Agenda

Bar Harbor Town Council

September 6, 2016

I. **CALL TO ORDER** – 7:00 p.m. – Town Council Chambers

A. **Excused Absence(s)**

II. **PUBLIC COMMENT PERIOD** – The Town Council allows at this time up to fifteen minutes of public comment on any subject not on the agenda and not in litigation with a maximum of three minutes per person.

III. **APPROVAL OF MINUTES – August 16, 2016**

IV. **ADOPTION OF AGENDA**

V. **CONSENT AGENDA** – A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:

A. **General Assistance Ordinance** – Possible adoption of a motion to schedule a public hearing for October 4, 2016 to consider adoption of the annual revision of maximum benefit level in Town Code, Chapter 102, General Assistance, Appendixes A, B, C and D pursuant to 22 MRSA §4305(4).

B. **Special Town Meeting: November 8, 2016 –**

1. Possible motion to sign the Special Town Meeting Warrant for November 8, 2016 as presented.
2. Possible motion to confirm the appointment of Patricia Gray as Warden for the State Election, November 8, 2016.

C. **Design Review Board** – Possible motion to approve the Design Review Board's request changing their meeting start time to 6:00 p.m.

VI. **REGULAR BUSINESS:**

A. **Resolution** – Possible motion to sign the resolution to proclaim a day of remembrance and reflection for 9/11 on September 11 at St. Saviour, as requested by Rev. Fleck.

B. **Grant Park Renovation** – Update status and possible approval of final design in preparation to place the project out to bid

C. **Energy Saving Initiatives** - Request of Councilor Friedmann that the Council commit to fiscal resilience (saving money and stabilizing future energy costs) and environmental sustainability.

D. **Special Town Meeting: November 8, 2016 –** Review of the required Notice of Public Hearing and set a hearing date of an October meeting, either the 4th or 18th.

E. **Treasurer's Warrant** – Request of Treasurer to authorize paid bills.

VII. **TOWN MANAGER'S COMMENTS**

VIII. **COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA**

IX. **EXECUTIVE SESSION:** (None Anticipated)

X. **ADJOURNMENT**

In order to assure your full participation in this meeting, we would appreciate your informing us of any special requirements you might have due to a disability. Please call 288-4098

Manager's Memo

To: Bar Harbor Town Council
cc: Department Heads
From: Cornell Knight, Town Manager
Date: Friday, September 2, 2016

Re: **Town Council Meeting of September 6th**

CALL TO ORDER – 7:00 P.M.

I. **A. Excused Absences –** None that I am aware but if one arises, a possible motion: to excuse Councilor _____ as provided by Town Charter section C-12.B(1)(d).

V. **CONSENT AGENDA** – A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:

A. General Assistance Ordinance– see the enclosed is a memo from Pat Gray, Town Clerk. A possible motion: to schedule a public hearing on October 4, 2016 to consider the adoption of the annual revision of maximum benefits levels in the Town Code, Chapter 102, General Assistance, Appendixes A, B, C and D pursuant to 22 MRSA Sec 4305(4).

B. Special Town Meeting: November 8, 2016

1. See the enclosed memo from Pat Gray Town Clerk regarding the Warrant for the special town meeting. Possible motion: to sign the Special Town Meeting Warrant for November 8, 2016.

2. Possible motion: to confirm Patricia Gray as Warden for the State Election, November 8, 2016.

C. Design Review Board Meeting Time change- see the enclosed memo from Robert Osborne, Planning Director explaining the DRB's request to change their meeting start time from 4 pm to 6 pm. A possible motion: to approve the Design Review Board's request to change their meeting start time to 6 pm.

A possible motion: to approve the Consent Agenda as published.

VI. Regular Business

A. Resolution- Day of Remembrance and Reflection- September 11, 2001- see the enclosed email from the Reverend Timothy Fleck regarding a collaboration of community organizations to remember 9/11. Councilor Friedmann will introduce

the resolution. A possible motion: to approve and sign the Resolution "To Proclaim a Day of Remembrance and Reflection, September 11, 2016".

B. Grant Park Renovation- see the enclosed memo from Chip Reeves, PW Director and the plot plan of the park project. The work will include extending the water main for the irrigation system, granite seating, concrete patio, picnic tables, landscaping, path and road work. Funding will come from the CIP and the VIA is making a $30,000 contribution towards the work at the Shore Path. A possible motion: to approve the design dated March 21, 2013 with the latest revision dated August 9, 2016 and put it out for bid.

C. Energy Saving Initiatives – see the enclosed email from Councilor Friedmann and an article from the recent Maine Townsman regarding energy projects in municipalities that are reducing energy costs and consumption. A possible motion: that the town use the Energy Star Portfolio Manager for energy savings and use best practices to reach net-zero energy impact on future projects.

D. Special Town Meeting: November 8, 2016. See the enclosed memo (same memo as consent agenda item) from Pat Gray, Town Clerk and the enclosed notice of the public hearing for the Special Town Meeting November 8, 2016. A possible motion: to approve the notice of Public Hearing for the special town meeting and schedule a public hearing for October 4,(or 18th) 2016.

E. Treasurer's Warrant – A possible motion: to sign the Treasurer's Warrants for paid bills.

Minutes

Bar Harbor Town Council

August 16, 2016

I. **CALL TO ORDER** – 7:00 p.m. – In attendance were Councilors: Paul Paradis, Gary Friedmann, Anne Greenlee, Peter St. Germain, Burt Barker, Clark Stivers, Matthew Hochman; and Town Manager Cornell Knight.

A. **Excused Absence(s)** – All were present.

II. **COMMITTEE APPOINTMENTS** –

A. *Council to consider Appointments Committee recommendations to appoint the following with expiration date of July 31 of their applicable year*:

1. **Parking Solutions Task Force** (Initial terms staggered)

a. Two year term: Erin Early Ward, Martha Searchfield, Mary Booher, Elizabeth Kase

b. Three year term: Jill Goldthwait, Dick Cough, Sherry Rasmussen, Eben Salvatore

c. Acadia National Park Representative John Kelley

Mr. Barker endorsed the Appointments Committee recommendations and nominated the slate of members to the Parking Solutions Task Force as presented. There being no further nominations; by unanimous vote the slate of members were appoint as presented.

2. **Recycling Task Force**

a. One year term: Ted Koffman

Mr. Barker endorsed the Appointments Committee recommendation and nominated Ted Koffman to the Recycling Task Force for a one year term. There being no further nominations, by unanimous vote Ted Koffman was appointed.

3. **Harbor Committee**

a. Three year term: Gary Fagan

Mr. Barker endorsed the Appointments Committee recommendation and nominated Gary Fagan to the Harbor Committee for a three year term. There being no further nominations, by unanimous vote Gary Fagan was appointed.

III. **PUBLIC COMMENT PERIOD** – *The Town Council allows at this time up to fifteen minutes of public comment on any subject not on the agenda and not in litigation with a maximum of three minutes per person.* – There were no comments this evening.

IV. **APPROVAL OF MINUTES –**

A. July 12, 2016 – Joint Workshop with Conservation Commission

B. July 19, 2016 Regular Meeting

C. August 2, 2016 Regular Meeting

Ms. Greenlee, with second by Mr. St. Germain, moved to approve the minutes of July 12, 2016, July 19, 2016, and August 2, 2016 as presented. Motion passed 7-0.

V. **ADOPTION OF AGENDA** – Mr. Friedmann, with second by Mr. St. Germain, moved to adopt the agenda as presented. Motion passed 7-0.

VI. **FINANCIAL STATEMENTS** – *While staff normally presents financial reports at the second Council meeting every month, they are often delayed in August since we need to close the books on the previous fiscal year and prepare for the annual audit.*

VII. **CONSENT AGENDA** – *A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor*:

A. **Special Amusement Permit: Little A's** – *Possible motion* to file update status memo from Police Chief.

B. **Certification of Property Owners and Abutters Mailing Lists** – *Possible passage of a motion* to sign the certification of the mailing list used for the notice of the Town Council's August 16, 2016 public hearings on the Land Use Ordinance Amendments for November 8, 2016.

C. **Town Manager's Evaluation** – *Possible motion* to approve the format and form to use for the Town Manager's evaluation.

D. **Municipal Quit Claim Deed -** *Possible motion* to authorize the town manager to sign a quit claim deed to Ariel Bothen and Chelsea Bothen for payment of property taxes, interest, lien charges and fees.

Mr. St. Germain, with second by Mr. Barker, moved to approve the consent agenda as published. Motion passed 7-0.

VIII. **PUBLIC HEARINGS:**

A. **November 2016 Special Town Meeting: LUO Amendments –** Public hearing on proposed LUO articles and possible motion to sign Orders placing articles on Special Town Meeting Warrant for November8, 2016.

1. **Article 2 – Parking, definitions and regulatory changes**

Following Planning Director Bob Osborne's history of the creation of this amendment and the number of public hearings, the floor was open to public comment.

Donna Karlson spoke favorable to placing this article on the Town Meeting Warrant. She expressed it offers reasonable solutions such as parking decks, tools to resolve parking issues to name a just a few reasons. She complimented those who worked on drafting this amendment.

Ann Marie Quinn spoke not in favor, and expressed she support any amendment that added parking decks or parking garages.

Liz Kase agreed there is a parking problem, but not limited to visitors. The workforce is in need. She thought permitted parking was a partial solution and to explore other areas of town land for parking. She too expressed she is opposed to parking garages, especially partnering with any private owner.

Michael Good stated just Google Parking Garage and learn it's taxpayer's money for something that does not support itself. He too is opposed to a parking garage and funding.

Following a few more comments and the closing of the public hearing, Mr. St. Germain, with second by Ms. Greenlee, moved to sign the Order to place Article 2 on the ballot for a vote on November 8, 2016. Motion passed 7-0.

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.

Warrant Article

Article 2 - 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?

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

ARTICLE XII Construction and Definitions

§ 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

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 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
~~Parking garage and parking lot~~	~~b~~														
Parking garage															
Parking deck		b													
Parking lot	b	b		b						b					
~~Parking lot with 10 or fewer spaces accessory to permitted uses~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~
~~Parking lot with 10 or more spaces accessory to permitted uses~~		~~b~~		~~c, b2~~					~~c, b2~~					~~c, b2~~	
Uses or structures accessory to ~~permitted~~ legally constituted 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~~ legally constituted 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**
~~Parking garage and parking lot~~												~~b~~			
Parking garage															
Parking deck							b								
Parking lot		b					b					b			
~~Parking lot with 10 or fewer spaces accessory to permitted uses~~	~~b 12~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~		~~c~~	~~c~~	~~c~~	~~c~~
~~Parking lot with 10 or more spaces accessory to permitted uses~~		~~c, b2~~	~~b~~									~~c, b2~~			
Uses or structures accessory to ~~permitted~~ legally constituted 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~~ legally constituted uses or structures	c	c	c	c	c	c	c	c	c	c	c	c	c	c	c

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

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.*

2. **Article 3 – Parking, restoring and adding parking garages.**

Following the Planning Director's brief explanation of the history creating this amendment, and the districts affected; the public hearing was opened.

Ann Marie Quinn again, expressed her opposition to parking garages, she feels it is not appropriate for this area.

Liz Kase stated combining all districts either adding parking garage use or restoring it, makes it a messy vote. It will be a difficult vote; the article addresses different issues. Most stressed are employees trying to find parking during their work shift.

Diane Vreeland opposed the bundling of all districts pertaining to parking garages as allowable use in one article.

Martha Searchfield favored the passage of article 3 and bundling it all together. It's all area or district to allow the use. It's looking at long term solutions, it's stated in the Comprehensive Plan, and while not one solution is for all situations it's an option. She encouraged not to begin to limit areas before developing a plan or solutions.

David Bowden spoke in favor. It's tools for the Parking Solutions Task Force.

Ivan Rasmussen spoke of the rational for one article.

Joe Cough stated the Comprehensive Plan understood parking garages were an allowable use otherwise, it would read differently.

Bob Garland state the community needs to give the members of the Parking Solutions Task Force a break. They too live in this community. They are given a task. People need to understand there is a give and take. We all live here together. Hope we support their decisions and recommendations.

Donna Karlson voiced her opposition on parking garages and cost. She supports parking garage use for Jackson Lab. She's disappointed having to vote No on article 3 and disenfranchising the Lab for their future request.

Dessa Dancy questioned if parking garages can be built if 'No' on article 3. She then stated that the Lab can build a parking garage as an accessory structure in accordance with Chapter 125.

Mr. St. Germain, with second by Mr. Barker, moved to sign the Order to place Article 3 on the ballot for a vote on November 8, 2016. Motion passed 6-1(Nay: Mr. Hochman).

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.

Warrant Article

Article 3 - LAND USE ORDINANCE AMENDMENT – Parking – Shall an Ordinance dated July 6, 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"?

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.

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.*

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

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.*

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

	Educational Institution	Scientific Research
Parking garage	b	b

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.*

IX. REGULAR BUSINESS:

A. **Police Department**- *Possible motion to purchase Tasers for the patrol officers.* – Following the request from Police Chief Willis, Mr. St. Germain, with second by Mr. Barker, moved to approve the purchase of twelve tasers from Taser International through a five year purchase plan to include maintenance and warranty and fund the down payment by accepting a donation of $8,719 from the Bar Harbor Police Association, use $2,500 from Cruise Ship budget line #5359, $2,500 from Council Contingency #1036-5906 and $1902.02 from Capital Improvement account # 2145-6238. Motion passed 7-0.

B. **Treasurer's Warrant** – *Request of Treasurer to authorize paid bills.* – Mr. Friedmann, with second by Mr. St. Germain, moved to sign the Treasurer's Warrants for paid bills. Motion passed 7-0.

X. **TOWN MANAGER'S COMMENTS –** Mr. Knight reported the Cromwell Harbor bridge repair will commence September 6 and it's anticipated the road will be closed for one month. Notices will be going out. Since it is a fish passage bridge, it can only be done at a specific time of year.

XI. **COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA**

Mr. Paradis reminded Councilors of the Town Manager's performance evaluation and requested the forms be return to him by September 13th.

XII. **EXECUTIVE SESSION:** (None)

XIII. **ADJOURNMENT** – Mr. St. Germain, with second by Ms. Greenlee, moved to adjourn at 8:20 p.m. Motion passed 7-0.

_____

Patricia A. Gray, Town Clerk

V A.

Memo

To: Town Council
Cc: Cornell Knight, Town Manager
From: Patricia Gray, Town Clerk/General Assistance Administrator
Date: 08/29/16
RE: Appendixes A, B, C, and D General Assistance Ordinance Amendment

---

Annually the General Assistance Ordinance Appendixes, Chapter 102, of the Town Code is adjusted by Maine Municipal Association in conjunction with Department of Health & Human Services. This has always been in the month of October. The Appendixes to be considered are A, B, C, and D with effective dates of October 1, 2016 to September 30, 2017.

There is slight increase in Appendix A and C dealing with the overall maximum limits allowed and housing costs which is figured into the overall maximum. There is no change to the food allowance, Appendix B. Utilities, Appendix D, increased only one line by $.98 for electrically heated hot water.

Because this is a Town ordinance, mandated by the State, the process to amend the ordinance must follow Town Code. These figures are set and are based on federal and state formulas, regulations and funding. Appendix C, housing is the only one that may be amended by the municipal officers, and that is if they file a request with DHHS and follow the criteria.

Please order to schedule a public hearing for October 4, 2016 to consider adopting the amended Appendixes A, B, C, and D of the Town Code, Chapter 102, General Assistance.

Thank you for your consideration.

Pat

Introduced to Council: 9/6/16
Effective: 10/01/16

General Assistance Ordinance Amendment
Amendment of Maximum Benefit Levels
for Appendixes A, B, C, and D

Town of Bar Harbor

#2016-04

An Ordinance Amendment for the annual revision of the maximum benefit levels for Appendixes A, B, C, and D.

The Town of Bar Harbor hereby ordains that Chapter 102, General Assistancer, of the Town Code is amended as follows:

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

CHAPTER 102 – GENERAL ASSISTANCE

The Town of Bar Harbor hereby ordains that Chapter 102, General Assistance Ordinance of the Town of Bar Harbor code is hereby amended by replacing Appendixes A, B, C, and D for the period of October 1, 2016 to September 30, 2017, pursuant to 22MRSA4305 (4).

Appendix A

Effective: 10/01/16-09/30/17

****

Persons in Household	1	2	3	4	5
Hancock County	~~647~~ 653	~~733~~ 737	~~933~~ 936	~~1228~~ 1,231	~~1246~~ 1,277

*** Please Note: Add $75 for each additional person.**

****

Appendix B

Effective: 10/01/16-09/30/17
(effective date in Appendix B is the only change)

Food Maximums

Appendix C

Effective: 10/01/16-09/30/17

Hancock County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	~~112~~114	~~480~~489	~~136~~137	~~584~~590
1	~~124~~126	~~534~~543	~~154~~155	~~663~~667
2	~~161~~163	~~691~~699	~~198~~198	~~851~~853
3	~~218~~220	~~937~~948	~~263~~264	~~1,133~~1,136
4	~~218~~220	~~937~~948	~~264~~271	~~1,136~~1,166

Appendix D

Effective: 10/01/16-09/30/17

UTILITIES

ELECTRIC

****

2) Electricity Maximums for Households *With* *Electrically Heated Hot Water*: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses ***excluding*** heat:

Number in Household	Weekly	Monthly
1	$~~19.10~~20.08	$86.00
2	$23.75	$102.00
3	$27.70	$119.00
4	$32.25	$139.00
5	$37.30	$160.00
6	$41.00	$176.00

NOTE: For each additional person add $10.00 per month.

****

[end of ordinance]

Legislative History:

Proposed to Council:	*9/6/16*
Introduced:	*9/6/16*
Public Hearing:	*10/4/16*
Council Adopted:	
Effective:	*10/1/16*
Sent to State:	
Sent for codification:	

V B 1.2

Town of Bar Harbor

VI D

Memo

To: Town Council

From: Patricia Gray, Town Clerk

cc: Cornell Knight, Town Manager

Date: August 29, 2016

Re: Special Town Meeting: November 8, 2016

Consent Agenda:

In preparation of the November 2016 election, please find the Warrant for your consideration of signing and a motion to sign the Special Town Meeting Warrant for November 8, 2016 as presented. If there are any questions or concerns, please removed from the consent agenda.

The State of Maine requires the municipal clerk with approval of the municipal officers to appoint a Warden for the State election, November 8th. Please moved to confirm the appointment of Patricia Gray as Warden for the State Election November 8th.

Regular Business:

The draft Notice of the Public Hearing is also for review and requires a motion calling to set the hearing date of October 4th or 18th. Pursuant to 30A-MRSA, Council is required to hold a public hearing at least ten days prior to the election on any articles to be voted by secret ballot. Next meeting the final draft will be presented for your signatures.

Thank you,

Pat

THE WARRANT

SPECIAL TOWN MEETING – November 8, 2016

TOWN OF BAR HARBOR

STATE OF MAINE **County of Hancock, ss**

To: A Constable of the Town of Bar Harbor

Greeting:

In the name of the State of Maine you are hereby required to notify and warn the voters of the Town of Bar Harbor, in said County, qualified by law to vote in Town affairs to meet in the Municipal Building, Third Floor Auditorium in said Town on Tuesday the eighth day of November, A. D., 2016 at eight o'clock in the forenoon until eight o'clock afternoon, then and there to act on Articles numbered one through three, all of said articles being set out below to wit:

Article 1 - ELECTION OF MODERATOR - To choose a Moderator to preside at said meeting.

Article 2 - 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?

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 <u>underlined</u>.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE XII Construction and Definitions

§ 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

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 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
~~Parking garage and parking lot~~	~~b~~														
Parking garage															
Parking deck		b													
Parking lot	b	b		b						b					
~~Parking lot with 10 or fewer spaces accessory to permitted uses~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~
~~Parking lot with 10 or more spaces accessory to permitted uses~~		~~b~~		~~c, b2~~					~~c, b2~~					~~c, b2~~	
Uses or structures accessory to ~~permitted~~ legally constituted 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~~ legally constituted 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**
~~Parking garage and parking lot~~												~~b~~			
Parking garage															
Parking deck							b								
Parking lot		b					b					b			
~~Parking lot with 10 or fewer spaces accessory to permitted uses~~	~~b 12~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~	~~c~~		~~c~~	~~c~~	~~c~~	~~c~~
~~Parking lot with 10 or more spaces accessory to permitted uses~~		~~c, b2~~	~~b~~									~~c, b2~~			
Uses or structures accessory to ~~permitted~~ legally constituted 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~~ legally constituted uses or structures	c	c	c	c	c	c	c	c	c	c	c	c	c	c	c

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

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.*

Recommendations:
The 5 member Planning Board recommends adoption by a vote of 4 to 0.
The 22 member Warrant Committee recommends adoption by a vote of 11 to 3 with one abstention.

Article 3 - LAND USE ORDINANCE AMENDMENT – Parking – Shall an Ordinance dated July 6, 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"?

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.*

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.*

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

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.*

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

	Educational Institution	Scientific Research
Parking garage	b	b

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.*

Recommendations:
The 5 member Planning Board recommends adoption by a vote of 4 to 0.
The 22 member Warrant Committee recommends adoption by a vote of 15 to 0.

The Registrar of Voters will be available Monday through Friday from 8:30 a.m. to 5:00 p.m. for registration purposes through Election Day. Absentee ballots will be processed the Saturday and Monday before, November 5 & 7, 2016, from 10:00 a.m. until completed; and on Election Day every hour on the hour starting at 9:00 a.m. until 8:00 p.m. ***The last day to request an absentee ballot or to cast a ballot in person at the Municipal Building, prior to Election Day, is Thursday, November 3rd.*** The polls will be open from 8:00 a.m. until 8:00 p.m. on Tuesday, November 8, 2016 for election of the Moderator and referendum balloting.

Given under our hands this sixth day of September 2016.

Municipal Officers of the Town of Bar Harbor

_____	_____
Paul A. Paradis, Chair	Gary Friedmann, Vice Chair
_____	_____
Peter St. Germain	Anne R. Greenlee
_____	_____
Burt Barker	Matthew A. Hochman

_____

J. Clark Stivers

Attest:
A true copy_____
Town Clerk of Bar Harbor, ME

CONSTABLE'S RETURN

By virtue of the within Warrant to me directed, I have warned and notified the inhabitants of the Town of Bar Harbor to assemble at the time and place and for the purposes therein named by posting attested copy of the within Notice on the Bulletin Board, Municipal Offices, being conspicuous public place within said Town on the _____ day of _____ in the year of our Lord Two Thousand and Sixteen.

Attest:

_____
Constable of the Town of Bar Harbor

Attest:
A true copy _____
Patricia A. Gray, Town Clerk of Bar Harbor, ME

V C

MEMORANDUM

DATE: SEPTEMBER 1, 2016

TO: BAR HARBOR TOWN COUNCIL

FROM: ROBERT OSBORNE, PLANNING DIRECTOR

RE: DESIGN REVIEW BOARD PROPOSE LATER MEETING TIME

Please be advised that the Design Review Board has requested changing the time of their regular meetings from 4:00 PM to 6:00 PM. (The meetings would remain on the second and fourth Thursday of the month. The reason for the change is to accommodate current members of the Board who work off island. The Board has suggested the change might help attract new members as well. (The Board currently has two vacant positions). The Board has checked with Stan Short who has indicated that he would be available at that time to capture video for the meetings.

VI A

Cornell Knight

From: Timothy Fleck <tim@mdi-episcopal.org>
Sent: Friday, August 26, 2016 2:55 PM
To: pparadis@barharbormaine.gov; cknight@barharbormaine.gov
Cc: gary@garyfriedmann.com; Rob Levin
Subject: Proposed Resolution for September 6 meeting
Attachments: Day of Reflection Resolution.docx

Paul, Cornell,

St. Saviour is collaborating with COA, the Abbe Museum, the Jesup Library, The YWCA, and Bar Harbor Congregational Church to offer a Community Gathering of Remembrance and Reflection on September 11 at 4:00 PM at St. Saviour.

Gary Friedman has generously agreed to sponsor the attached resolution expressing the Town Council's support for the gathering, and declaring September 11 a Day of Remembrance and Reflection in Bar Harbor. I would be gratified if you could include it in the agenda for your September 6 meeting.

Please don't hesitate to call me if you have any questions.

Thank you!

The Rev. Timothy R. Fleck
ST. SAVIOUR EPISCOPAL CHURCH Bar Harbor (207) 288-4215
PARISH OF ST. ANDREW AND ST. JOHN Southwest Harbor (207) 244-3229
Mobile (207) 812-8362

Resolution
Of The
Bar Harbor Town Council
'To Proclaim a Day of Remembrance and Reflection'

Whereas: The events of September 11, 2001, were a watershed in American History, as well as a turning point in relations among religious, ethnic, political and other groups in the United States and the world; and

Whereas: Recent events in our nation and our world have demonstrated that prejudice, suspicion, violence and hatred continue to poison relationships among such groups; and

Whereas: Individuals and organizations in Bar Harbor are working together to commemorate the fifteenth anniversary of September 11 with a community Gathering of Remembrance and Reflection at four o'clock in the afternoon at St. Saviour's Church;

Therefore, be it Resolved: That the Bar Harbor Town Council commends this Gathering of Remembrance and Reflection; and be it further

Resolved: That September 11, 2016, be proclaimed a Day of Remembrance and Reflection in Bar Harbor.

Given under our hands this sixth day of September 2016.

Municipal Officers of the Town of Bar Harbor

Paul A. Paradis, Chair	Gary Friedmann, Vice Chair
Peter St. Germain	Anne R. Greenlee
Burt O. Barker	Matthew A. Hochman

J. Clark Stivers

VI. B

Memo

To: Cornell Knight, Town Manager

From: Chip Reeves, Public Works Director

Date: August 29, 2016

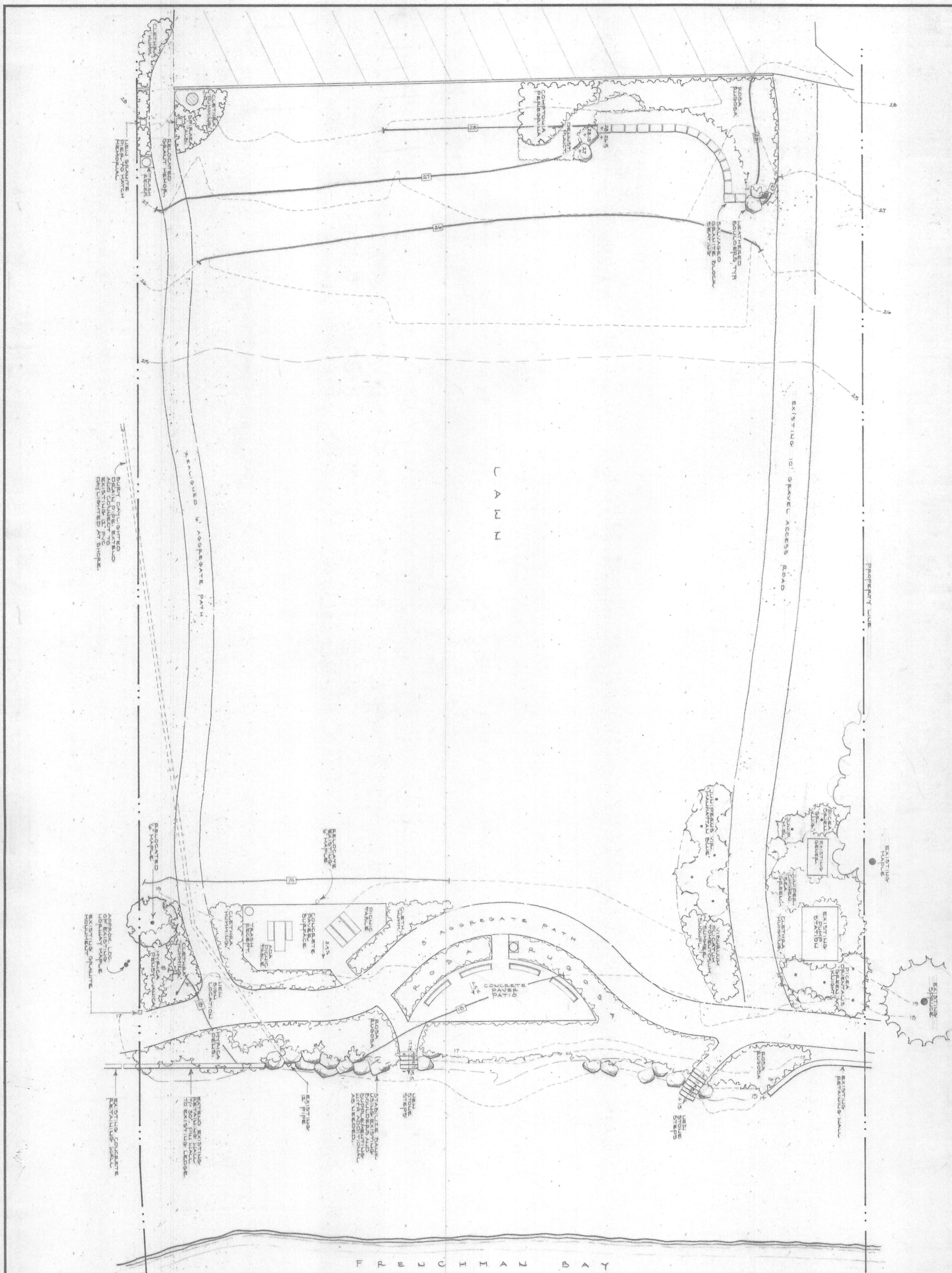
Re: Grant Park

Please find attached the final design for the above referenced project.

At the Parks and Recreation Committee's meeting on August 15, 2016, they unanimously recommended approval of the design.

If the Council so chooses, an appropriate motion might be "to approve the design dated 3/21/13 with the latest revision date of 8/9/16 and put the project out to bid."

Please call with questions.



Landscape Plan

Scale: 1"=10'

Drawn By: SS
Date: 03/22/13
Revisions:
4/3/13
5/30/13
5/31/13
7/5/14
8/9/16

GRANT PARK

Bar Harbor, Maine

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VI C.

Patricia Gray

To: Cornell Knight
Subject: RE: Agenda Item for Sept 6 Council Meeting

From: gary@garyfriedmann.com [mailto:gary@garyfriedmann.com]
Sent: Friday, August 26, 2016 12:49 PM
To: pparadis@barharbormaine.gov
Cc: cknight@barharbormaine.gov
Subject: Agenda Item for Sept 6 Council Meeting

Hi Paul & Cornell:

The attached article from the *Maine Townsman* drives home the opportunities that other towns have taken advantage of to team with businesses to cut energy costs.

I'd like to propose that the Council commit to fiscal resilience (saving money and stabilizing future energy costs) and environmental sustainability by:

- Utilizing the EPA's Energy Star Portfolio Manager to identify potential building efficiency investments that would save taxpayers money and reduce emissions.
- Setting best practices for energy efficiency with a goal of net-zero energy impact for all new construction and renovation projects, starting with the Transfer Station.

Would you please put this on the agenda, including the attached article, for the next Council Meeting?
Thank you,
Gary

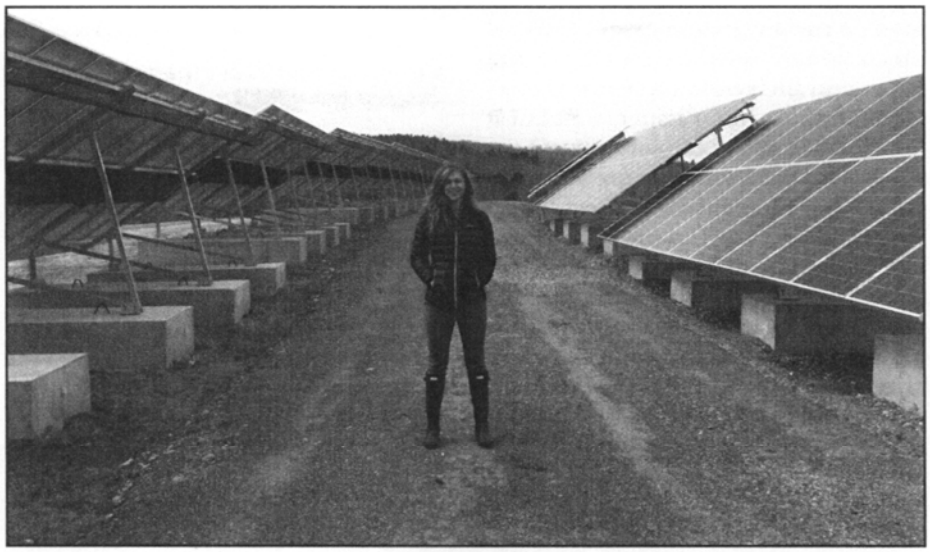
Gary Friedmann
Vice Chair, Bar Harbor Town Council
7 Pine Street
Bar Harbor, ME 04609
207-460-7362

Local energy projects are moving full steam ahead

From Sanford to Vinalhaven, Lewiston-Auburn to Monhegan, cities and towns are teaming with private businesses to produce electricity and cut energy costs.

By Garrett Corbin, Legislative Advocate, State & Federal Relations, MMA

With careful research and planning, several Maine municipalities are giving the green light to a variety of energy generation or intensive efficiency projects that go a step beyond traditional energy conservation programs. This article presents a snapshot of a few of those projects, some of which are being implemented entirely by the town or city while others involve significant public-private partnerships. The sources of energy run the gamut, including wind, solar, gas production and gas co-generation, with each community finding creative ways to use their available assets.



Sadie Lloyd of Belfast with her town's solar project. *(Submitted photo)*

Geo-thermal with a twist

A new version of the geo-thermal heating and cooling system is coming on line in some communities' wastewater treatment plants. To help reduce the heavy electricity demands of wastewater treatment and other associated costs, both the Town of Freeport and the City of Saco have installed "effluent thermal" systems. The septage and wastewater running through those treatment plants holds a consistent year-round temperature of about 50-52 degrees Fahrenheit. When coupled with units that capture heat exhaust, effluent thermal pumps take advantage of that constancy of temperature to heat municipal building in the winter and cool them in the summer in a manner akin to how geothermal heat pumps use the earth's temperature for the same purpose.

Wind power

Although wind power may come to mind when considering energy production possibilities, to date there are no municipally owned or operated wind farms in Maine. The closest a community has come is on the islands of North Haven and Vinalhaven, which host one of Maine's half-dozen customer-owned utility cooperatives. The Fox Islands Cooperative has been in existence since 1974, and in 2009 took a big step in the direction of clean energy when it installed three wind turbines at a cost of $14.5 million. Each turbine produces up to 1.5 megawatts for a total of 4.5 megawatts of electricity, more than the residents and businesses on the two islands consume, allowing excess output to be sold to Central Maine Power via the Cooperative's undersea power cable.

Solar energy

In the private sector, solar PV panels are being installed all over the state, whether on a residential garage, unutilized farmland throughout Aroostook and Kennebec counties, North Berwick's Olde Woolen Mill (the first project built using the Maine State Historic Rehabilitation Tax Credit Act of 2008), Dover-Foxcroft's Mayo Mill, across the former Loring Airforce Base in Limestone, or as part of the Madison Electric Company's efforts to lower rates. The same holds true locally in the public sector.

Solar panels have been installed on schools, wastewater treatment plants,

AT THE MMA CONVENTION

The topic of cutting-edge energy projects will be explored at MMA's 80th Annual Convention, on Wednesday, Oct. 5 starting at 10:30 a.m. The 2016 convention will be held at Bangor's Cross Insurance Center.

vation and efficiency measures such as indoor and outdoor lighting, the city explored energy production options, specifically investigating payback figures and timeframes. After securing council approval, by December of that year 180 255-watt solar PV modules were online atop the Belfast Fire Station.

The 45.9 kilowatts of power produced offsets the fire station's electricity usage, accounting for between 3-4 percent of Belfast's total municipal electric usage. The $150,000 project cost was footed by ReVision Energy, which benefitted from federal tax credit incentives that would not have been available to the municipality. In exchange, Belfast agreed to purchase the electricity generated by the panels for six years (the duration of the tax incentives) at a rate lower than the city's current electric costs. At the end of that term, the city will be able to purchase the array and would no longer need to pay ReVision for the panels' electricity.

To Belfast Assistant Planner Sadie Lloyd, this "Power Purchase Agreement," or PPA, arrangement is the way to go. The fire station PPA was so successful that it led to discussions in 2015 to replicate the project on a larger basis at the city's capped landfill. That project was underway in a matter of months, going online on the last day of last year and becoming the first solar array to be installed on a capped landfill in Maine.

With the 396 PV panel, 122 kilowatt landfill array in operation, Belfast now expects up to 20 percent of its municipal electric bill to be offset, potentially in-house should the city choose to purchase these arrays in six years. The chief municipal investment to get the landfill installation underway included attorney contract review charges, some state regulatory fees and staff time. Proximity to existing utility transmission lines and a lack of abutter concerns helped the project move forward smoothly. Even with a relatively long payback period of 14 years, the Energy Committee and City Council decided to stand behind the project as offering long-term benefits given this array's minimum expected lifespan of forty years and the projected increased cost of grid-sourced electricity over that timeframe.

For municipalities with significant energy consumption, Lloyd sees little reason not to work out public-private partnership in the form of a PPA when solar installers are interested. The cost of PV panels has been cut in half over the past five years and continues to drop. By her estimate, at least four additional municipalities would be moving forward with landfill solar array installations right now had this year's legislation that would have incentivized Maine's solar industry been enacted.

These systems do require careful planning and consideration, but after the math is worked out the decision, as far as Lloyd is concerned, becomes easy: "For a municipality to give stability to its budget is a huge benefit that is otherwise hard to come by."

City of Sanford

In 2012, a non-profit requested assistance from the City of Sanford in developing a small solar array large enough to pay for that entity's electric use. New market tax credits and the federal "EB-5 visa" program offered some financing options, but the state net metering policy seemed the most applicable way to facilitate this partnership venture. Maine's net metering law, however, has a cap of 660 kilowatts which prevented the project from going forward. When new legislation that would have assisted Sanford's venture stalled, Sanford's Manager Steven Buck found a new angle in state regulations.

On a larger scale, Buck discovered,

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town halls, public works garages, libraries, or other municipal buildings in dozens of communities from the state's biggest cities down to towns with just under 1,000 residents, like Montville. These projects all produce several kilowatts of electricity that help reduce their buildings' reliance on electricity from the regional grid network, and some even sell excess electricity back to the grid.

New developments in Belfast and Sanford are going where no Maine municipality has gone before, installing large scale arrays that will produce megawatts of power on unused properties in the form of a capped landfill or former runway, respectively. Several other communities are looking to follow suit in their own way. For instance, last month Caribou issued a Request For Qualifications for solar panel development on a ten-acre tax-acquired parcel and Lincolnville's Select Board voted to direct its Town Administrator to prepare an RFP for a municipal solar project that would explore placing panels on a variety of buildings including its sand/salt storage shed as well as the bandstand and pier near the municipal beach. At the time of publication, Portland and South Portland's councils are slated to consider this month a proposal to move forward on a joint project that would add solar arrays to their capped landfills as well.

Sanford officials tout their city's ground-breaking facility. *(Photo by Garrett Corbin)*

City of Belfast

Two years ago, the relatively substantial cost of fuel for municipal office buildings became a concern to the Belfast Council. In the fall of 2014, the council appointed a City Energy Committee tasked with investigating cost-effective ways to reduce the amount of energy the city uses and its consumption of fossil fuels. The committee is comprised of city staff, two councilors, and residents with significant professional experience in the energy field. In addition to targeting energy conser-

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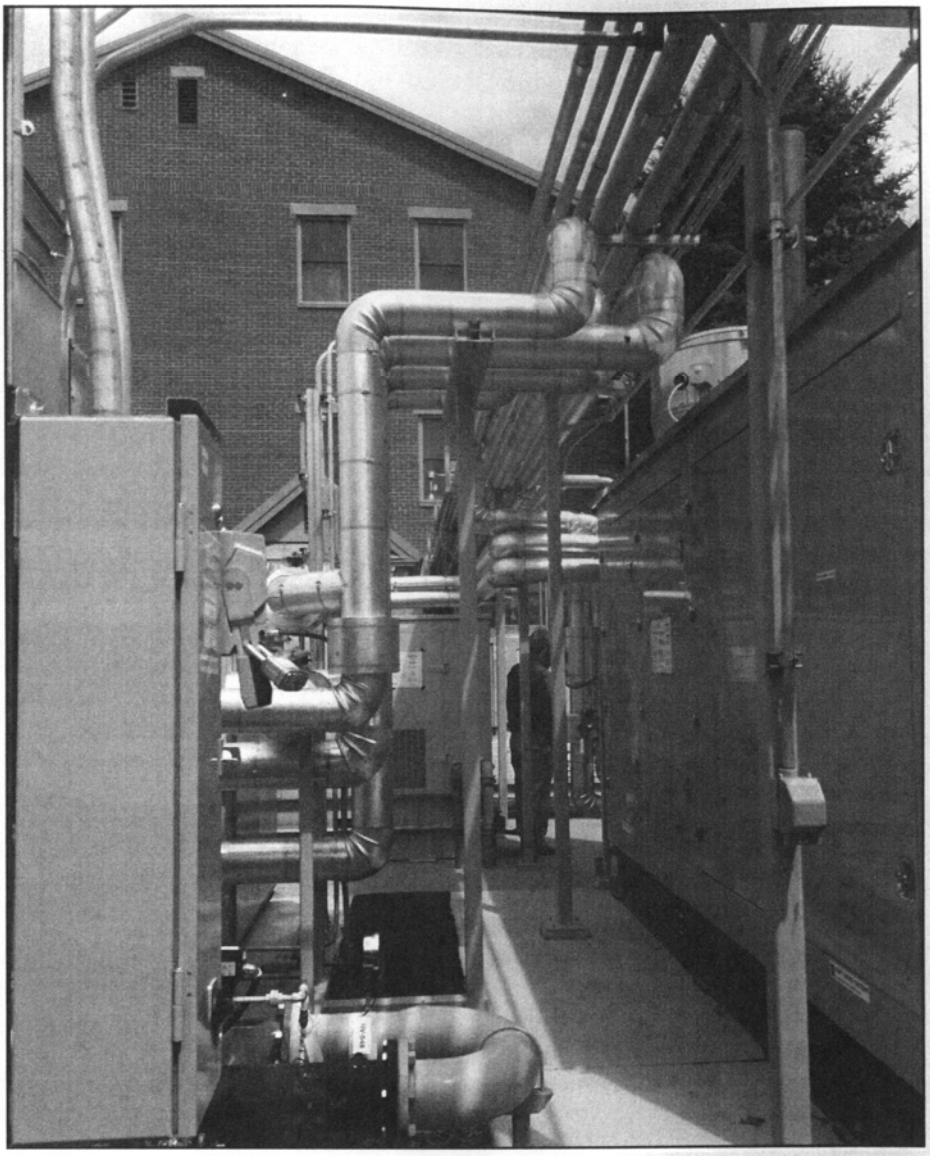
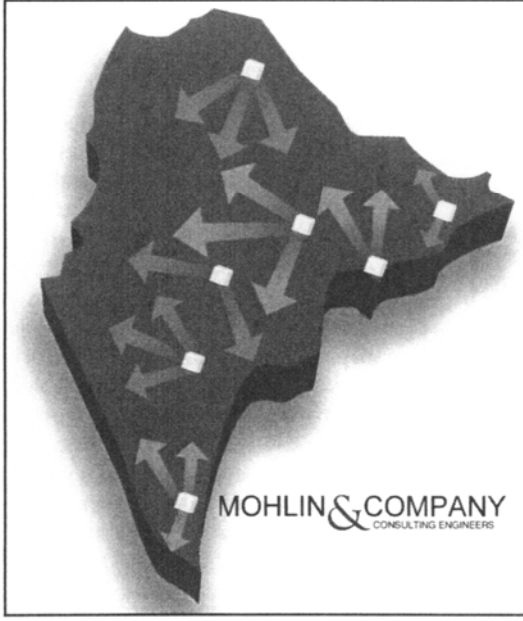
the rules for connecting to the regional energy grid are well established and project feasibility hinges more on market projections than statutory authority. The city identified three factors that made a "utility-scale" public-private partnership viable in this instance: federal solar investment tax credits (ITC's) available to developers in combination with local PPA's like the kind used in Belfast; federal renewable energy pricing credits; and, the utility scale itself, whereby solar power produced on the order of 20 megawatts or greater becomes more economically competitive against its alternatives.

As in Belfast, few local concerns were aired relating to Sanford's proposal. The city had already made energy development one of its top three "Prime Initiative" priorities (alongside transportation and communications/broadband infrastructure improvements), and officials had been searching for ways to better utilize large, municipally owned non-income producing properties like landfills and brownfields. The acreage on these properties in Sanford was too small to accommodate utility scale arrays, but it turned out an unused parcel at the Sanford Seacoast Regional Airport that had previously been developed for aeronautical purposes was a perfect candidate.

The airport's 226 base acres of flat exposed runway happen to be situated in a "weather banana" which long-term weather patterns make conducive to solar power generation. With this in



Scarborough's Tri-Gen units. *(Photo by Garrett Corbin)*



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mind, Sanford entered into a Memorandum of Agreement with Ranger Solar, a Yarmouth-based company that developed the proposal from scratch. After securing land lease agreements and all necessary permits by the end of this year, the project will begin construction in the spring of 2017 – a year ahead of initial targets.

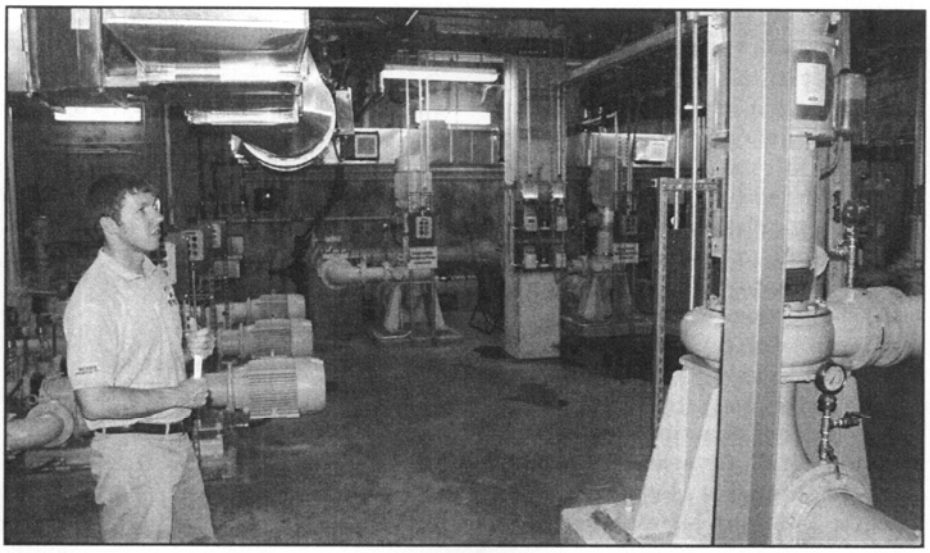
The runway will host 176,000 solar PV panels producing 50 megawatts of power, the country's largest airport installation. That output will be enough to provide for the electricity needs of more than 8,000 of Sanford's 9,700 households, and the additional land lease revenues will eliminate the need to raise property tax dollars for the support of airport operations. In the short term, 94 full-time construction jobs are being created and nine full-time operation jobs will remain after completion. Moreover, Sanford can anticipate an increase in taxable personal property revenues from the arrays themselves as well as spurred economic development resulting from favorable private-to-private PPA's between Ranger Solar and local businesses.

The cost of this development includes a $29 million investment by Ranger Solar which covers all aspects of the normal development process, including survey work, appraisals, and leasing. In exchange, Sanford granted Ranger Solar airport-specific lease option terms and committed to clearing all regulatory hurdles surrounding the airport with the FAA and Department of Defense (necessary as the runway was formerly owned by the Navy). Sanford's share of the project included a serious commitment of staff time by Airport Manager Allison Rogers – her new Airport Master Plan addressing the project's siting was over 400 pages when submitted to the FAA.

In the end, Sanford officials and Ranger Solar have little doubt the effort will be worth it. To Buck, the moral of the story is that "there are multiple ways to derive an economic benefit from an appropriately structured public-private clean power partnership." State support for net-metering undoubtedly helps, but municipal endeavors need not be knee-capped by the state caps.

Gas co-generation

The final type of major energy production initiative underway in municipalities uses gas to create both electricity and heating or cooling. In Lewiston and Auburn, an anaerobic digestion system is producing gas that is used in this way. Both capped landfills, like the one in Belfast, and active landfills hold similar potential. They contain decomposing organic materials that produce methane gas which can be used as an energy source on its own, or as a substitute for piped liquefied natural gas. The City of Augusta is currently studying at a staff level how to harness the gas produced within its Hatch Hill landfill. In Monhegan and Scarborough, so-called combined generation facilities are extracting serious bang for their buck from purchased diesel and natural gas.



Travis Peaslee of the Lewiston-Auburn WPCA. *(Photo by Garrett Corbin)*

Lewiston Auburn Water Pollution Control Authority

As part of its long-range planning efforts, the Lewiston Auburn Water Pollution Control Authority (LAWPCA) identified anaerobic digestion as a promising option.

The digestion project started as a point of discussion in the later part of 2008, with the LAWPCA board of directors approving a feasibility study in 2009 and preliminary designs completed by January of 2010. The board of directors chose to hire the international firm Arcadis during the spring of 2010 to conduct a value engineering study on the project preliminary design. Once the study found significant savings that were incorporated in its design, the project received support from both the Lewiston and Auburn city councils in October 2010. Final design was completed in June of 2011 and the project advertised for bidding later that month.

By the spring of 2013, construction had ended and both anaerobic digesters began producing gas. In July 2013, LAWPCA's two engine units were fired on biogas and began producing electricity, going online about a year after the state's first private digester was up and running on Stonyvale Farm in Exeter, and well in advance of the second private digester starting up at Brunswick Landing this spring.

The major components of the project consist of two 65-foot diameter mesophilic digesters, a 50-foot diameter digested sludge holding tank with a flexible 30,000 cubic foot gas containment membrane, two 230 kilowatt reciprocating engine generator sets, and a standby gas flare. A number of pumps, heat exchangers, gas cleaning equipment systems and other appurtenances are also needed.

On average, LAWPCA pumps 50,000 gallons of municipal thickened waste to the digesters each day. In the absence of oxygen and kept between 95-98 degrees Fahrenheit, the anaerobic bacteria break down complex compounds into simpler acids that get broken down by another group of organisms (methanogens) which convert the acid to methane. The byproduct of the thickened waste break down is carbon dioxide, water and methane, along with the digested solids. The solids are dewatered and either composted or brought to area farms to be used as soil amendment. The gas is treated

and used to fuel the two 230 kilowatt engines and/or two boilers. The solids being sent to the digesters return in half their initial volume, sharply reducing the facility's waste disposal obligations. Additionally, LAWPCA had to add lime in order to meet pathogen reduction standards. That is no longer necessary due to the natural pathogen reduction that occurs during the anaerobic digestion process.

To capitalize the project, LAWPCA borrowed nearly $15 million for a 20-year term from the State Revolving Loan Fund at an interest rate of 1 percent. Significant assistance was also provided through a grant of $330,000 from the Efficiency Maine Trust to mitigate the $817,000 cogeneration engine generator costs. The state-federal wastewater revolving loan program also provided significant (5.96%) principal forgiveness. The payback period is estimated to be between 15 and 17 years.

According to LAWPCA's Assistant Superintendent Travis Peaslee, permitting did not prove too difficult. The Lewiston planning committee and both Lewiston and Auburn councils were supportive in light of the lack of additional cost to ratepayers and taxpayers. While the digestion facility was somewhat new territory for the Maine Department of Environmental Protection, they were able to work with LAWPCA in way that allowed the project to move forward in a timely manner. On the other side of this coin, applying for an EPA air permit that was required for the engines took Peaslee into new territory given, as he put it, "we are water people."

After installation, something of a surprise came in finding that during low wastewater flows, nights, and weekends the plant was producing more power than needed onsite. LAWPCA therefore began net metering with CMP in order to fully utilize its equipment capacity. The facility now receives compensation for the power it exports, although the payback is modest.

With this investment, over 35,000 domestic ratepayers and 23 industrial users in Lewiston and Auburn are saving between $800,000 and $1 million per year while creating additional capacity at both the plant and nearby compost facility. Future biosolids disposal costs, which are projected to

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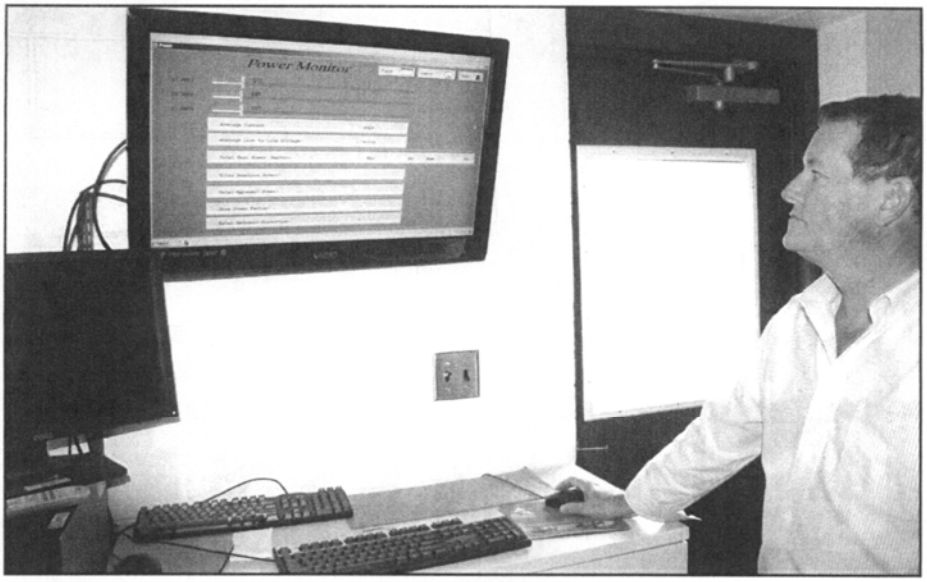


Howard Carter monitors effluent thermal system. *(Photo by Garrett Corbin)*

increase as landfill capacity becomes more limited, are also substantially reduced, as are the plant's electrical and heating costs and the eliminated expense for lime treatment.

Monhegan and Scarborough

A streamlined version of the type of engine utilized at LAWPCA got up and running in the Town of Scarborough, and another version is on the cusp of becoming operational on the island of Monhegan as this article goes to print. Unlike the LAWPCA facility, these municipalities will not use gas produced "in-house" to power their innovative combined generation system, which is also known as "co-generation," "co-gen," "tri-gen," and "combined heat and power."

Rather, these systems work by taking the single energy input of gas or diesel fuel and converting it to electricity, which produces a "waste" product of heat or steam that can be used for thermal purposes, effectively extracting another product to increase the return on investment. For fuel, Monhegan will use diesel while Scarborough taps into nearby liquefied natural gas lines, allowing each municipality to reduce their carbon footprints and cut costs. If the cost of these fuel supplies surge in the future, co-gen operations have the potential to switch to biofuels, which are derived from contemporary organic sources like corn and food waste rather than oil and gas fossil fuels.

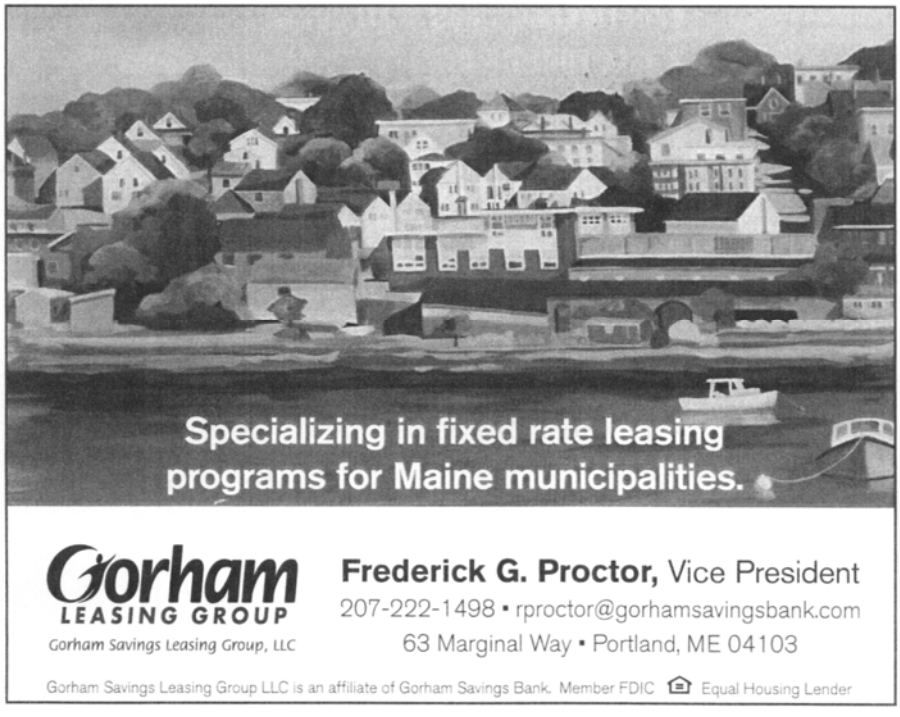
Scarborough's ante was $825,000, $216,000 of which became offset by an Efficiency Maine grant. Before the check was cut, Scarborough's local Energy Committee devoted a decade to planning that resulted in the creation of a town Comprehensive Energy Plan in 2011. Subsequent small forays into solar and wind power on or near municipal buildings tested the waters, leading to the decision to install the co-generation system.

To Scarborough Manager Tom Hall, it made sense to replace six aging oil boilers with three efficient gas-fired units, trimming maintenance needs along the way. "Our Tri-Gen units not only mitigate electrical charges, they provide our municipal buildings with heat in the winter and cooling during these hot summer months as well." Another benefit is that the work, other than construction of the units themselves, was all Maine-based. An energy service company based in Scarborough, Self-Gen Inc., designed the system, Pittsfield-based Cianbro constructed the mechanical and electrical aspects of the installation and Portland-based Woodard & Curran managed the overall engineering and grant administration.

In its tight four to 4.5-year payback period, all of the electricity used by the Scarborough Town Hall, all of the winter heating, and 80 percent of the summer cooling will be produced in the engine unit, coolant tower, and water piping systems that have been integrated right into the Town Hall building itself. Some excess electricity will reduce the load at other municipal facilities via net metering.

Partnerships

If any of these projects seem beyond your municipality's means, keep in mind that many involved public-private partnerships. Should the financials not work for private sector assistance in your town, expanding the economy of scale of your endeavor by collaborating with neighboring communities may also be explored. ■



VI b.

NOTICE of PUBLIC HEARING
TOWN OF BAR HARBOR

STATE OF MAINE **County of Hancock, ss**

To: A Constable of the Town of Bar Harbor

Greeting:

In the name of the State of Maine you are hereby required to notify and warn the inhabitants of the Town of Bar Harbor that the Bar Harbor Town Council will hold a public hearing in the Council Chambers, third floor, Municipal Building on Tuesday, the xxxxx of October, in the year of our Lord Two Thousand and Sixteen at seven o'clock in the afternoon then and there to hear public comment on the following articles placed on the written ballot of the Special Town Meeting to be held on Tuesday, the eighth of November 2016:

Article 2 - 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?

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

ARTICLE XII Construction and Definitions

§ 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

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 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
~~Parking garage and parking lot~~	~~b~~														
Parking garage															
Parking deck		b													
Parking lot	b	b		b						b					
~~Parking lot with 10 or fewer spaces accessory to permitted uses~~	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e
~~Parking lot with 10 or more spaces accessory to permitted uses~~		~~b~~		~~e, b2~~					~~e, b2~~					~~e, b2~~	
Uses or structures accessory to ~~permitted~~ legally constituted 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~~ legally constituted 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**
~~Parking garage and parking lot~~												~~b~~			
Parking garage															
Parking deck							b								
Parking lot		b					b					b			
~~Parking lot with 10 or fewer spaces accessory to permitted uses~~	~~b 12~~	e	e	e	e	e	e	e	e	e		e	e	e	e
~~Parking lot with 10 or more spaces accessory to permitted uses~~		~~e, b2~~	~~b~~									~~e, b2~~			
Uses or structures accessory to ~~permitted~~ legally constituted 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~~ legally constituted uses or structures	c	c	c	c	c	c	c	c	c	c	c	c	c	c	c

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

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.*

Recommendations:
The 5 member Planning Board recommends adoption by a vote of 4 to 0.
The 22 member Warrant Committee recommends rejection by a vote of 11 to 3 with one abstention.

Article 3 - LAND USE ORDINANCE AMENDMENT – Parking – Shall an Ordinance dated July 6, 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"?

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.*

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.*

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

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.*

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

	Educational Institution	**Scientific Research**
Parking garage	b	b

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.*

Recommendations:
The 5 member Planning Board recommends adoption by a vote of 4 to 0.
The 22 member Warrant Committee recommends rejection by a vote of 15 to 0.

Given under our hands this twentieth day of September 2016.

Municipal Officers of the Town of Bar Harbor

Paul A. Paradis, Chair	Gary Friedmann, Vice Chair
Peter St. Germain	Anne R. Greenlee
Burt Barker	Matthew A. Hochman

J. Clark Stivers

Attest:
A true copy_____
Town Clerk of Bar Harbor, ME

CONSTABLE'S RETURN

By virtue of the within Warrant to me directed, I have warned and notified the inhabitants of the Town of Bar Harbor to assemble at the time and place and for the purposes therein named by posting attested copy of the within Notice on the Bulletin Board, Municipal Offices, being conspicuous public place within said Town on the _____ day of _____ in the year of our Lord Two Thousand and Sixteen.

Attest:

_____
Constable of the Town of Bar Harbor

Attest:
A true copy _____
Patricia A. Gray, Town Clerk of Bar Harbor, ME

MUNICIPAL OFFICERS' RETURN

Pursuant to 30-A MRSA 2528(5) we have notified the inhabitants of the Town Bar Harbor of a public hearing, to be held at the time and place and for the purposes therein named by posting attested copy of the within Notice on the Bulletin Board, Municipal Building, being conspicuous public place within said Town on the _____day of _____ in the year of our Lord Two Thousand and Sixteen, being at least seven days before the hearing.

Given under our hands this twentieth day of September 2016.

Municipal Officers of the Town of Bar Harbor

_____ _____

Paul A. Paradis, Chair Gary Friedmann, Vice Chair

_____ _____

Peter St. Germain Anne R. Greenlee

_____ _____

Burt Barker Matthew A. Hochman

_____

J. Clark Stivers

Attest: A true copy _____
Patricia A. Gray, Town Clerk of Bar Harbor, ME