion and the Board voted five in favor and none against the motion.

IV. EXCUSED ABSENCES

none

V. APPROVAL OF THE MINUTES

a. June 1, 2016

Mr. Eleftheriou, Jr. made a motion to approve the minutes noting a small correction under item 3 to cite "c" rather than "a". Mr. St. Germain seconded the motion and the Board voted five in favor and none against the motion.

VI. 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, 19,500 sq. ft., 36-room bed and breakfast (a bed and breakfast III use).

Joe Cough declared a potential conflict of interest to the Board as he has a relative that works for the potential construction firm to build the project.

The Board voted 4 in favor and none against to recuse Mr. Cough from the item.

Greg Johnston, PE and Steve Coston spoke to the Board about the conditional use application. Todd Hardy was also available to speak as the architect. Mr. Johnston noted that the overall square footage of the proposed bed and breakfast is 19,500 sq. ft. and the footprint is 5,600 sq. ft.

Mr. Fitzpatrick asked about the curb cuts. Mr. Johnston indicated that the curb cuts were not new but were being altered somewhat.

Mr. Fitzpatrick asked if they have utility easements for the power for the project and noted that they should at least be shown on the plan.

Mr. Fitzpatrick asked about proposed signage for the project. Mr. Johnston indicated that there is proposed a freestanding sign in the front yard. Mr. Fitzpatrick indicated that the sign should be shown on the plan and a cut sheet for its lighting fixture.

Mr. Fitzpatrick asked about the building height from average grade and indicated that a separate document that shows contours and wall heights should be provided.

Mr. Fitzpatrick asked about photometrics and asked for a separate document that shows all of the lighting with photometrics. He noted that some of the lighting is proposed to be installed higher than the manufacturer might recommend which could affect the utility of the cutoffs.

There were questions about the existing impervious surface that was being included on the credited amount over 35%. There was discussion about a site walk with the Planning Board.

The Board took no issues with the requested waivers.

Member Fitzpatrick moved to find the application complete with conditions: Proceed to an August 3, 2016 public hearing pending Design Review Board approval and conditioned on lighting cutsheets, photometrics and utility easements. Mr. St. Germain seconded the motion which passed four in favor and none against.

Member Fitzpatrick moved to have a site visit in the next two weeks. Mr. St. Germain seconded the motion which was approved four in favor and none against. It was noted that there would be no Board action taken at the site visit.

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?

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?

Chair Rasmussen indicated that the public hearing would be inclusive of all the draft warrant articles and that discussion would not be limited to individual articles. Chair Rasmussen opened the public hearing and asked for comments.

Noreen Hogan cited increasing traffic and parking pressure in the area around the hospital but did not want a parking garage.

David Bowden recounted the long history of parking concerns in the town. Urged the Board that the town, public and private, needs the tools to solve parking issues. Downtown and at Jackson Lab is where parking garages are needed. Urged reducing the number of warrant articles to three.

Suzanne Morrison raised the question about design review and that nothing was contained in the amendments to address design review of parking facilities.

Ed Bearor, Town Attorney was asked by the Board about combination of the warrant articles and indicated that the Board recommendation could include recommendation to do so.

Jake Jagel asked if merging six articles into three was a substantive change? Mr. Bearor indicated that all of the warrant articles contain parking and locations where parking uses are allowed or restricted. If the change was mixed with other topics it would be substantive.

Marie Donnelly asked about parking at the ferry terminal.

Dessa Dancy asked why it was necessary to add parking garage use to the Downtown I district given that municipal uses are contemplated in the district.

Donna Karlson offered suggestions for parking decks and parking garages. She suggested that the parking issue is a summer issue and other solutions were better. Suggested that parking garages and decks should be conditional uses. Noted that storage is stated in the definition of parking garage but not parking deck. Recommended that the articles not be combined. She indicated that she did like many parts of what are being proposed.

Mike Siclosi indicated that parking garage and parking deck are a great first step and that design issues should follow. He did not recommend the articles be combined.

Erin Early-Ward noted that the design of parking garages and decks are tied to the district standards including dimensional standards.

David Bowden indicated that the original West Street Hotel proposal included a parking garage and that it is allowed. Separating the warrants will take away tools. He did not agree that parking was a summer issue only indicating that people circle in February for on-street parking as well.

Marie Donnelly indicated she does not support combining the articles.

Liz Case indicated that she does not support combining the articles. She asked if the Board is satisfied that everything has been looked at? She wants small businesses to succeed.

Matt Hochman reminded the gathering that the parking committee is starting up and urged interested individuals to get involved.

Robert Chapin lauded the walking beauty of the town and suggested that a parking garage would ruin the beauty of the town. He encouraged longer walks. The number one consideration is beauty.

Martha Searchfield spoke about the accessory use language contained in the first article.

Dean Briar spoke about article f and the removal of parking garage from the Town Hill Business and Downtown Residential.

Shortly thereafter Chairman Rasmussen closed the public hearing.

Recommendations to the Town Council:

Member Cough made a motion to recommend passage of Agenda Items 2, 3, 4 and 5, Draft Warrant Articles “b, c, d, e” but with the added recommendation that these four changes be presented in a single ballot question. Member St. Germain seconded the motion. The Planning Board voted 3-2 to approve the motion. The ballot question could read as follows to insure the integrity of the individual questions posed in Agenda items 2,3,4,5:

“ Shall an Ordinance dated June 1, 2016 and entitled “An amendment to restore parking garage use to Bar Harbor Gateway district, Downtown Village district I, Downtown Village II district, and add parking garage use to the Educational Institutional district and Scientific Research for Eleemosynary Purpose district in the Land Use Ordinance be enacted.”

Member Cough moved to recommend that Agenda Item 6, Draft Warrant Article f not be presented to the voters at this time. It is the intention of the Planning Board to make a recommendation on this proposed amendment which, if passed, would remove parking garage as a permitted use in the Downtown Residential District and Town Hill Business District following the November voting on the other proposed amendments, with its expectation being that the question would be posed to the voters in June, 2017. Member St. Germain seconded the motion. The Planning Board voted 5-0 in favor of the motion.

Member Cough made a motion to recommend passage of Agenda item 1, Draft Warrant Article “a” as written. Member St. Germain seconded the motion. The Planning Board voted 4-0 to approve the motion. (Member Fitzpatrick was not present for this vote).

VII. OTHER BUSINESS

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

VIII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

IX. ADJOURNMENT

Mr. Eleftheriou, Jr. moved to adjourn the meeting at 6:35 pm. Mr. St. Germain seconded the motion. The Board voted unanimously to adjourn.

Signed as approved:

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

Date

Pre-application Sketch Plan

APPLICATION # SP-2016-04

DATE: 7/6/2016

MAP 104 LOT 504

134 Main St.

Prior to requesting a review of a proposed subdivision plan and pursuing the procedure set forth in Article V, an applicant shall submit 9 copies of the following, plus the original:

- A. A sketch which shall show, in simple sketch form, the proposed layout of the street, lots and other features in relation to existing conditions. The sketch plan, which may be a freehand penciled sketch describing or outlining the existing conditions of the site and showing the proposed development, shall be superimposed on or accompanied by a copy of the Assessor's map of the site. *Small lot, 4,918 sq. ft.*
- B. A copy of that portion of a USGS topographic map encompassing the site, showing an outline of the proposed subdivision; *Tax Map*
- C. A written request for the waiver of submissions that the applicant intends to submit pursuant to 125-63; *Attached*
- D. Information to include:
 - 1) an outline of data on existing covenants;
 - 2) medium-intensity soil survey including, soil interpretation sheets;
 - 3) available community facilities and utilities;
 - 4) information describing the subdivision proposal such as number of residential lots; typical lot width and depth; price range; business areas; playgrounds; park areas and other public areas;
 - 5) proposed protective covenants;
 - 6) proposed utilities and street improvements;
- E. The names and addresses of all property owners within 300 feet of the property being subdivided; THIS INFORMATION WILL BE PROVIDED BY THE CODE ENFORCEMENT OFFICE. *in office file*
- F. Fee \$_____. Each pre-application sketch plan shall be accompanied by an administrative fee and a notice fee, which fees shall, from time to time, be set by the Bar Harbor Town Council.

RECEIVED

JUL 06 2016

TOWN OF BAR HARBOR
PLANNING/CODE ENFORCEMENT



17 Pleasant Street, Suite C
Bar Harbor, ME 04609
edenbuilders.com
207-801-2576

TO: Robert Osborne, Planning Director
Angela Chamberlain, CEO
Town of Bar Harbor
93 Cottage Street
Bar Harbor, ME 04609

DATE: July 6, 2016
RE: Acadia Park Company
134 Main Street, Bar Harbor
Map 104 - Lot 504

Pre-Application Sketch Plan

Under cover please find the application materials for the Planning Board's Pre-application Sketch Plan.

Project Summary

The project Owner is the Acadia Corporation, a locally owned and operated company with a long history of property ownership, development, and commercial service in Bar Harbor and on MDI.

The project is located at 134 Main Street, in Downtown Bar Harbor. Our plan is to tear down an existing 1 story building of approximately 2,104 square feet with partial basement and crawl space and build a new building with a footprint of approximately 3,976 square feet. The perimeter of the new building will follow the perimeter of the building to be removed at the front portion of the new building, with additional building located to the rear of the site.

The building will be 2 stories in height with a full basement. The 1st floor use is to be commercial retail. The 2nd floor use is to be 4 apartments for seasonal housing for Acadia Corporation employees. The basement is retail storage.

Pre-Application Sketch Plan

Item C. - Written Request for waiver of submissions

Unless noted otherwise, it is our intent that the following submissions (✓) will be made with our forthcoming Site Plan/Subdivision application. Items generally marked as "NOT APPLICABLE" have been recommended by Staff as being not appropriately required by our project and/or as otherwise noted.

1. SITE PLAN APPLICATION

- A. Checklist ✓
- B. Property Owner's Name/Address ✓
- C. Applicant's Name/Address ✓
- D. Project Representatives Name/Address ✓
- E. Abutters Name & Address within 300-ft of Property Lines ✓
- F. Indication of Registered Farmland within 150-ft STAFF PROVIDED ✓
- G. Description of Proposed Use ✓
- H. Written Authorization for Town Official Access ✓

2. FEES PAID – Copy of Receipt

- A. Administrative Fee ✓
- B. Evidence of Ordinance & Regulation Compliance – STAFF PROVIDED ✓

3. TITLE and INTEREST

- A. Current Deed or ✓
- B. Purchase and Sale Agreement – *NOT APPLICABLE AS THE PROPERTY IS CURRENTLY MORTGAGE OWNED*
- C. Easements, Deed Restrictions, R.O.W's, etc. – *NOT APPLICABLE AS THERE ARE NO RESTRICTIONS OR RIGHT OF WAYS WHICH ARE EVIDENCED IN THE DEED*

4. LEGAL DOCUMENTS – AS THIS IS NOT A "TRADITIONAL" SUBDIVISION THESE ITEMS ARE NOT APPLICABLE TO OUR PROJECT

- A. Proposed Easements, Covenants, Agreements, etc.
- B. Proposed Deeds or Roads or Other Property to be Dedicated
- C. Proposed Performance and Plant Maintenance Guarantees
- D. For condominiums proposed declarations, BY Laws, etc.
- E. Site Restoration Guaranteed (if required)

5. PERMITS

- A. Army Corps of Engineers – *NOT APPLICABLE AS THIS PROJECT IS DOWNTOWN INFILL REBUILD PROJECT*
- B. Maine D.E.P. – *NOT APPLICABLE AS THIS PROJECT IS A DOWNTOWN INFILL REBUILD PROJECT*
- C. Other – **Design Review Board** ✓ - *MAIN STREET FAÇADE ONLY – THIS APPLICATION WILL BE SUBMITTED UNDER SEPARTE COVER TO THE DESIGN REVIEW BOARD*

6. STATEMENTS OF CAPACITY & DESIGN

- A. Police – STAFF PROVIDED ✓
- B. Public Works – Solid Waste; Storm Water, Street, and Recreation - STAFF PROVIDED – *STAFF DETERMINED THAT THIS SUBMITTAL IS NOT APPLICABLE*
- C. Sewer - STAFF PROVIDED ✓

- D. Schools & Busing - *NOT APPLICABLE - THIS PROJECT IS A DOWNTOWN INFILL PROJECT AND THE RESIDENTIAL OCCUPANCY IS FOR SEASONAL EMPLOYEES*
- E. Water - STAFF PROVIDED ✓

7. DESIGN PLANS - EXCEPT FOR ITEM I, AS THIS PROJECT IS A DOWNTOWN INFILL REBUILD THE FOLLOWING ITEMS ARE NOT APPLICABLE

- 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 ✓ - *TO BE SHOWN ON FUTURE SITE PLAN SUBMITTAL*

7.1 DESIGN APPROVAL by State & Local Agencies - AS THIS IS NOT A "TRADITIONAL" SUBDIVISION THESE ITEMS ARE NOT APPLICABLE TO OUR PROJECT

- A. Central Water Supply (D.H.S.)
- B. Individual Wells (D.H.S.)
- C. Central Subsurface Sewage Disposal
- D. Waste Water Discharge (D.E.P.)
- E. Curb Cut (M.D.O.T. and/or Bar Harbor Public Work Dept) - *NO PARKING OR CURB CUTS ARE PLANNED FOR THIS PROJECT*

8. MAPS & PLANS - ALL TO BE SHOWN ON FUTURE SITE PLAN SUBMITTAL

- A. Magnetic North ✓
- B. Plan Preparation Date ✓
- C. Graphic Scale ✓
- D. Owner & Application Name/Address ✓
- E. Designer, Surveyor, Engineer ✓
- F. Name of each Municipality in which the developer is located ✓
- G. Tax Map & Lot Number(s) ✓
- H. Land Use Districts ✓

9. SITE PLAN Scale not to Exceed 1"=40'-0"

- Magnetic North ✓
- Plan Preparation Date ✓
- Graphic Scale ✓
- Owner & Applicant Name/Address ✓
- Designer, Surveyor, Engineer ✓
- Name of each Municipality in which the development is located ✓
- A. Abutting Property owners with Book and Page References ✓
- B. Tax Map & Lot Number(s) ✓
- C. Land Use District(s) ✓
- D. Lot Line Dimensions (metes & bounds) ✓
- E. Lot Size in Square Feet ✓
- F. Locations of Lot Monumentations ✓
- G. Total Proposed Development Acreage - *FOR ITEMS G-M, AS THIS IS NOT A "TRADITIONAL" SUBDIVISION THESE ITEMS ARE NOT APPLICABLE TO OUR PROJECT*

- H. Remaining Undeveloped Land Retained
 - I. Lot Numbers
 - J. Lots Developed/Sold with Past 5 Years
 - K. Subdivisions within 200 feet of the subject property
 - L. Existing/Proposed Contours @ 5 or 10 ft. Intervals
 - M. Items within 200 feet of the subject property
 - Buildings & Structures
 - Streets (W/names)
 - Sidewalks
 - Easements
 - Driveways, Entrances, Exits
 - N. Locations of Existing & Proposed Buildings/Structures on Site ✓
 - O. Distance between Proposed Buildings/Structures on Site ✓
 - P. Utilities Locations – Existing/Proposed ✓
 - Q. Sign Locations – Existing/Proposed ✓ - **Design Review Board**
 - R. Open Drainage Courses, Wetlands, and Gravel Aquifers - *FOR ITEMS R-GG, AS THIS IS NOT A "TRADITIONAL" SUBDIVISION THESE ITEMS ARE NOT APPLICABLE TO OUR PROJECT*
 - S. Stone Walls, Graveyards, and Fences
 - T. Significant Wildlife Habitat or Spawning Grounds Locations (I.F.&W.)
 - U. Rare and Irreplaceable Natural Areas Locations (Critical Areas Program)
 - V. Historic & Archaeological Site Locations
 - W. Wetlands & Waterbody Locations within 200-ft (regardless of size)
 - X. Shoreline
 - Y. 100 Year Flood Elevation
 - Z. Portion of the Site Subject to Routine Flood/Standing Water
 - AA. Lot Lines and Water Bodies Setbacks
 - BB. Fire Hydrants and Fire Ponds Existing/Proposed
 - CC. Fire/Emergency Equipment Site Access
 - DD. Easements/Access to Water Bodies Existing/Proposed
 - EE. Access Locations to Adjacent Undeveloped Land
 - FF. Recreations/Open Space Land Existing/Proposed
 - GG. Solid, Industrial, Chemical, Explosive or Hazardous Waste Locations
 - HH. Lot Coverage Calculations – Existing/Proposed – *NOT APPLICABLE AS ALLOWABLE LOT COVERAGE IN E1-DOWNTOWN VILLAGE I IS 100%*
 - II. Parking Locations with Dimensions, Angles, Radii, etc. – *NOT APPLICABLE, NO PARKING REQUIRED FOR THIS USE IN THIS ZONE*
 - JJ. Subdivision Name ✓
 - KK. Soil Test Pit Locations – *NOT APPLICABLE FOR THIS DEVELOPMENT*
10. MEDIUM DENSITY SOIL SURVEY - **STAFF PROVIDED** ✓
11. LANDSCAPING, BUFFERING & SCREENING PLAN – EXISTING & PROPOSED - *AS THIS IS NOT A "TRADITIONAL" SUBDIVISION THESE ITEMS ARE NOT APPLICABLE TO OUR PROJECT*
12. STREET, SIDEWALK & ACCESS PLAN - *AS THIS IS NOT A "TRADITIONAL" SUBDIVISION THESE ITEMS ARE NOT APPLICABLE TO OUR PROJECT*
13. E-911 - *AS THIS IS NOT A "TRADITIONAL" SUBDIVISION THESE ITEMS ARE NOT APPLICABLE TO OUR PROJECT*

14. PHOTOGRAPHS

- A. Town's Aerial Photograph ✓
- B. Pictorial of Site from Public Ways, Site Location (N,S,E,W) ✓
 - Existing Improvements within 200-ft ✓
 - Existing Vegetation within 200-ft - *NOT APPLICABLE AS THERE IS NO EXISTING VEGETATION IN THE AREA WHICH AFFECTS OUR DEVELOPMENT*
 - Other Physical and Natural Features within 200-ft - *NOT APPLICABLE AS THERE ARE NO EXISTING OTHER PHYSICAL OR NATURAL FEATURES IN THE AREA WHICH AFFECTS OUR DEVELOPMENT*

15. SUBSURFACE WASTEWATER DISPOSAL - *AS THIS IS NOT A "TRADITIONAL" SUBDIVISION THESE ITEMS ARE NOT APPLICABLE TO OUR PROJECT*16. GROUNDWATER - to be extracted - *AS THIS IS NOT A "TRADITIONAL" SUBDIVISION THESE ITEMS ARE NOT APPLICABLE TO OUR PROJECT*17. EROSION & SEDIMENT CONTROL PLAN - *AS THIS AN DOWNTOWN INFILL PROJECT WITH MINIMAL DEVELOPMENTAL GRADING ISSUES, EROSION CONTROL SHOULD NOT BE REQUIRED FOR THIS PROJECT AND IS THUS NOT APPLICABLE*

- A. Erosion & Sedimentation Control Plan

18. FIRE PROTECTION

- A. Statement from Bar Harbor Fire Chief - **STAFF PROVIDED** ✓
 - Development Impact on Fire Protection Service ✓
 - Approval of Hydrant and Fire Pond Locations ✓
 - Approval of Access Plans ✓
 - Life Safety Codes (NFPA 101) Certification ✓
- B. State Fire Marshall's Office Preliminary Approval ✓

19. SOLID & HAZARDOUS WASTE

- A. Description, Amount and Nature of Solid and/or Hazardous Waste ✓
FOR ITEMS i - iii, NO HAZARDOUS WASTE WILL BE GENERATED BY THIS USE SO THESE ITEMS ARE NOT APPLICABLE
 - Copy of Applicable Fed & State Regs for Spec. & Hazardous Waste
 - Copy of Applicable Fed & State Permits for Spec. & Hazardous Waste
 - Method of Transport, Storage, Disposal and Material Handling

20. BUILDING PLANS & ELEVATIONS

- Magnetic North ✓
- Plan Preparation Date ✓
- Graphic Scale ✓
- Owner & Applicant Name/Address ✓
- Designer, Surveyor, Engineer ✓
- Tax Map & Lot Number(s) ✓
- Land Use District(s) ✓
- Name of each Municipality in which the development is located ✓
- A. Floor Plans of All Levels of All Structures ✓
- B. All Elevations Indicating height - Propose Exterior Materials and Colors ✓
- C. Proposed Use of All Floors ✓
- D. Seating Capacity - Restaurants only - *NOT APPLICABLE TO THIS USE*

21. LIGHTING PLAN ✓ **Design Review Board**
 - A. Exterior Lighting Details Existing & Proposed ✓
 - B. Types of Fixture with Manufacturer's Specification Sheets ✓
 - C. Radius of Intensity of Illumination ✓

22. SIGNS
 - A. Design Details Existing & Proposed ✓ **Design Review Board**

23. TRAFFIC IMPACT - *THE EXISTING VS PROPOSED USE OF THIS SITE WILL NOT INCREASE THE TRAFFIC DEMAND. - NOT APPLICABLE AS AGREED WITH PLANNING STAFF - WAIVER REQUESTED*

24. TECHNICAL AND FINANCIAL CAPACITY
 - A. Cost Estimate ✓
 - B. Financing Arrangements ✓
 - C. Curriculum Vita of Each Professional Assoc With Project - *NOT APPLICABLE AS AGREED WITH PLANNING STAFF - WAIVER REQUESTED*
 - D. Descriptions of Similar Project by Developer - *NOT APPLICABLE AS AGREED WITH PLANNING STAFF - WAIVER REQUESTED*

25. BUSINESS OPERATIONS
 - A. Operating Statement & Mitigation Plan - *NOT APPLICABLE AS AGREED WITH PLANNING STAFF - WAIVER REQUESTED*
 - B. Employment & Operation Hours Projections ✓
 - C. Operator Information (if not owner) ✓

26. MINING - *NOT APPLICABLE*

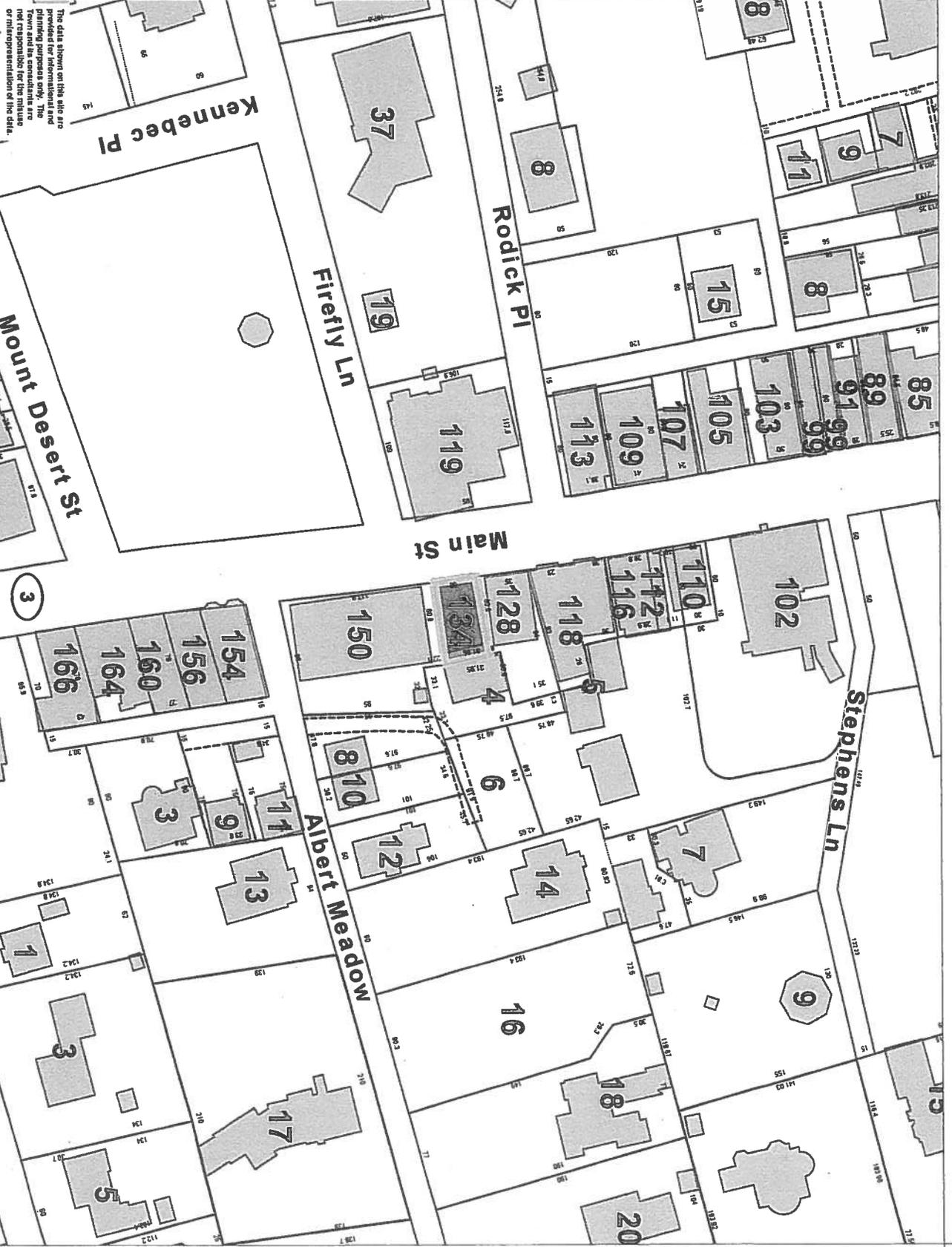
Pre-Application Sketch Plan

Item D. – Information to Include

- 1) An outline of data on existing covenants;
 - *There are no existing covenants on this property*
- 2) Medium-intensity soil survey including, soil interpretation sheets;
 - *To be provided by staff as required*
- 3) Available community facilities and utilities;
 - *This is not applicable as the project is not a "traditional" subdivision, but only a subdivision in name because of the apartment use*
- 4) Information describing the subdivision proposal such as number of residential lots; typical lot width and depth; price range; business areas; playgrounds; park areas and other public areas;
 - *This is not applicable as the project is not a "traditional" subdivision, but only a subdivision in name because of the apartment use*
- 5) Proposed protective covenants;
 - *There are no protective covenants proposed for this project*
- 6) Proposed utilities and street improvements;
 - *The Maine Street sidewalk will be partially replaced to match existing as a result of tying the building to underground water, sewer and storm drainage utilities within the street right of way. Electric power and phone/cable will serve the building overhead from the front of the building or from the rear from an existing pole at the rear of the site. The adjacent building at 128 Main Street, under the same ownership, will have its electric power rerouted at the rear of the site as required by this project. This will likely require the setting of a new pole on the edge of the property in the rear.*

0 140 280 ft

Printed on 09/28/2016 at 09:41 AM



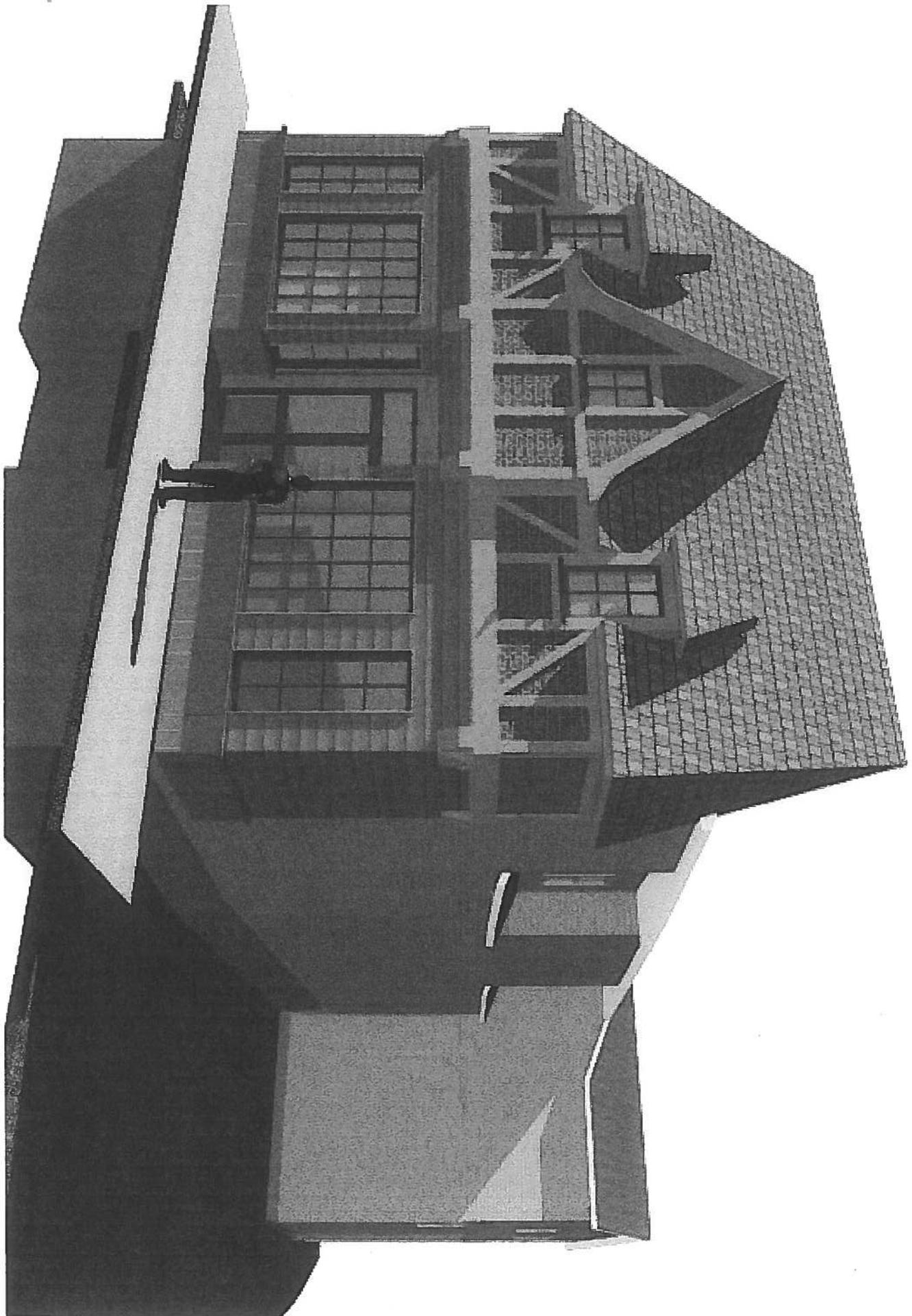
The data shown on this site are provided for informational purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



- Parcel History
- ROV's
- Ponds
- Town Boundary
- Highways
- Buildings (2008)
- Road Centerlines
- Streams
- Lakes & Ponds
- Mask
- Atlantic Ocean

MapOnline

ACADIA PARK COMPANY



ACCBIR PAPER COMPANY

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

§ 125-49.3 Shoreland Maritime Activities District.

A. Purpose. The Shoreland Maritime Activities District seeks to support maritime activities related to the reuse of Bar Harbor Tax Map 231, Lot 004, the ferry terminal for both cruise ship and ferry activities. This district includes all land currently occupied by or suitable for active water dependent uses, taking into consideration: (1) Shelter from prevailing winds and waves; (2) Slope of the land within 250 feet, horizontal distance, of the shoreline; (3) Depth of the water within 150 feet, horizontal distance, of the shoreline; (4) Available support facilities including utilities and transportation facilities; and (5) Compatibility with adjacent upland uses.

B. Dimensional standards.

- (1) Minimum lot size: None.
- (2) Minimum road frontage and lot width: None.
- (3) Minimum setback from shoreline: None.
- (4) Minimum shore frontage: None.
- (5) Minimum front setback: 25 feet.
- (6) Minimum side and rear setback: None.
- (7) Maximum lot coverage: 70%.
- (8) Maximum height: None.

C. Allowed uses.

- (1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: government facility and grounds, and temporary pier, dock, wharf, breakwater or other use projecting into the water.
- (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.

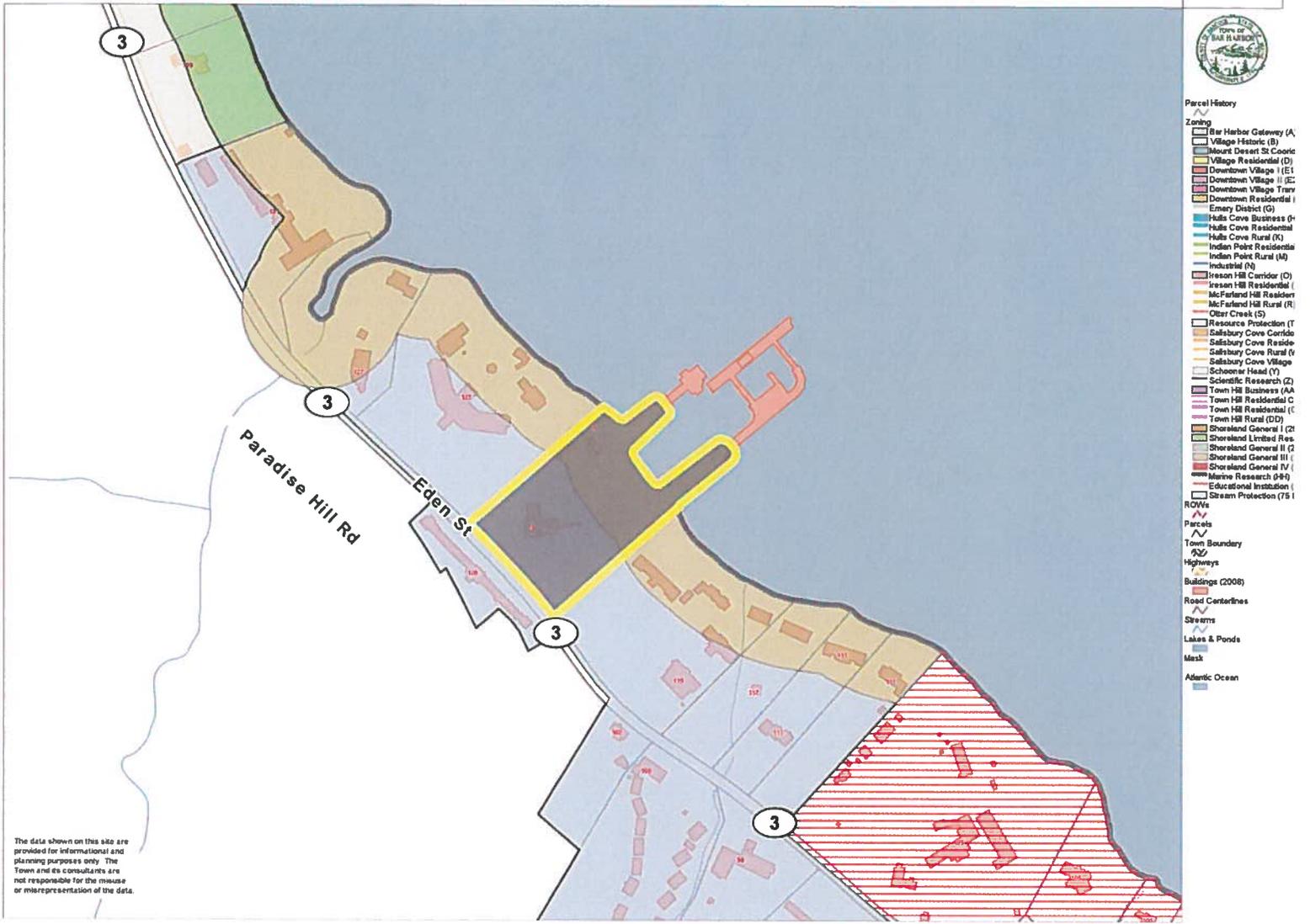
D. Uses allowed by site plan. The following uses shall be permitted by site plan review in any part of this district: Commercial, Industrial and Governmental and Institutional Uses that are functionally water-dependent uses and uses accessory to such water dependent uses only. Permanent piers, docks, wharfs, bridges and other structures and uses extending over or below the normal high-water line or within a wetland that are water-dependent uses Essential services Parking facilities Marinas

E. Allowed activities.

(1) Non-intensive recreational uses not requiring structures such as fishing and hiking

(2) Emergency operations

F. Other requirements. (To be determined).



Shaded area for map amendment from Bar Harbor Gateway and Gen. Shoreland III to Shoreland Maritime Act. Dist.