PLANNING BOARD

PACKET OF MATERIALS

MEETING NOVEMBER 2, 2016

__X__ Cover page with date

__X__ Agenda

_____ Minutes for approval

__X__ Applications

__X__ Supporting Documents

Agenda
Bar Harbor Planning Board
Wednesday, November 2, 2016
Council Chambers- Municipal Building
93 Cottage Street
6:00 P.M.

I. CALL TO ORDER

II. ADOPTION OF THE AGENDA

III. EXCUSED ABSENCES

IV. APPROVAL OF MINUTES (October 26, 2016)

V. REGULAR BUSINESS

a. **Public Hearing- Subdivision/Site Plan Application – SD-2016-04–** Acadia Park Company
Project Location: 134 Main Street, Bar Harbor Tax Map 104, Lot 504-000
Applicant: Acadia Park Company (David Woodside)
Application: The applicant is proposing demolition of an existing commercial building and construction of a mixed use commercial retail and multi-family dwelling (4 units), a two-story building with a 3,976 sq. ft. footprint.

b. **Completeness Review- Site Plan Application – SP-2016-06 –** Acadia Inn
Project Location: 98 Eden Street, Bar Harbor Tax Map 101, Lot 012-000
Applicant: ADC Enterprises, LLC (Michael Roix)
Application: The applicant is proposing to construct the Acadia Inn breakfast room, a one-story, 600 square foot addition to the existing Inn and relocated parking spaces.

c. **Land Use Ordinance amendment update.**

VI. OTHER BUSINESS

Pending Applications (CU) Mount Desert Street, LLC (68 Mount Desert Street)

VII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

VIII. ADJOURNMENT

TOWN OF BAR HARBOR
PLANNING BOARD

93 Cottage Street, Suite I
Bar Harbor, Maine 04609-1400
Tel. 207-288-3329 Fax 207-288-3032

DECISION

Date: October 28, 2016
Application: – SD-2016-04– Acadia Park
Project Location: 134 Main Street, Bar Harbor Tax Map 104, Lot 504-000
Applicant: Acadia Park Company, (David Woodside)
Application: The applicant is proposing demolition of an existing commercial building and construction of a mixed use commercial retail and multi-family dwelling (4 units), a two-story building with a 3,976 sq. ft. footprint.
Zoning District: in a Downtown Village I district.
Permitted Use: Hotel

To the Code Enforcement Officer:

Under the authority and requirements of the Land Use Ordinance Article V, Section 125-61. F, at the properly noticed public hearing on September 7, 2016, by a motion duly made and seconded, it was voted to approve the noted application.

This approval is based upon the following submitted plans:

1. "First Floor Plan", exhibit 01, dated September 21, 2016 and prepared by Todd D. Hardy, Licensed Architect.
2. "2nd Floor Plan", exhibit 02, dated September 21, 2016 and prepared by Todd D. Hardy, Licensed Architect.
3. "Site Plan", exhibit 03, dated September 21, 2016 and prepared by Todd D. Hardy, Licensed Architect.
4. "Basement Plan", exhibit 04, dated September 21, 2016 and prepared by Todd D. Hardy, Professional Architect.
5. "Main Street Elevation", exhibit 05, dated September 21, 2016 and prepared by Todd D. Hardy, Professional Architect.

6. "Main Street Perspective", exhibit 06, dated September 21, 2016 and prepared by Todd D. Hardy, Professional Architect.
7. "Subdivision for Pine and Palm", exhibit (not stated), dated October 4, 2016 and prepared by Thomas W. Benson, PLS.

This approval is based upon the following FINDINGS AND CONCLUSIONS OF LAW:

1. Based on the documents received, this application meets the requirements under the Land Use Ordinance Article V.
2. Based on the documents received, and accepting the work of the professionals who have prepared the documents, this application meets the requirements of Section 125-55 Nonconforming Structures as found below:
   a. The Board finds that the site is located in the Downtown Village I district and that no nonconforming structures are proposed.
3. Based on the documents received, and accepting the work of the professionals who have prepared the documents, this application meets the requirements of Section 125-68 Shoreland Standards as found below:
   a. No portion of the lot is within a shoreland area.
4. Based upon the documents received, and accepting the work of the professionals who have prepared the documents, this application meets the requirements of Section 125-67 as found below:
   a. The Board finds the use of the property for retail use and multi-family I are permitted uses in the Downtown Village I district.
   b. The Board finds that the development will meet the minimum lot standards for the Downtown Village I district.
   c. The Board finds that the proposed structure shall meet the maximum height requirements for the Downtown Village I district.
   d. The Board finds that the development will meet the requisite parking standards.
   e. The Board finds that the development will meet the minimum parking areas and driveways standards.
   f. The Board finds that the minimum loading requirements are met as a loading berth is provided.
   g. The Board finds that the development will meet the streets, sidewalks and access standards.
   h. The Board finds that the development will meet the buffering and screening standards.
   i. The Board finds that the development will meet the water standard.
   j. The Board finds that the municipal water standard is met for this project.
   k. The Board finds that the development will meet the groundwater standards.

l. The Board finds that the development will meet the stormwater management standards.
m. The Board finds that the development will meet the municipal sewer facilities standard.
n. The Board finds that the sewage waste disposal standards are not applicable.
o. The Board finds that the development is located in an area where the soils are not rated severe or very severe for the proposed activity.
p. The Board finds that the development will meet the landscaping requirements.
q. The Board finds that the development will not cause unreasonable soil erosion.
r. The Board finds that the development is not located within a flood prone area.
s. The Board finds that the development will not result in undue air pollution.
t. The Board finds that the refuse disposal standards are met with this application.
u. The Board finds that the dangerous and hazardous materials and wastes standards are not applicable to this application.
v. The Board finds that no vibration will be transmitted outside the proposed development.
w. The Board finds that there are no significant spawning grounds or wildlife habitat located on this property.
x. The Board finds that there are no rare and irreplaceable natural areas located on this property.
y. The Board finds that the development will not cause radiant heat to be perceptible beyond the proposed development.
z. The Board finds that the development will meet the lighting standards.
aa. The Board finds that the proposed development will comply with the Bar Harbor Noise Ordinance.
bb. The Board finds that the development will meet the sign standards.
cc. The Board finds that the development does not include the outdoor storage of materials.
dd. The Board finds that the development will meet the utilities standard.
ee. The Board finds that the development will not cause an unreasonable burden on the Municipal Fire Department. **SEE CONDITION # 2.**
ff. The Board finds that the development conforms to the Comprehensive Plan.
gg. The Board finds that the applicant meets the financial and technical capacity standard.
hh. The Board finds that there is no registered farmland in Bar Harbor.
ii. The Board finds that the Town is able to provide municipal services to the proposed development.

jj. The Board finds that there are no known violations of the Bar Harbor Land Use Ordinance.
kk. The Board finds that the legal documents standard is not applicable to the proposed development.
ll. The Board finds that the site does not contain any historic and archaeological resources.
mm. The Board finds that the utilization of the site standard is not applicable to the proposed development.
nn. The Board finds that there are no natural features of interest located on the property.

Conditions of Approval:

1. Issuance of the Building Permit shall be subject to and consistent with the Certificate of Appropriateness issued by the Design Review Board.
2. Prior to the issuance of a building permit, the applicant must obtain Fire Marshal approval for the project

The applicant is advised of the following:

1. No modifications shall be made to this approval including changes to the plans, accompanying documents, and conditions without a review for a modification under the requirements in Section 125-88 of the Land Use Ordinance.
2. This permit does not relieve the applicant from any other local, state or federal permits that may be required for this proposed development.
3. Please refer to Article VIII for standards conditions that will be applied to the construction of this project. No performance bonds are required.
4. Building permits are required for this project.
5. There is an appeal period for any interested party of 30 days to appeal this decision of the Planning Board. It is the risk of the applicant to commence construction during this period.
6. Violations of any conditions placed upon this approval are subject to enforcement per Article IX, Section 125-100 B of the Land Use Ordinance.

*Signed as **approved**:*

Thomas St. Germain, Chair
Planning Board, Town of Bar Harbor

Date

Appeals of this decision may be made to the Board of Appeals pursuant to section 125-103 of the Bar Harbor Land Use Ordinance within 30 days of this date of this decision.

MEMORANDUM

DATE: OCTOBER 28, 2016

TO: **BAR HARBOR PLANNING BOARD**

FROM: ROBERT OSBORNE, PLANNING DIRECTOR

RE: **ACADIA INN COMPLETENESS REVIEW**

The purpose of this memorandum is to evaluate the completeness of the Site Plan application for the Acadia Inn commercial project. The site is located at 98 Eden Street in the Bar Harbor Gateway district.

E. Completeness review for major site plan.

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

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

Technical assistance fee. The site plan proposes to construct the Acadia Inn breakfast room, a one-story, 600 square foot addition to the existing Inn and relocated parking spaces. Staff is not recommending that a technical assistance fee be required.

Completeness of application. The application is generally complete. The site plan itself is clear as it relates to the relationship of the proposed building and the neighboring properties within 200 feet of the site. The application provides information regarding lot coverage, lot size, lot dimensions, distance between buildings. Applicant has provided deed and boundary survey. The site is outside the 100 year flood plain. The application provide a cost estimate. An analysis of parking is provided.

No Design Review Board Certificate of Appropriateness is required at this location.

Waiver of submission requirements. Applicant has requested a number of waivers, most of which, are for items not applicable to this site plan. Applicant is requesting waiver of: 3B. purchase and sale agreement because they own the property outright; 4A-E. non-applicable legal documents; 5A-C non-applicable permits; 6D. non-applicable schools capacity statement; 7A-I. non-applicable utilities design plans; 7.1 A-E. non-applicable design approvals for state and local agencies; 9G-K non-applicable subdivision information and S-Z non-applicable environmental information and BB-GG non-applicable fire and open space information and JJ – KK non-applicable subdivision related site plan submissions; 11.. Non-applicable landscaping and buffering submissions; 12. Non-applicable street, sidewalk and access plan submissions; 13. Non-applicable E911 submissions; 15. Non-applicable subsurface wastewater disposal details; 16. Non-applicable groundwater (extraction) submissions; 19. Non-applicable Solid and Hazardous Waste submissions, 21. Non-applicable lighting plans; 22. Sign submissions, 23. Traffic Impact submissions, 24. C-D non-applicable Technical and Financial Capacity submissions and 26. A-F Non-applicable mining submissions. Staff supports the request for waivers of these non-applicable issues without question.

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

Possible motion for finding of completeness. A motion could be made that the ADC Enterprises, LLC Acadia Inn site plan application is complete and should proceed to public hearing to be set for December 7, 2016.

LETTER OF AUTHORIZATION

RECEIVED
OCT 13 2016
TO
PLANNING DEPARTMENT

I/WE DAVID WITHAM

the owner(s) of property located at 99 EDEN ST

and Bar Harbor Tax Map _____, Block _____, Lot _____, do hereby authorize

(print name) MIKE ROIX telephone number 207.922.0303

to act as my/our general agent in obtaining any and all permits and permissions for activities on the above referenced property relating to my/our application for

CONTINENTAL BREAKFAST ROOM AT ACADIA INN

Signed, [signature]

DAVID C WITHAM 10/13/16 603 436 4933

Print name Date Telephone number

BAR HARBOR PLANNING BOARD

APPLICATION FOR SITEPLAN

(as described by Article V of the Bar Harbor Land Use Ordinance)

APPLICATION # SP-2014-04 DATE 10/5/14

FEE $ 1141.00 MAP 101 LOT 12 USE

APPLICANT :

Name MICHAEL ROIX

Address 119 EDEN STREET

BAR HARBOR, MAINE 04609

Telephone (207) 922-0303

Email MIKE@withamhotels.com

OWNER :

Name ADC ENTERPRISES, LLC

Address 215 HIGH STREET

ELLSWORTH, MAINE 04605

Telephone (207) 664-1641

Email

PROJECT REPRESENTATIVES:

Name MICHAEL ROIX DAVID C. WITHAM

Address 119 EDEN STREET

BAR HARBOR MAINE 04609

Telephone (207) 922-0303

Email

BAR HARBOR PLANNING BOARD

APPLICATION FOR SITEPLAN

(as described by Article V of the Bar Harbor Land Use Ordinance)

Please provide a complete written summary that accurately describes the project for which you seek approval (attach additional pages if necessary) :

SEE SECTION 1 PROPOSED USE

CERTIFICATION:

This application and all information submitted are true and correct to the best of our knowledge. If approval is granted, all work executed shall be performed in strict conformance with the approved application, conditions imposed by the Bar Harbor Planning Board and the Bar Harbor Land Use Ordinance. **Permission is hereby granted to the Bar Harbor Code Enforcement Officer, or his/her designee, to enter and have access to the subject property at all times during and immediately upon completion of construction to ensure compliance with the approved application and the Bar Harbor Land Use Ordinance.** Failure to grant such access shall result in the immediate issuance of a stop work order.

It is understood that no application shall be deemed pending until and unless it has been certified as complete by the Bar Harbor Planning Board, that the Planning Board shall not conduct substantive review, a review of the application to determine whether is complies with the standards set forth in the Bar Harbor Land Use Ordinance, until the application has been deemed complete. It is further understood that neither the submission or review of, nor public comments a about a pre-application sketch plan, nor the conduct of a site inspection shall be construed to be a substantive review of the proposed development.

Applicant — Date: 10-13-16

Owner — Date: 10.13.16

Acadia Inn
Continental Breakfast Room

October 6, 2016

Dear Planning Board Members,

We come before the Board seeking approval for a 24' x 24', one story addition to function as a new Continental Breakfast Room for the Acadia Inn in Bar Harbor.

This property has undergone considerable improvements to the rooms over the past few years. We would like to now address the most glaring deficiency the property is currently facing and that is an undersized and poorly functioning Continental Breakfast area that was originally designed when guests were content with a cup of coffee and a donut. Those days are over.

This proposed new space will go a long ways towards helping the property achieve its improvement goals.

The proposed structure will be nestled in the rear corner of the two wings. The new footprint will occupy an area that was recently permitted and converted to an outdoor patio area. The plan also calls for relocating two parking spaces to the front of the building and converting these two spaces into a small patio area just off of the proposed new room. The impact on site conditions will be minimal at the proposed location.

We look forward to the opportunity to present this project before your Board in the upcoming month.

Sincerely,

David C. Witham
Witham Family Hotels, Representative

Section 1

SITE PLAN APPLICATION / CHECKLIST

Application Number: SP-2016-04 Applicant Name Acadia LLC
Map 101 Lot 12 Date: 10/5/16 Time: 1pm
Department Official A. Chamberlain Permitted Use Add. to Hotel
R. Osborne

BAR HARBOR PLANNING DEPARTMENT
SITE PLAN/SUBDIVISION APPLICATION CHECKLIST

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

By its nature, this form is merely a summary of applicable sections of the Bar Harbor Land Use Ordinance. It is not intended to replace the ordinance and does not relieve the applicant of the obligation to read the ordinance and to be in compliance with the terms.
The applicant is advised that the ordinance contains additional details and performance standards and should be consulted by the applicant in preparing a complete application

PREAPPLICATION MEETING held on 10/5/16

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

		Exhibit	Waiver
5. PERMITS			
A	[_] Army Corps of Engineers		✓
B	[_] Maine D.E.P.		✓
C	[_] Other		✓
6. STATEMENTS OF CAPACITY & DESIGN			
A	[_] Police - **STAFF PROVIDED**	✓	
B	[_] Public Works - Solid Waste; Storm Water: Street, and Recreation - **STAFF PROVIDED**	✓	
C	[_] Sewer - **STAFF PROVIDED**	✓	
D	[_] Schools & Busing		✓
E	[_] Water - **STAFF PROVIDED**	✓	
7. DESIGN PLANS			
A	[_] Public Water Supply		✓
B	[_] Central Private Water Supply		
C	[_] Individual Wells		
D	[_] Fire Hydrants, Dry Hydrants, and Fire Ponds		
E	[ ] Public Sewer		
F	[_] Central Subsurface Wastewater System		
G	[_] Shared Subsurface Wastewater System		
H	[_] Stormwater Disposal System		
I	[_] All Other Utilities, incl. Gas, Electricity, and Cable Television		✓
7.1 DESIGN APPROVAL by State & Local Agencies			
A	[_] Central Water Supply (D.H.S.)		✓
B	[_] Individual Wells (D.H.S.)		
C	[_] Central Subsurface Sewage Disposal (D.H.S.)		
D	[_] Waste Water Discharge (D.E.P.)		
E	[_] Curb Cut (M.D.O.T. and/or Bar Harbor Public Work Dept)		
MAPS & PLANS			
8. Location Map	(Location indicated on a USGS 7.5 minute map)		
	[_] Magnetic North	✓	
	[_] Plan Preparation Date		
	[_] Graphic Scale		
	[_] Owner & Applicant Name/Address		
	[_] Designer, Surveyor, Engineer		
	[_] Name of each Municipality in which the development is located		
	[_] Tax Map & Lot Number(s)		
	[_] Land Use District(s)		

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

[__] Magnetic North
[__] Plan Preparation Date
[__] Graphic Scale
[__] Owner & Applicant Name/Address
[__] Designer, Surveyor, Engineer
[__] Name of each Municipality in which the development is located

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

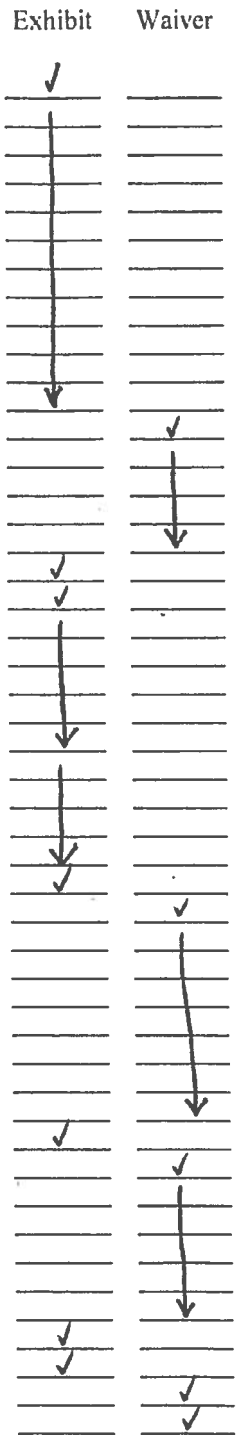


			Exhibit	Waiver
10.	[__]	**Medium Density Soil Survey -STAFF PROVIDED**	✓	
11. LANDSCAPING, BUFFERING & SCREENING PLAN - EXISTING & PROPOSED				✓
	[__]	Magnetic North		
	[__]	Plan Preparation Date		
	[__]	Graphic Scale		
	[__]	Owner & Applicant Name/Address		
	[__]	Designer, Surveyor, Engineer		
	[__]	Tax Map & Lot Number(s)		
	[__]	Land Use District(s)		
	[__]	Name of each Municipality in which the development is located		
A	[__]	Botanical & Common Names		
B	[__]	Plant Locations & Size		
C	[__]	Installation Schedule		
D	[__]	Maintenance Plan		
E	[__]	Vegetation Clearing Limits		
F	[__]	Tree (8+" d.b.h.) Locations		
12. STREET, SIDEWALK & ACCESS PLAN				✓
		Construction Drawings Showing a Plan View, Profile, and Typical Cross Section of the following within 300' at 50' Intervals		
A	[__]	Drainage Scheme at all Intersections Existing/Proposed		
B	[__]	Intersections of Proposed Streets with Existing Streets		
C	[__]	Access - Roadway/R.O.W. with Edge of Payment, Shoulders, Sidewalks and Curbs		
D	[__]	Drainage Feature - Type, Size, Profile, Cross Section, and Inverts		
E	[__]	Horizontal & Vertical Curve Data		
F	[__]	Intersections - Turning Radii		
G	[__]	Centerline Grade		
H	[__]	Bearing, Distance, Tangent, Radii for All Street Lines		
I	[__]	Location, Dimension, Grade, Radii of Accel and Decel Lanes		
J	[__]	Design Details for Street Improvements		
K	[__]	Travel Direction		
L	[__]	Crosswalk Locations		
M	[__]	Street Names		
13. E-911				✓
	[__]	Street Name Certification by Addressing Officer		
14. PHOTOGRAPHS		(All pictures must be labeled with a description)		
A	[__]	Town's Aerial Photograph	✓	
B	[__]	Pictorial of Site from Public Ways. Site Location (N,S,E,W)		
	[__]	Existing Improvements within 200'		
	[__]	Existing Vegetation within 200'		
	[__]	Other Physical and Natural Features within 200'		
15. SUBSURFACE WASTEWATER DISPOSAL				✓
A	[__]	HHE 200 Forms		
B	[__]	Cumulative Impact Assessment		✓

			Exhibit	Waiver
16. GROUNDWATER - to be extracted				
A	[__]	Use Assessment - Daily, Monthly, & Annual Rate		✓
B	[__]	**Hydrogeological Impact Study If Required** (pg. 41)		
	[__]	Basic Soils		
	[__]	Water Table Depth		
	[__]	Groundwater Quality - Existing		
	[__]	Groundwater Resources Impact		
	[__]	Groundwater Quality Projections		
17. EROSION & SEDIMENTATION PLAN				
	[__]	Erosion & Sedimentation Control Plan	✓	
18. FIRE PROTECTION				
A	[__]	**Statement from Bar Harbor Fire Chief - <u>STAFF PROVIDED</u>**	✓	
	[__]	Development Impact on Fire Protection Service		
	[__]	Approval of Hydrant and Fire Pond Locations		
	[__]	Approval of Access Plans		
	[__]	Life Safety Codes (NFPA 101) Certification		
B	[__]	State Fire Marshall's Office Preliminary Approval	✓	✓
19. SOLID & HAZARDOUS WASTE				
A	[__]	**Description, Amount and Nature Of Solid and/or Hazardous Waste**		✓
	[__]	Copy Of Applicable Fed & State Regs for Spec. & Hazardous Wastes		
	[__]	Copy Of Applicable Fed & State Permits for Spec. & Hazardous Wastes		
	[__]	Method of Transport, Storage, Disposal and Material Handling		
20. BUILDING PLANS & ELEVATIONS				
	[__]	Magnetic North	✓	
	[__]	Plan Preparation Date		
	[__]	Graphic Scale		
	[__]	Owner & Applicant Name/Address		
	[__]	Designer, Surveyor, Engineer		
	[__]	Tax Map & Lot Number(s)		
	[__]	Land Use District(s)		
	[__]	Name of each Municipality in which the development is located		
A	[__]	Floor Plans for All Levels of All Structures		
B	[__]	All Elevations Indicating Height -Proposed Exterior Materials and Colors		
C	[__]	Proposed Use of All Floors		
D	[__]	Seating Capacity - Restaurants only		
21. LIGHTING PLAN				
A	[__]	Exterior Lighting Details Existing & Proposed		✓
B	[__]	Types of Fixture with Manufacturer' Specifications Sheets		
C	[__]	Radius of Intensity of Illumination		
22. SIGNS				
	[__]	Design Details Existing & Proposed		✓
23. TRAFFIC IMPACT				
	[__]	**10+ Lot/Units or 100+ Trips Per Day**		✓
	[__]	Trip Estimates - Amount & Type - Day & Peak Hours		
	[__]	Engineering Impact Analysis		

			Exhibit	Waiver
24. TECHNICAL & FINANCIAL CAPACITY				
A	[__]	Cost Estimate	✓	
B	[__]	Financing Arrangements	✓	
C	[__]	Curriculum Vita of Each Professional Assoc With Project		✓
D	[__]	Descriptions of Similar Project by Developer		✓
25. BUSINESS OPERATIONS				
A	[__]	Operating Statement & Mitigation Plan	✓	
B	[__]	Employment & Operation Hours Projections	↓	
C	[__]	Operator Information (if not owner)	↓	
26. MINING				
A	[__]	D.E.P. Permit where Applicable		✓
B	[__]	Extraction Plan		↓
C	[__]	Restoration Plan		↓
D	[__]	Performance Guarantee for Restoration Plan		↓
E	[__]	Washing Operation Plans		↓
F	[__]	Evidence of Insurance		↓

Proposed Use

The use for the new structure will be a Continental Breakfast Room to service motel guest of the Acadia Inn only. This space will contain a seating area only. If a demand arises the hotel would use the space for small groups of guest who want to hold a function such as a birthday party. The space would not be rented out other than to guests staying at the hotel. We would suspect at most the space would be used for other uses twice a month. Just outside of the new room will be a small patio area for a couple table and chairs.

Town Access Authorization Letter

October 6, 2015

This letter hereby grants officials of the Town of Bar Harbor access to the Acadia Inn in Bar Harbor in order to carry out their duties.

Sincerely,

David C. Witham
Witham Family Hotels Representative

Section 2

FEES PAID

Planning Pay Slip

Map: 101 Lot: 12

Owner: ADC Enterprises, LLC
~~William Family Limited~~

Planning:

Type	Code	App. #	Amount
SP/MSP	SITEPL	SP 2016-06	$1141.00
SD/MSD	PLSUBR		
DRB	REVBD		
AB	APPLBD		
CURB (escrov	ESCROW		
CURB (revent	CURBRV		
Cond Use			
TAX MAPS	MAPS		
ALL COPIES	PLTAPE		

MISCELLANEOUS PAYMENT RECPT#: 330137
TOWN OF BAR HARBOR
93 COTTAGE STREET
BAR HARBOR ME 04609

DATE: 10/13/16 TIME: 13:35
CLERK: timickler DEPT:
CUSTOMER#: 0

PARCEL: 101-012-000

CHG: SITEPL SITE PLAN REVIE 1141.00

AMOUNT PAID: 1141.00

PAID BY: ADC ENTERPRISES LLC
PAYMENT METH: CHECK
3152

REFERENCE:

AMT TENDERED: 1141.00
AMT APPLIED: 1141.00
CHANGE: .00

Section 3

TITLE & INTEREST

Note:
Waiver requested for Section 3.B.

QUITCLAIM DEED WITH COVENANT

DAVID J. WITHAM, having a mailing address of 77 Hanover Street, Unit 4, Portsmouth, New Hampshire 03801, for consideration paid, **GRANTS** to **A D C ENTERPRISES LLC**, a Maine limited liability company having a mailing address of 385 High Street, Suite B, Ellsworth, Maine 04605, with **QUITCLAIM COVENANT**, two (2) certain lots or parcels of land, together with the buildings and any improvements thereon, situated in Bar Harbor, Hancock County, Maine, more particularly described in **EXHIBIT A** attached hereto and incorporated herein.

WITNESS his hand this 4 day of Dec, 2012.

David J Witham

David J. Witham

STATE OF Mississippi
COUNTY OF Lamar

December 5, 2012

Personally appeared before me the above-named David J. Witham and acknowledged the above instrument to be his free act and deed.

Sue S. Waldoff

Notary Public

Sue S. Waldoff

Printed Name

My commission expires:

Jan. 27, 2013

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 92171 SUE S. WALDOFF Commission Expires Jan. 27, 2013 LAMAR COUNTY

Section 4

LEGAL DOCUMENTS

Waiver requested for Section 4.

Section 5

PERMITS

Waiver requested for Section 5.

Section 6

STATEMENTS OF CAPACITY & DESIGN

Note:
Waiver requested for Section 6.D.

Section 7

DESIGN PLANS

Note:
Waiver requested for Section 7.

Section 7.1

DESIGN APPROVAL

Waiver requested for Section 7.1.

Sections 8 & 9

MAPS & PLANS

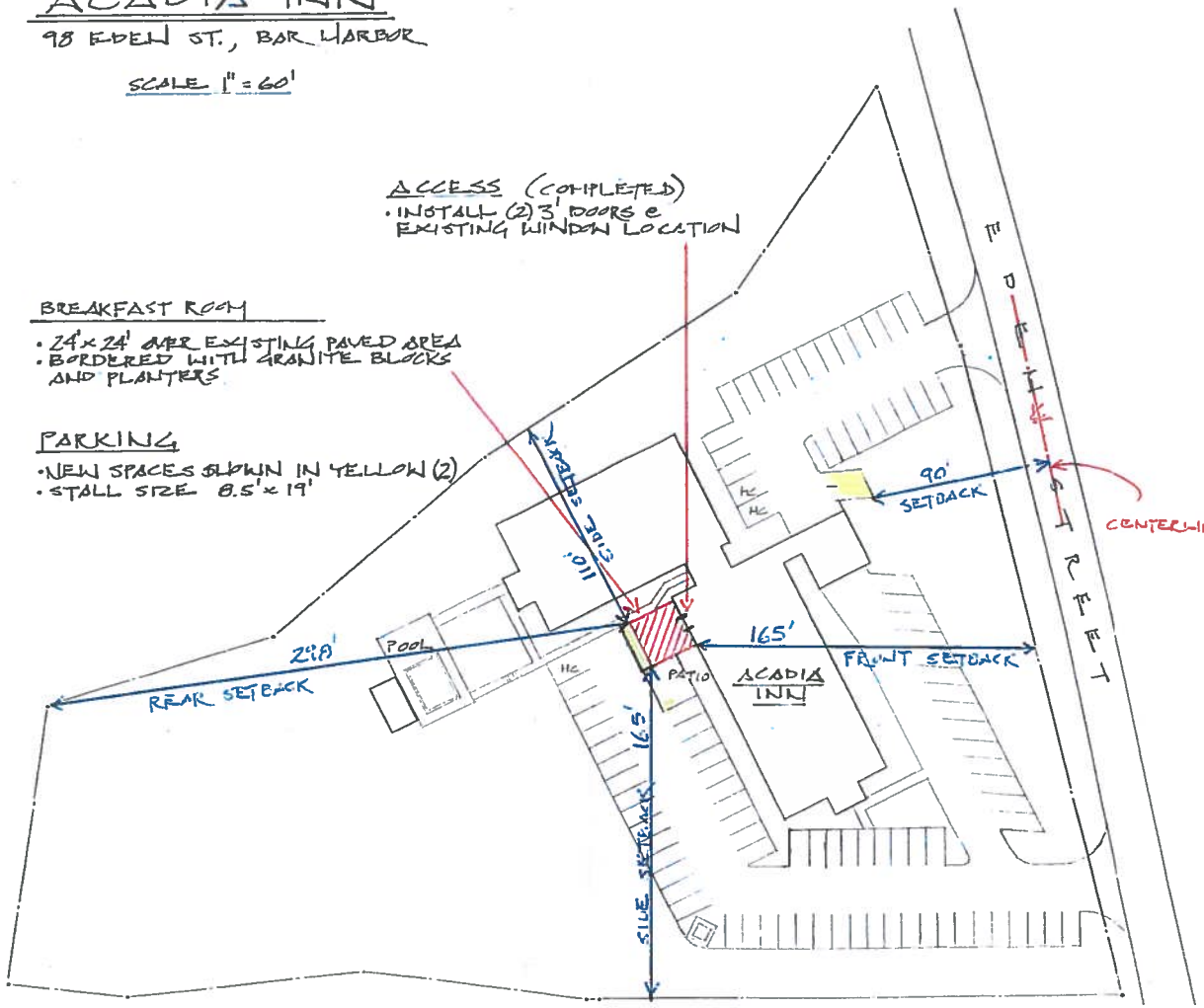
Notes:
Waivers requested for Sections 9.gthru 9.K, Sections 9.S thru 9.Z, Sections 9.BB thru 9.GG, and Sections 9.JJ thru 9.KK.

The original hotel project was approved by the Bar Harbor Planning Board back in 1995. Since that time there have been only a few minor improvements to the exterior of the property including a swing set, small bocce court, and the conversion of three parking spaces to a patio. With that said we respectfully submit the original approved plan to satisfy many of the requirements of this section. We have also submitted an overlay plan that clearly depicts the proposed addition.

ACADIA INN

98 EDEN ST., BAR HARBOR

SCALE 1" = 60'



PARKING

• REQUIRED	95
• EXISTING	95
• PROPOSED	95

LOT COVERAGE

• ALLOWED	50%
• EXISTING	27.9%
• PROPOSED	28.8%

SITE PLAN

ACADIA INN

BREAKFAST ROOM ADDITION

98 EDEN STREET BAR HARBOR MAINE

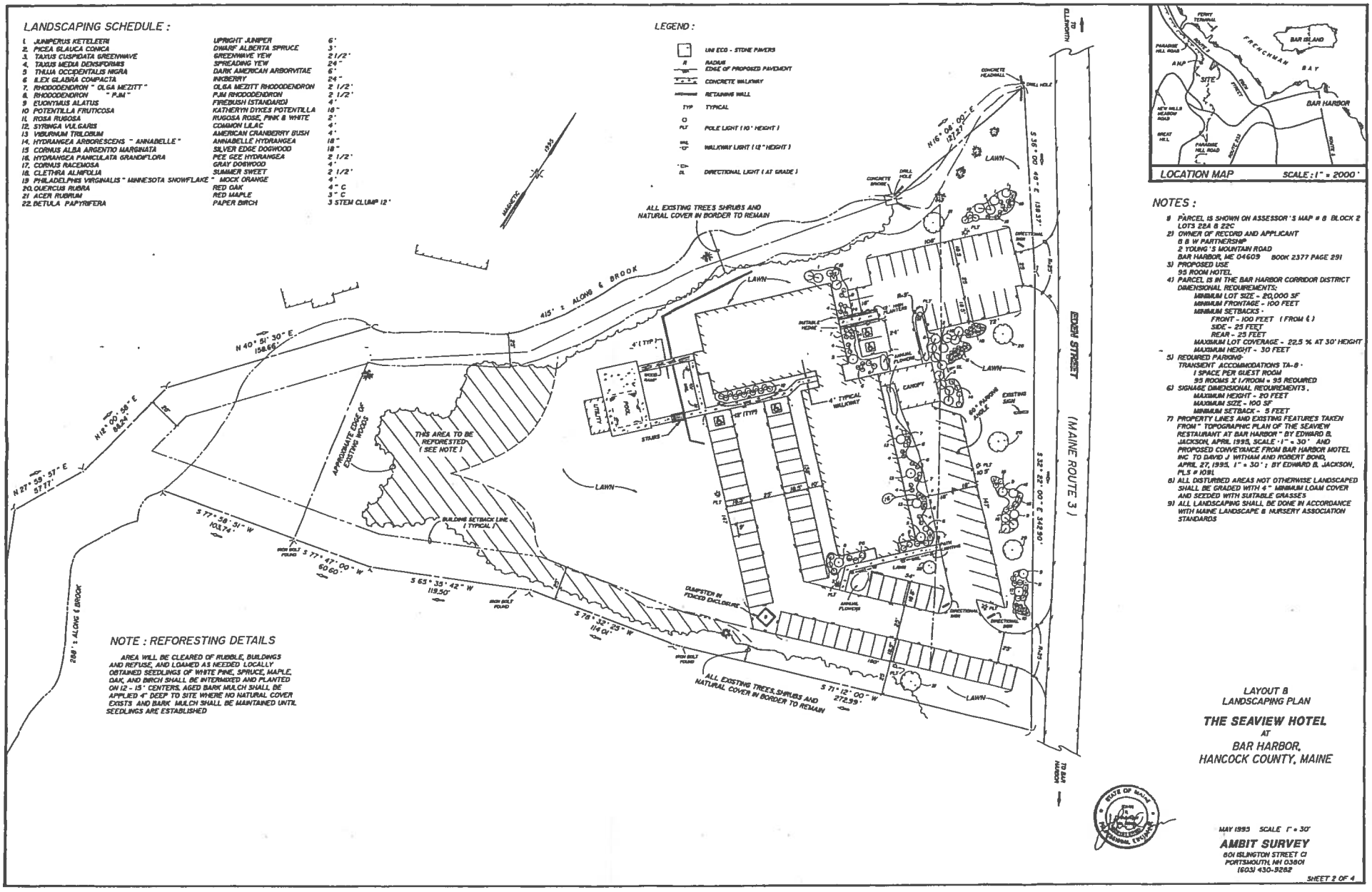
September 21, 2016

LANDSCAPING SCHEDULE :

1. JUNIPERUS KETELEERI	UPRIGHT JUNIPER	6'
2. PICEA GLAUCA CONICA	DWARF ALBERTA SPRUCE	3'
3. TAXUS CUSPIDATA GREENWAVE	GREENWAVE YEW	2 1/2'
4. TAXUS MEDIA DENSIFORMIS	SPREADING YEW	24"
5. THUJA OCCIDENTALIS NIGRA	DARK AMERICAN ARBORVITAE	6'
6. ILEX GLABRA COMPACTA	INKBERRY	24"
7. RHODODENDRON " OLGA MEZITT "	OLGA MEZITT RHODODENDRON	2 1/2'
8. RHODODENDRON " P.J.M "	PJM RHODODENDRON	2 1/2'
9. EUONYMUS ALATUS	FIREBUSH (STANDARD)	4'
10. POTENTILLA FRUTICOSA	KATHERYN DYKES POTENTILLA	18"
11. ROSA RUGOSA	RUGOSA ROSE, PINK & WHITE	2'
12. SYRINGA VULGARIS	COMMON LILAC	4'
13. VIBURNUM TRILOBUM	AMERICAN CRANBERRY BUSH	4'
14. HYDRANGEA ARBORESCENS " ANNABELLE "	ANNABELLE HYDRANGEA	18"
15. CORNUS ALBA ARGENTIO MARGINATA	SILVER EDGE DOGWOOD	18"
16. HYDRANGEA PANICULATA GRANDIFLORA	PEE GEE HYDRANGEA	2 1/2'
17. CORNUS RACEMOSA	GRAY DOGWOOD	4'
18. CLETHRA ALNIFOLIA	SUMMER SWEET	2 1/2'
19. PHILADELPHUS VIRGINALIS " MINNESOTA SNOWFLAKE "	MOCK ORANGE	4'
20. QUERCUS RUBRA	RED OAK	4" C
21. ACER RUBRUM	RED MAPLE	3" C
22. BETULA PAPYRIFERA	PAPER BIRCH	3 STEM CLUMP 12'

LEGEND :

- UNI ECO - STONE PAVERS
- R — RADIUS EDGE OF PROPOSED PAVEMENT
- CONCRETE WALKWAY
- RETAINING WALL
- TYP — TYPICAL
- PLT — POLE LIGHT (10' HEIGHT)
- WAL-G — WALKWAY LIGHT (12" HEIGHT)
- D — DIRECTIONAL LIGHT (AT GRADE)



NOTE : REFORESTING DETAILS

AREA WILL BE CLEARED OF RUBBLE, BUILDINGS AND REFUSE, AND LOAMED AS NEEDED LOCALLY OBTAINED SEEDLINGS OF WHITE PINE, SPRUCE, MAPLE, OAK, AND BIRCH SHALL BE INTERMIXED AND PLANTED ON 12 - 15' CENTERS. AGED BARK MULCH SHALL BE APPLIED 4" DEEP TO SITE WHERE NO NATURAL COVER EXISTS AND BARK MULCH SHALL BE MAINTAINED UNTIL SEEDLINGS ARE ESTABLISHED

LOCATION MAP SCALE : 1" = 2000'

NOTES :

1) PARCEL IS SHOWN ON ASSESSOR'S MAP # 8 BLOCK 2 LOTS 22A & 22C
2) OWNER OF RECORD AND APPLICANT
   G & W PARTNERSHIP
   2 YOUNG'S MOUNTAIN ROAD
   BAR HARBOR, ME 04609 BOOK 2377 PAGE 291
3) PROPOSED USE
   95 ROOM HOTEL
4) PARCEL IS IN THE BAR HARBOR CORRIDOR DISTRICT
   DIMENSIONAL REQUIREMENTS:
   MINIMUM LOT SIZE - 20,000 SF
   MINIMUM FRONTAGE - 100 FEET
   MINIMUM SETBACKS -
   FRONT - 100 FEET (FROM ℄)
   SIDE - 25 FEET
   REAR - 25 FEET
   MAXIMUM LOT COVERAGE - 22.5 % AT 30' HEIGHT
   MAXIMUM HEIGHT - 30 FEET
5) REQUIRED PARKING-
   TRANSIENT ACCOMMODATIONS TA-8 -
   1 SPACE PER GUEST ROOM
   95 ROOMS X 1/ROOM = 95 REQUIRED
6) SIGNAGE DIMENSIONAL REQUIREMENTS.
   MAXIMUM HEIGHT - 20 FEET
   MAXIMUM SIZE - 100 SF
   MINIMUM SETBACK - 5 FEET
7) PROPERTY LINES AND EXISTING FEATURES TAKEN FROM " TOPOGRAPHIC PLAN OF THE SEAVIEW RESTAURANT AT BAR HARBOR " BY EDWARD B. JACKSON, APRIL 1995, SCALE 1" = 30' AND PROPOSED CONVEYANCE FROM BAR HARBOR MOTEL INC TO DAVID J WITHAM AND ROBERT BOND, APRIL 27, 1995, 1" = 30' ; BY EDWARD B. JACKSON, PLS # 1091
8) ALL DISTURBED AREAS NOT OTHERWISE LANDSCAPED SHALL BE GRADED WITH 4" MINIMUM LOAM COVER AND SEEDED WITH SUITABLE GRASSES
9) ALL LANDSCAPING SHALL BE DONE IN ACCORDANCE WITH MAINE LANDSCAPE & NURSERY ASSOCIATION STANDARDS

LAYOUT & LANDSCAPING PLAN

THE SEAVIEW HOTEL

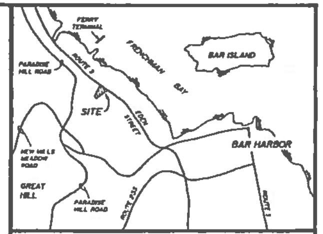
AT

BAR HARBOR, HANCOCK COUNTY, MAINE

STATE OF MAINE — JOHN E. CHISHOLM — 1339 — REGISTERED LAND SURVEYOR — FARMINGTON, MAINE

MAY 1995 SCALE 1" = 30'

AMBIT SURVEY
601 ISLINGTON STREET CI
PORTSMOUTH, NH 03801
(603) 430-9282



LOCATION MAP SCALE : 1" = 2000'

NOTES :

1) DATUM IS ASSUMED
REFERENCE BENCHMARK
SPIKE IN POLE (NORTH) ELEVATION 100.55
SPIKE IN POLE (SOUTH) ELEVATION 102.76
CONTOUR INTERVAL IS 1' - 0"

2) CONTRACTOR SHALL NOTIFY DIG SAFE (1-800-225-4977) AT LEAST 72 HOURS BEFORE ANY EXCAVATION ON PUBLIC PROPERTY.
UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED.

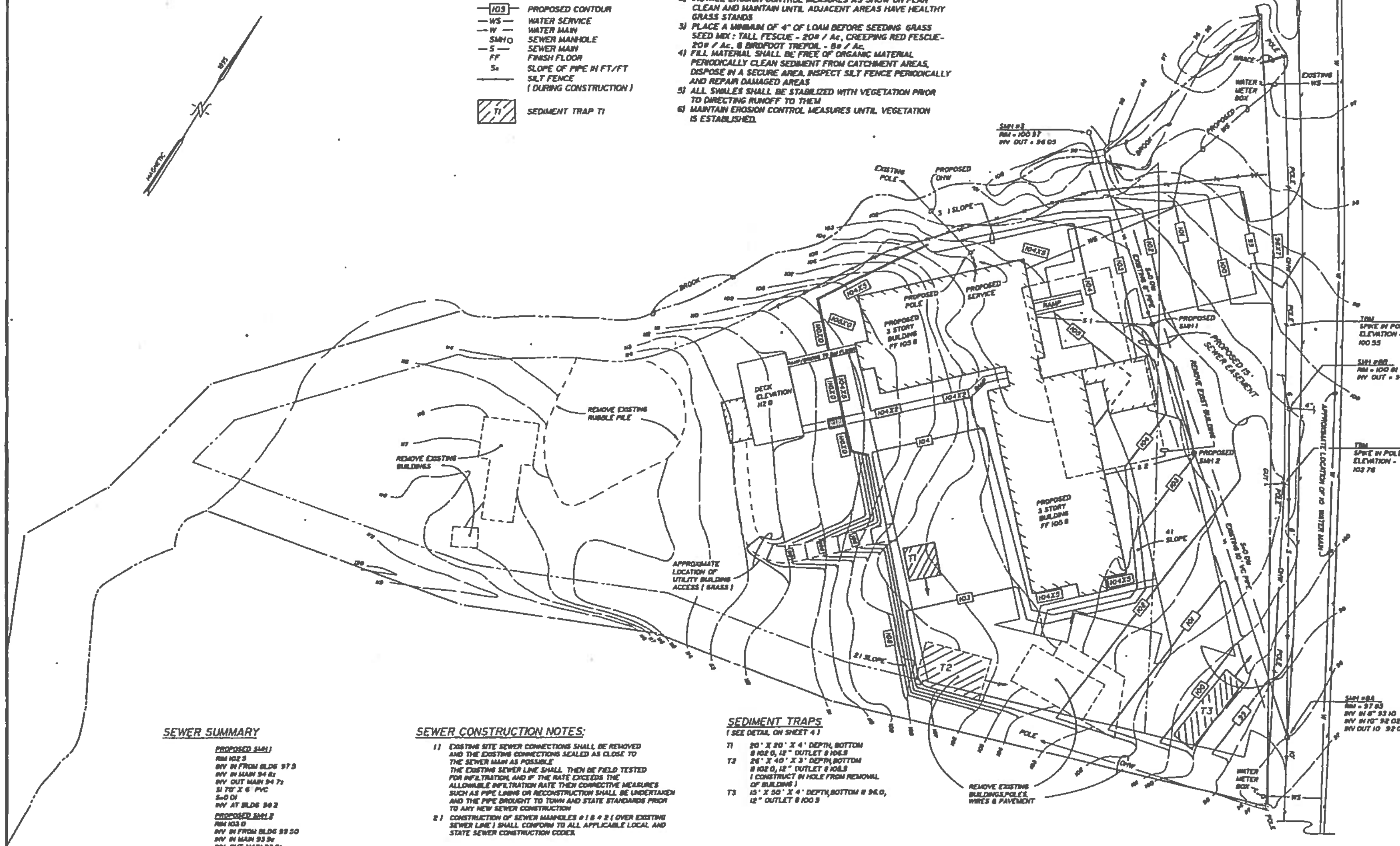
3) EROSION CONTROL PROCEDURES SHALL FOLLOW " MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION : BEST MANAGEMENT PRACTICES "

LEGEND :

— OHW —	OVERHEAD WIRE
— 109 —	EXISTING CONTOUR
—[109]—	PROPOSED CONTOUR
— WS —	WATER SERVICE
— W —	WATER MAIN
SMH ○	SEWER MANHOLE
— S —	SEWER MAIN
FF	FINISH FLOOR
S=	SLOPE OF PIPE IN FT/FT
———	SILT FENCE (DURING CONSTRUCTION)
[T1]	SEDIMENT TRAP T1

GENERAL EROSION CONTROL MEASURES :

1) EXPOSE THE SMALLEST PRACTICAL AREA OF THE SITE AT ANY ONE TIME. STABILIZE EXPOSED AREAS WITHIN 72 HOURS FROM DISTURBANCE
2) INSTALL EROSION CONTROL MEASURES AS SHOW ON PLAN CLEAN AND MAINTAIN UNTIL ADJACENT AREAS HAVE HEALTHY GRASS STANDS
3) PLACE A MINIMUM OF 4" OF LOAM BEFORE SEEDING GRASS SEED MIX : TALL FESCUE - 20# / Ac, CREEPING RED FESCUE- 20# / Ac, & BIRDFOOT TREFOIL - 8# / Ac.
4) FILL MATERIAL SHALL BE FREE OF ORGANIC MATERIAL PERIODICALLY CLEAN SEDIMENT FROM CATCHMENT AREAS, DISPOSE IN A SECURE AREA. INSPECT SILT FENCE PERIODICALLY AND REPAIR DAMAGED AREAS
5) ALL SWALES SHALL BE STABILIZED WITH VEGETATION PRIOR TO DIRECTING RUNOFF TO THEM
6) MAINTAIN EROSION CONTROL MEASURES UNTIL VEGETATION IS ESTABLISHED.



SEWER SUMMARY

PROPOSED SMH 1
RIM 102.5
INV IN FROM BLDG 97.5
INV IN MAIN 94.82
INV OUT MAIN 94.72
S1 70' X 6" PVC
S=0.01
INV AT BLDG 96.2

PROPOSED SMH 2
RIM 103.0
INV IN FROM BLDG 99.50
INV IN MAIN 93.92
INV OUT MAIN 93.82
S2 54' X 6" PVC
S=0.01
INV AT BLDG 100.04

SEWER CONSTRUCTION NOTES:

1) EXISTING SITE SEWER CONNECTIONS SHALL BE REMOVED AND THE EXISTING CONNECTIONS SEALED AS CLOSE TO THE SEWER MAIN AS POSSIBLE
THE EXISTING SEWER LINE SHALL THEN BE FIELD TESTED FOR INFILTRATION, AND IF THE RATE EXCEEDS THE ALLOWABLE INFILTRATION RATE THEN CORRECTIVE MEASURES SUCH AS PIPE LINING OR RECONSTRUCTION SHALL BE UNDERTAKEN AND THE PIPE BROUGHT TO TOWN AND STATE STANDARDS PRIOR TO ANY NEW SEWER CONSTRUCTION
2) CONSTRUCTION OF SEWER MANHOLES # 1 & # 2 (OVER EXISTING SEWER LINE) SHALL CONFORM TO ALL APPLICABLE LOCAL AND STATE SEWER CONSTRUCTION CODES.

SEDIMENT TRAPS

(SEE DETAIL ON SHEET 4)

T1 20' X 20' X 4' DEPTH, BOTTOM @ 102.0, 12" OUTLET @ 105.8
T2 26' X 40' X 3' DEPTH, BOTTOM @ 102.0, 12" OUTLET @ 103.8 (CONSTRUCT IN HOLE FROM REMOVAL OF BUILDING)
T3 15' X 50' X 4' DEPTH, BOTTOM @ 96.0, 12" OUTLET @ 100.5

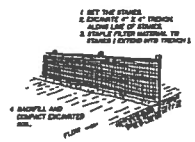
UTILITY, GRADING
&
EROSION CONTROL
PLAN
THE SEAVIEW HOTEL
AT
BAR HARBOR,
HANCOCK COUNTY, MAINE

MAY 1995 SCALE 1" = 30'

AMBIT SURVEY
801 ISLINGTON STREET C1
PORTSMOUTH, NH 03801
(603) 430-9282

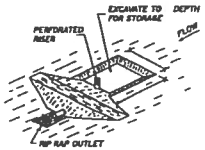
SHEET 3 OF 4

EROSION CONTROL DETAILS :



SILT FENCE INSTALLATION DETAIL

NTS



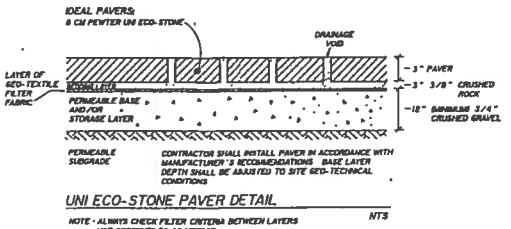
SEDIMENT TRAP

NTS

2. CONSTRUCTION NOTES FOR FABRICATED SILT FENCE

- Woven wire fence to be fastened securely to fence posts with wire ties or staples.
1. Silt cloth to be fastened securely to woven wire fence with ties spaced every 24" at top, mid section, and bottom.
- Use two sections of filter cloth adjoin each other, Use shall be overlapped by 6 inches, folded and stapled
4. Rail-because shall be performed as needed and material removed when "bulges" develop in the silt fence

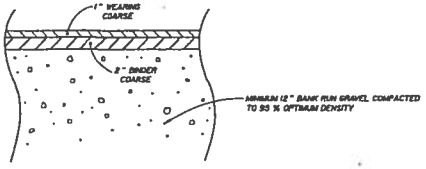
PAVING DETAILS



UNI ECO-STONE PAVER DETAIL

NTS

NOTE - ALWAYS CHECK FILTER CRITERIA BETWEEN LAYERS USE GEOTEXTILES AS NEEDED

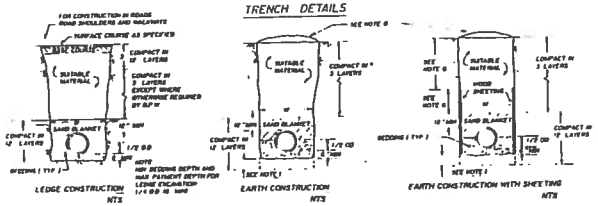


BITUMINOUS CONCRETE PAVING :

NTS

SEWER DETAILS:

TRENCH DETAILS



LEDGE CONSTRUCTION

NTS

EARTH CONSTRUCTION

NTS

EARTH CONSTRUCTION WITH SHEETING

NTS

NOTE - BEDDING DEPTH AND HAUNCH PAVEMENT DEPTH FOR LEDGE EXCAVATION 1/4 OD IS MIN

TRENCH NOTES

1. ORDERED EXCAVATION OF UNSUITABLE MATERIAL BELOW GRADE SHALL BE DONE MATERIAL SET AS NO WITH Y
2. BEDDING - CRUSHED GRAVEL AND/OR CRUSHED STONE (SIZE NO 67 OR CS.01 - AN ORGANIC MATTER AND MEETING ASTM C33 STONE SIZE NO 67

100% PASSING	1 INCH SCREEN
90-100% PASSING	3/4 INCH SCREEN
20-55% PASSING	3/8 INCH SCREEN
0-10% PASSING	#4 SIEVE
0-5% PASSING	#8 SIEVE

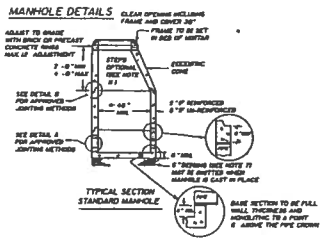
WHERE ORDERED BY THE ENGINEER TO STABILIZE THE TRENCH BASE, GRADED CRUSHED GRAVEL OR CRUSHED STONE 1/2 INCH TO 1 1/2 INCH SHALL BE USED

3. SAND BLANKET - CLEAN SAND FREE FROM ORGANIC MATTER AND SHALL THAT 90-100% PASSES A 1/2 INCH SIEVE AND NOT MORE THAN 10% WILL PASS A #50 SIEVE BLANKET MAY BE OMITTED FOR CAST IRON, DUCTILE IRON AND REINFORCED CONCRETE PIPE PROVIDED HOWEVER, THAT NO STONE LARGER THAN 2 IS BE CONTACT WITH THE PIPE
4. SUITABLE MATERIAL IN ROADS, ROAD SHOULDERS WALKWAYS AND TRAVELED WAYS SUITABLE MATERIAL FOR TRENCH BACKFILL SHALL BE THE NATURAL MATERIAL EXCAVATED DURING THE COURSE OF CONSTRUCTION, BUT SHALL EXCLUDE DEBRIS (by O-1 OF PAVE-MENT ORGANIC MATTER TOP SOIL ALL 90 " (4 "on" mucK PEAT OR CLAY, ALL EXCAVATED LEDGE MATERIAL AND ALL ROCKS OVER 6" IN DIAMETER OR ANY MATERIAL WHICH AS BE DETERMINED BY THE ENGINEER WILL NOT PROVIDE SUFFICIENT SUPPORT OR MAINTAIN THE COMPLETED CONSTRUCTION IN A STABLE CONDITION
5. IN CROSS-COUNTRY CONSTRUCTION SUITABLE MATERIAL SHALL BE AS DESCRIBED ABOVE EXCEPT THAT THE ENGINEER MAY PERMIT THE USE OF TOP SOIL, LOAM MUCK OR PEAT IF SATISFIED THAT THE COMPLETED CONSTRUCTION WILL BE SUFFICIENTLY STABLE AND PROVIDES THAT EASY ACCESS TO THE TRENCH FOR MAINTENANCE AND POSSIBLY RECONSTRUCTION WHEN NECESSARY WILL BE PROVIDED
6. BANK COURSE IF ORDERED BY THE ENGINEER SHALL MEET THE REQUIREMENTS OF Division 300 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION OF THE STATE OF NEW HAMPSHIRE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
7. SHEET SHEETING - IF REQUIRED, WHERE SHEETING IS PLACED in Ordered THE PIPE AND EXTENDS BELOW AND DIAMETER IT SHALL BE CUT OFF AND LEFT in PLACE TO AN ELEVATION NOT LESS THAN 1 FOOT ABOVE THE TOP OF THE PIPE, WHERE SHEETING IS ORDERED BY THE ENGINEER TO BE LEFT in PLACE IT SHALL BE CUT OFF AT LEAST 2 FEET BELOW FINISHED GRADE BUT NOT LESS THAN 1 FOOT ABOVE THE TOP OF THE PIPE
8. - a MAXIMUM ALLOWABLE TRENCH WIDTH TO A PLANE 12 INCHES ABOVE THE PIPE FOR PIPES 18 INCHES NOMINAL DIAMETER OR LESS IN SHALL BE NO MORE THAN 24 INCHES FOR PIPES GREATER THAN 18 INCHES NOMINAL DIAMETER, IN SHALL BE 24 INCHES PLUS PIPE OD IN 4 LARGEST DIAMETER OR ANY MATERIAL WHICH AS BE OLD IN SHALL ALSO BE THE PATENT WIDTH FOR LEDGE EXCAVATION AND FOR DIRECTED EXCAVATION BELOW GRADE, SUPPORT OR MAINTAIN THE COMPLETED CONSTRUCTION IN A STABLE CONDITION
6. FOR CROSS COUNTRY CONSTRUCTION, BACKFILL OR FILL SHALL BE ASSUMED TO A HEIGHT OF 6 INCHES ABOVE THE ORIGINAL GROUND SURFACE
9. CONCRETE FOR ENCASEMENT SHALL CONFORM TO THE REQUIREMENTS FOR CLASS A CONCRETE OF THE NEW HAMPSHIRE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS STANDARD SPECIFICATIONS AS FOLLOWS:

CEMENT 6.0 BAGS PER CUBIC YARD
WATER 5.75 GALLONS PER BAG CEMENT
MAXIMUM SIZE OF AGGREGATE 1 INCH

10. IF FULL ENCASEMENT IS UTILIZED, DEPTH OF CONCRETE BELOW PIPE SHALL BE 1/4 LB (4 " MIN) BLOCK SUPPORT SHALL BE SOLID CONCRETE BLOCKS

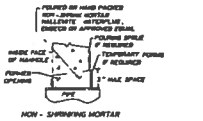
MANHOLE DETAILS

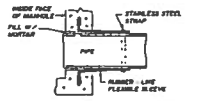


NOTE ALL GASKETS, SEALANTS, MORTAR ETC SHALL BE INSTALLED in ACCORDANCE WITH MANUFACTURERS' WRITTEN INSTRUCTIONS.

DETAIL - A MANHOLES

PIPE TO MANHOLE DETAILS





LOCK - JOINT FLEXIBLE MANHOLE SLEEVE

(OR EQUAL)

STANDARD MANHOLE NOTES

1. IT IS THE INTENTION OF THE COMMISSION THAT THE MANHOLE, INCLUDING ALL APPURTENANT PARTS, SHALL WATERTIGHT SPACE, STRENGTH AND USEFULNESS QUALITIES CONSIDERED NECESSARY BY THE COMMISSION FOR THE INTENDED SERVICE. SPACE REQUIREMENTS AND CONFIGURATION, SHALL BE AS SHOWN ON THE DRAWING MANHOLES MAY BE AN ASSEMBLY OF PRECAST SECTIONS, WITH OR WITHOUT STEEL REINFORCEMENT, WITH ADEQUATE JOINTING, OR CONCRETE CAST MONOLITHICALLY IN PLACE WITH OR WITHOUT REINFORCEMENT AS MAY APPEARS MANHOLE. THE COMPLETE STRUCTURE SHALL BE OF SUCH MATERIAL AND QUALITY AS TO WITHSTAND LOADS OF 8 TONS (16 - 20 LOADING) WITHOUT FAILURE AND PREVENT LEAKAGE IN EXCESS OF ONE GALLON PER DAY PER VERTICAL FOOT OF MANHOLE, CONTINUOUSLY FOR THE LIFE OF THE STRUCTURE. A PERIOD GENERALLY IN EXCESS OF 20 YEARS IS TO BE USED IN DESIGN IN BOTH CASES
2. BARRELS AND CONE SECTIONS SHALL BE PRECAST REINFORCED OR NON REINFORCED CONCRETE, OR FIGURED IN PLACE REINFORCED OR NON REINFORCED CONCRETE
3. PRECAST CONCRETE BARREL SECTIONS CONES AND BASE'S SHALL CONFORM TO ASTM C 478
4. LEAKAGE TEST SHALL BE PERFORMED in ACCORDANCE WITH STATE SPECIFICATIONS
5. INVERTS AND SHELVES MANHOLES SHALL HAVE A BRICK POSTS SHELF AND INVERT CONSTRUCTED TO CONFORM TO THE SIZE OF PIPE AND FLOW AS CHANNELS IN DIRECTION THE INVERTS SHALL BE LAID OUT IN CURVES OF THE LONGEST RADIUS POSSIBLE TANGENT TO THE CENTER LINE OF THE SEWER PIPES SHELVES SHALL BE CONSTRUCTED TO THE ELEVATION OF THE HIGHEST PIPE CROWN AND SLOPE TO DRAIN TOWARD THE FLOWING THROUGH CHANNELS UNDERNEATH OF INVERT AND SHELF SHALL CONSIST OF BRICK MASONRY
6. FRAME AND COVERS MANHOLE FRAMES AND COVERS SHALL BE OF HEAVY DUTY DESIGN AND PATTERN A 30 INCH CLEAR OPENING A 5 INCH MINIMUM HEIGHT (LETTER) FOR BEARS ON 8 FOR BRANDS SHALL BE PLANED CAST INTO THE CENTER OF EACH COVER
7. BEDDING SCREENED GRAVEL AND/OR CRUSHED STONE FREE FROM CLAY, LOAM ORGANIC MATTER AND MEETING ASTM C33

100% PASSING	1 INCH SCREEN
90-100% PASSING	3/4 INCH SCREEN
20-55% PASSING	3/8 INCH SCREEN
0-10% PASSING	#4 SIEVE
0-5% PASSING	#8 SIEVE

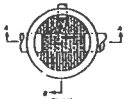
8. CONCRETE FOR DROP SUPPORT SHALL CONFORM TO THE REQUIREMENT FOR CLASS A (3,000#) CONCRETE OF THE NEW HAMPSHIRE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS STANDARD SPECIFICATIONS AS FOLLOWS

CEMENT 6.0 BAGS PER CUBIC YARD
WATER 5.75 GALLONS PER BAG CEMENT
MAXIMUM SIZE OF AGGREGATE 1 INCH

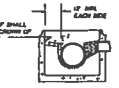
9. - AS SERVED
10. SHALLOW MANHOLE IN LIEU OF A CONE SECTION, WHICH MANHOLE DEPTH IS LESS THAN 6 FEET, A REINFORCED CONCRETE SLAB COVER MAY BE USED, HAVING AN ECCENTRIC ENTRANCE OPENING AND CAPABLE OF SUPPORTING H - 20 LOADS
11. MANHOLE STEPS MAY BE PERMITTED UPON REQUEST BY THE OWNER AS SECONDARY ADDITIONAL SAFETY FEATURE SUPPLEMENTARY TO THE PRIMARY PORTABLE LADDER ENTRY AND WHEN INSTALLED UNDER THE FOLLOWING CONDITIONS
   1. THE STEPS SHALL BE MANUFACTURED OF 3/8 INCH ROUND STAINLESS STEEL OR FORGED ALUMINUM ALLOY THEY SHALL BE SHAPED SO THEY CANNOT BE PULLED OUT OF THE CONCRETE WALL in WHICH THEY ARE EMBEDDED
   2. THE STEPS SHALL BE EMBEDDED in THE CONCRETE BY THE MANUFACTURER DURING MANUFACTURE OR IMMEDIATELY FOLLOWING REMOVAL OF THE FORMS SECURING THE STEPS WITH MORTAR OR DRILLED OR CAST HOLES, WILL NOT BE ACCEPTABLE
   3. THE STEPS SHALL BE OF THE DROP TYPE WITH A DEPRESSED SECTION FOR HANDHOLD APPROXIMATELY 4" X 6" DIMENSION

SYC SEWER PIPE SPECIFICATIONS

1. PIPE SHALL MEET ASTM D3034 STANDARDS FOR JOINT TIGHTNESS
2. PIPE SHALL MEET ASTM D3034 & F679 FOR STIFFNESS UNDER ASTM D-2412 TEST METHODS
3. GASKET SEALS SHALL MEET ASTM F477



SECTION A-A



SECTION B-B

SECTION B-B NOTES

CARE SHALL BE TAKEN TO INSURE THAT THE BRICK INVERT IS A SMOOTH CONTINUATION OF THE SEWER SHARPLY ANGLED DIRECT SHALL BE LAID ON EDGE

NOTE INVERT AND SHELF TO BE PLACED AFTER LEAKAGE TEST

EROSION CONTROL & CONSTRUCTION DETAILS

THE SEAVIEW HOTEL

AT

BAR HARBOR, HANCOCK COUNTY, MAINE

MAY 1995 SCALE 1" = 30'

AMBIT SURVEY

801 ISLINGTON STREET CI

PORTSMOUTH, NH 03801

(603) 430-9282

Section 10

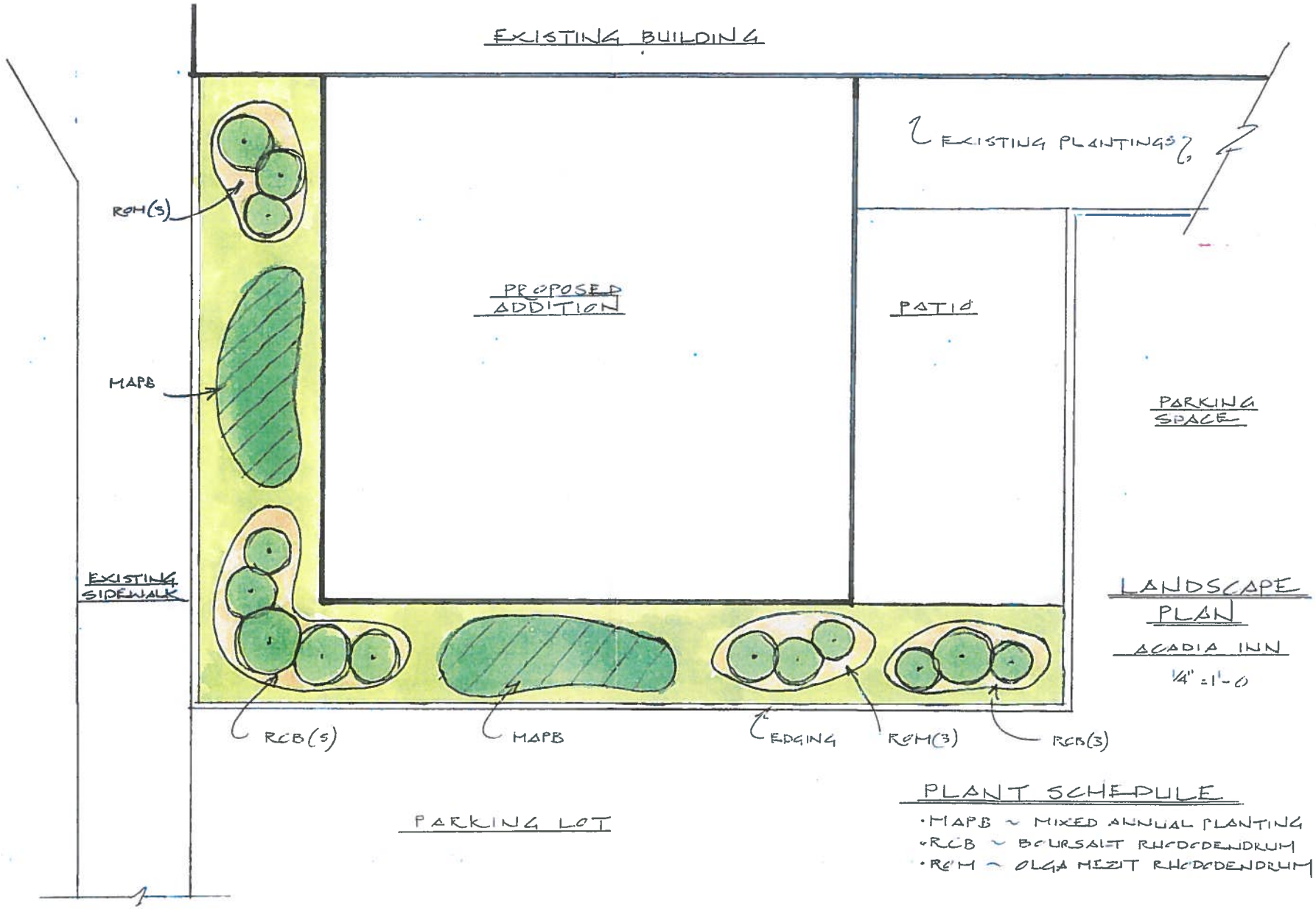
SOIL SURVEY

Section 11

LANDSCAPING, BUFFERING & SCREENING PLAN

There will be a small buffer strip of vegetation along the side of the building that will be maintained regularly by our maintenance staff. A sketch of the landscape concept is attached.

Note:
Waiver requested for Sections 11.E and 11.F.



LANDSCAPE PLAN

ACADIA INN

1/4" = 1'-0

PLANT SCHEDULE

- MAPB ~ MIXED ANNUAL PLANTING BED
- RCB ~ BOURSALT RHODODENDRUM
- RCM ~ OLGA MEZIT RHODODENDRUM

Section 12

STREET, SIDEWALK, & ACCESS PLAN

Waiver requested for Section 12.

Section 13

E-911

Waiver requested for Section 13.

Section 14

PHOTOGRAPHS

Google Maps Acadia Inn

Imagery ©2016 DigitalGlobe, Map data ©2016 Google 50 ft

PROPOSED 24' x 24' ONE STORY ADDITION

PROPOSED RELOCATED PARKING SPOTS (2)

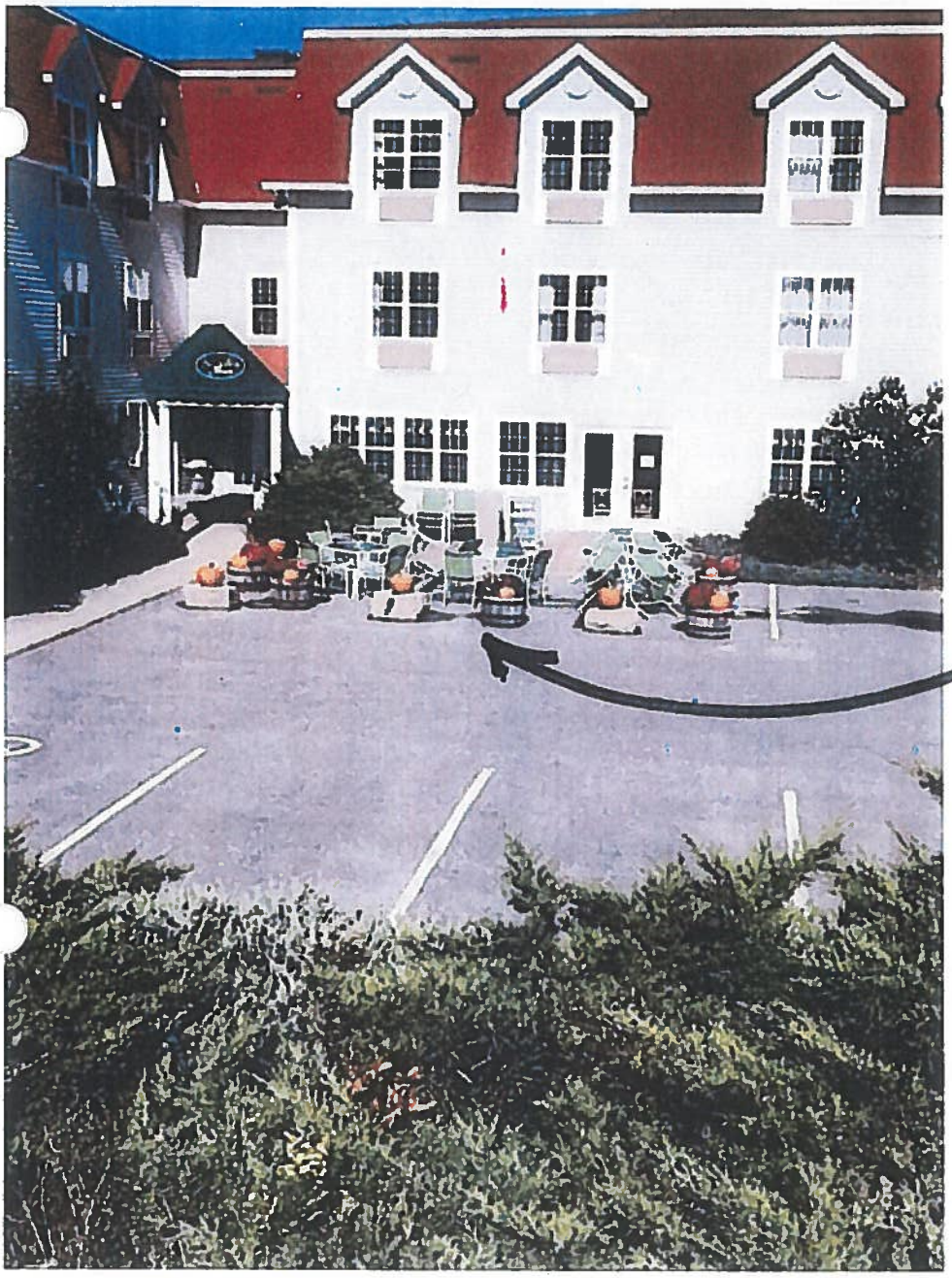
Acadia Inn

4.2 ★★★★

3-star hotel

Book for Mon, Oct 24 - Tue, Oct 25 to save $47

Sun, Oct 23 Mon, Oct 24



PROPOSED LOCATION
24' x 24' ONE STORY
ADDITION.

Section 15

SUBSURFACE WASTEWATER DISPOSAL

Note:
Waiver requested for Section 15.

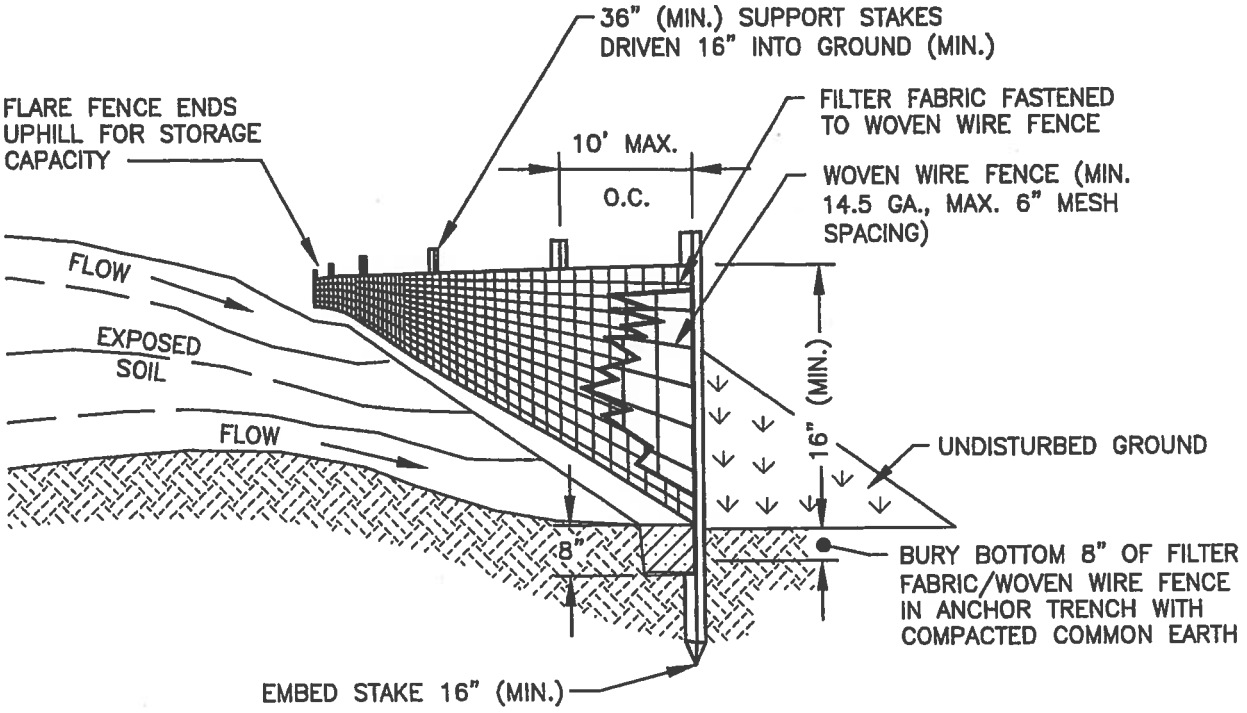
Section 16

GROUNDWATER

Note:
Waiver requested for Section 16.

Section 17

EROSION & SEDIMENTATION PLAN



SILT FENCE DETAIL

NTS

CONSTRUCTION SPECIFICATIONS:

1. THE GEOTEXTILE FABRIC SHALL MEET THE DESIGN CRITERIA FOR SILT FENCES, AS IN THE NEW HAMPSHIRE STORMWATER MANAGEMENT AND EROSION CONTROL HANDBOOK BEST MANAGEMENT PRACTICE FOR SILT FENCE.
2. THE FABRIC SHALL BE EMBEDDED A MINIMUM OF 8 INCHES INTO THE GROUND AND THE SOIL COMPACTED OVER THE EMBEDDED FABRIC.
3. WOVEN WIRE FENCE SHALL BE FASTENED SECURELY TO THE FENCE POSTS WITH WIRE TIES OR STAPLES.
4. FILTER CLOTH SHALL BE FASTENED SECURELY TO THE WOVEN WIRE FENCE WITH TIES SPACED EVERY 24 INCHES AT THE TOP, MID-SECTION, AND BOTTOM.
5. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY 6 INCHES, FOLDED, AND STAPLED.
6. FENCE POSTS SHALL BE A MINIMUM OF 36 INCHES LONG AND DRIVEN A MINIMUM OF 16 INCHES INTO THE GROUND. WOOD POSTS SHALL BE OF SOUND QUALITY HARDWOOD AND SHALL HAVE A MINIMUM CROSS SECTIONAL AREA OF 3.0 SQUARE INCHES.
7. MAINTENANCE SHALL BE PERFORMED AS NEEDED TO PREVENT BULGES IN THE SILT FENCE DUE TO DEPOSITION OF SEDIMENT.

SILT FENCE MAINTENANCE:

1. SILT FENCES SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REPAIRS THAT ARE REQUIRED SHALL BE MADE IMMEDIATELY.
2. IF THE FABRIC ON A SILT FENCE SHOULD DECOMPOSE OR BECOME INEFFECTIVE DURING THE EXPECTED LIFE OF THE FENCE, THE FABRIC SHALL BE REPLACED PROMPTLY.
3. SEDIMENT DEPOSITS SHOULD BE INSPECTED AFTER EVERY STORM EVENT. THE DEPOSITS SHOULD BE REMOVED WHEN THEY REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
4. SEDIMENT DEPOSITS THAT ARE REMOVED OR LEFT IN PLACE AFTER THE FABRIC HAS BEEN REMOVED SHALL BE GRADED TO CONFORM WITH THE EXISTING TOPOGRAPHY, AND VEGETATED.

Section 18

FIRE PROTECTION

Section 19

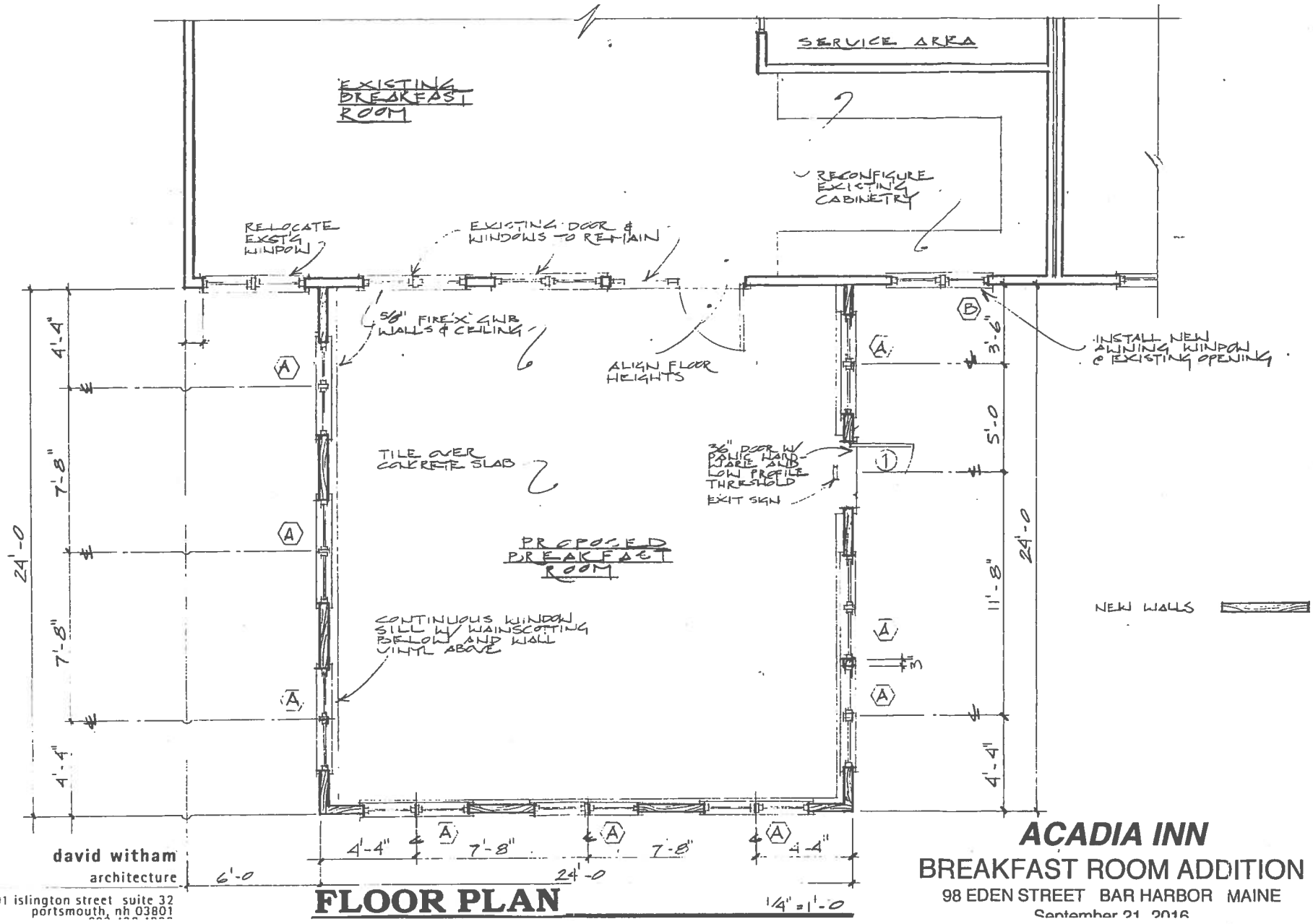
SOLID & HAZARDOUS WASTE

There will be no hazardous waste created, removed or disturbed on site. Previously undisturbed earth fill be trucked off site in order to dig for the new footings.

Waiver requested for Section 19.

Section 20

BUILDING PLANS & ELEVATIONS



david witham
architecture
801 islington street suite 32
portsmouth, nh 03801

FLOOR PLAN

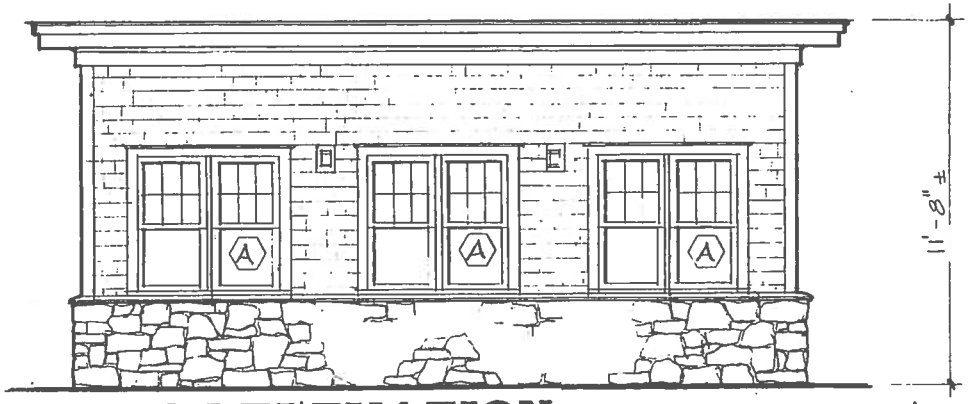
1/4" = 1'-0

ACADIA INN

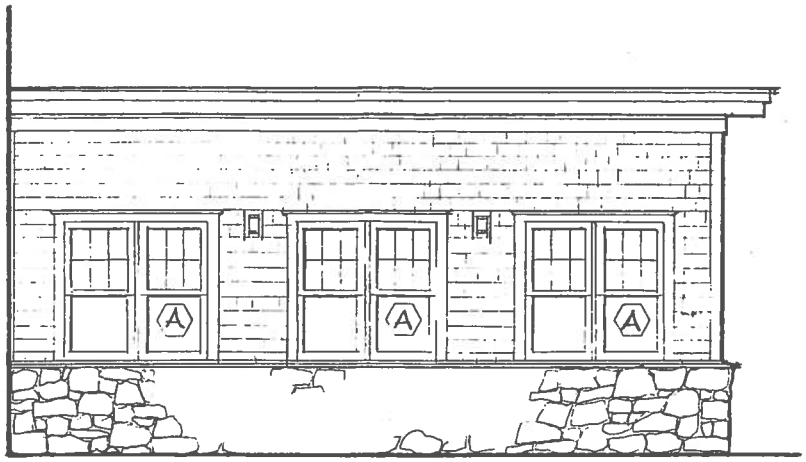
BREAKFAST ROOM ADDITION

98 EDEN STREET BAR HARBOR MAINE

September 21, 2016



EAST ELEVATION



NORTH ELEVATION

- EPDM RUBBER ROOFING
- 1"x6" AZEK TRIM
- 1"x12" AZEK TRIM
- AZEK BAND TRIM T.B.D.
- 1"x8" AZEK TRIM
- AZEK TRIM CAP T.B.D.
- 5/4"x4" AZEK TRIM
- 5/4"x6" AZEK CORNERBOARD
- CEDAR SHAKES T.B.D.
- 5/4"x6" AZEK CAP
- FAUX STONE VENEER
- LIGHTING BLOCKS AS SHOWN, AZEK
- 6 EXT. LIGHTS, SEE CUT SHEET

SOUTH ELEVATION

EXTERIOR NOTES

SCALE: 1/4"=1'-0

COLOR SCHEME

- ALL WINDOWS & TRIM TO BE WHITE
- CEDAR SHAKES GRAY
- STONE VENEER GRANITE TONES

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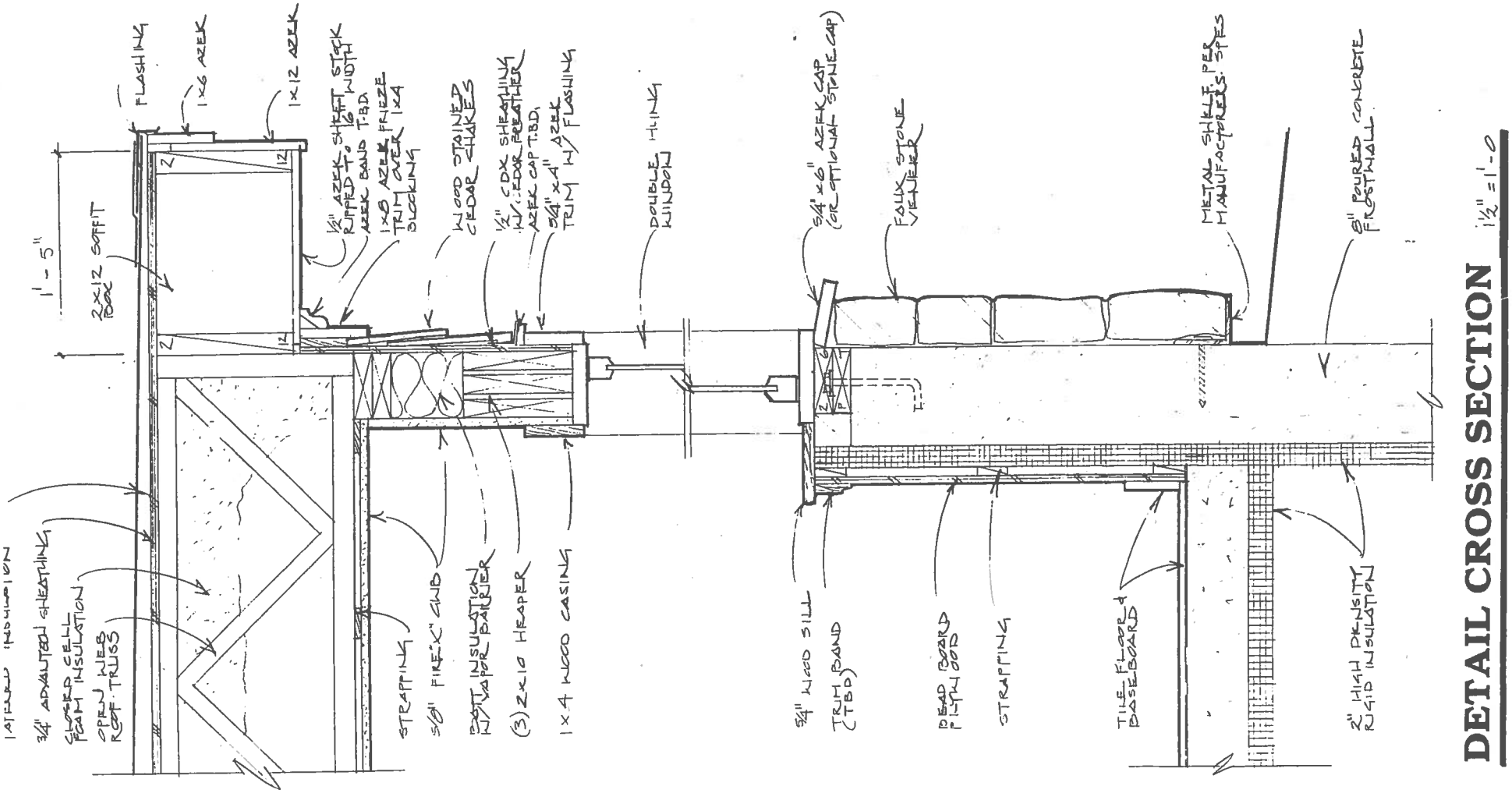
801 islington street suite 32
portsmouth, nh 03801
603.436.1922

ACADIA INN
BREAKFAST ROOM ADDITION

98 EDEN STREET BAR HARBOR MAINE

September 21, 2016



DETAIL CROSS SECTION

1½" = 1'-0

david witham
architecture
801 islington street suite 32
portsmouth, nh 03801
603 436 4933

ACADIA INN

BREAKFAST ROOM ADDITION

98 EDEN STREET BAR HARBOR MAINE

September 21, 2016

Section 21

LIGHTING PLAN

Note:
There are 5 exterior lights proposed, each surface mounted to the sides of the proposed addition as per the building elevations.

Sea Gull Lighting 8547991DS-71 Antique Bronze Crowell LED Title 24 Dark Sky Outdoor Wall Sconce

Item #: bci2851111

View the entire Crowell Collection

Sea Gull Lighting October Sale

Save 10% on all Sea Gull Lighting. No coupon necessary, prices reduced! Offer Ends 10/31/2016

$168.00

Originally $235.20, You Save 29%

Be the first to review this product

2 Compare

Shipping: Free Shipping! See Details

Finish: Antique Bronze - $168.00

Tech Specs

Special Order

Want us to notify you when it is back in stock?

Enter Email Address Notify Me

Leaves the Warehouse in 5 business days

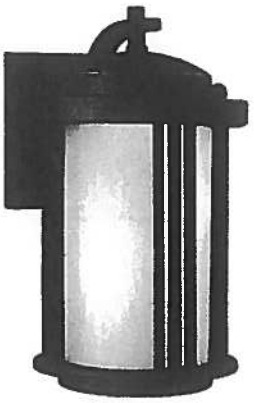
1 Qty

Add To Cart

Return Policy

Live Chat
Ask A Question

Earn 168 points with the purchase of this product Learn More



Click to view larger image

People Who Viewed Sea Gull Lighting 8547991DS Also Viewed

Product Details for the Sea Gull Lighting 8547991DS-71 in Antique Bronze

The transitional Crowell outdoor lighting collection by Sea Gull Lighting conveys Art Deco influences with its linear, vertical details and clean, overall design. Their large scale gives these light fixtures real presence without competing with the residential architecture they adorn. The lighting collection, offered in Antique Bronze finish with Creme Parchment glass or Black finish with Satin Etched glass, offers a one-light outdoor pendant, a two-light outdoor ceiling flush mount, a one-light outdoor post lantern, and small, medium and large one-light outdoor wall lanterns also available in Dark Sky versions. Incandescent, integrated LED and ENERGY STAR-qualified fluorescent lamping are available. The advanced, integrated LED option has warm-on-dim technology that warms in color when dimmed, going from 2700K to 2200K and is California Title 24 compliant.

Features:

- Designed to cast a soft ambient light over a wide area
- Housing is constructed of durable aluminum, ensuring years of reliable performance
- Satin etched glass shade
- Dark sky friendly; designed to emit no light above the 90 degree horizontal plane
- Meets title 24 energy efficiency standards

Dimensions:

- Height: 10"
- Diameter: 6"
- Width: 6" (measured from furthest point left to furthest point right on fixture)
- Backplate Height: 4.406"
- Backplate Width: 4.406"
- Backplate Depth: 0.75"
- HCO: 3.25" (height from center of outlet)
- Cord Length: 6"
- Material: Aluminum
- Shade Material: Glass

Electrical Specifications:

- Bulb Base: Integrated LED
- Bulb Type: LED
- Color Temperature: 2700K
- Bulb Included: Yes
- Total Wattage: 9
- Voltage: 120v
- Lumens: 700
- Color Rendering Index (CRI): 90
- Wire Length: 6"
- Title 24: Yes
- ETL Listed: Yes
- ETL Rating: Wet Location

Additional Sea Gull Lighting Links

- View Manufacturer Warranty
- Shop All Sea Gull Lighting Products
- Shop All Sea Gull Lighting Crowell Collection Products

Our SKU: Sea Gull Lighting 8547991DS

This product is listed under the following manufacturer number(s):

Sea Gull Lighting 8547991DS-71	Sea Gull Lighting 8547991DS-12
Antique Bronze	Black

*Denotes a finish or option that has been discontinued

0 Questions from the Community

Hinkley Lighting 1960
Starting At $135.00
★★★★★ 1

Hinkley Lighting 1326...
Starting At $169.00
★★★★★ 4

Progress Lighting P6...
Starting At $164.70
☆☆☆☆☆ 0

Hinkley Lighting 1964
Starting At $189.00
☆☆☆☆☆ 0

Accessories

Sea Gull Lighting 7847902
Crowell 2 Light Flush Mount Outdoor Ceiling Fixture
$178.00

Sea Gull Lighting 8847901
Crowell 1 Light Outdoor Wall Sconce
$348.00

Sea Gull Lighting 7847902BLE
Crowell 2 Light Flush Mount Outdoor Ceiling Fixture
$198.00

Sea Gull Lighting 8847901BLE
Crowell 1 Light Outdoor Wall Sconce
$358.00

Sea Gull Lighting 7847991S
Crowell LED Title 24 Outdoor Flush Mount Ceiling Fixture
$248.00

Sea Gull Lighting 8547991DS Technical Specs

Backplate Depth	0.75
Backplate Height	4.406
Backplate Width	4.406
Base Color	Black, Bronze
Bulb Base	Integrated LED

Section 22

SIGNS

Waiver requested for Section 22.

Section 23

TRAFFIC IMPACT

Waiver requested for Section 23.

Section 24

TECHNICAL & FINANCIAL CAPACITY

Waiver requested for Sections 24.C & 24.D.

Cost Estimate: $125,000

Financing: The cost for the proposed structure will be financed in house.

Section 25

BUSINESS OPERATIONS

The Continental Breakfast Room will provide free breakfast to guests of the motel. The food offerings would consist of the basic cereals, bagels, toast, coffee and juices. A microwave and toaster will meet all our prep needs and a kitchen is not required. There is already in place a prep area with sinks, counter space, shelving and coolers.

The Continental Breakfast Room will be run by one to two employees (currently performing same task) and the hours of operation will be from 7 am until 11 am.

The hotel is operated seasonally from May through October with June through August being the peak season.

Section 26

MINING

Waiver requested for Section 26.

MEMORANDUM

DATE: OCTOBER 27, 2016

TO: BAR HARBOR TOWN COUNCIL

FROM: ROBERT OSBORNE, PLANNING DIRECTOR

RE: PARKING LUO AMENDMENTS

The Planning Board offers the attached draft warrant articles to make amendments to the Land Use Ordinance parking regulations. Previously the Board had recommended that the Council look at two basic questions: One question was strictly limited to parking garages. The second question included parking lots, parking decks, off-site parking and accessory uses. What is now proposed is to explode that second question into a number of smaller questions: parking lots; accessory uses and accessory use parking; parking decks and off-site parking. More manageable questions proposed to be a bit easier for the voters to understand.

Warrant Article a1 is Parking Lots. It identifies the districts that are proposed for parking lot use and contains the definition of parking lot is for the edification of the reader.

Warrant Article a2 is Accessory Uses and Accessory Use Parking. It amends the definition of accessory use to make clear that parking is an accessory use. It adds accessory use to several districts where that was omitted for some reason. It deletes accessory use parking lot from a number of districts in Appendix C because this citation is now redundant. It clarifies that accessory uses are allowed for legally constituted uses and not limited to "permitted" uses.

Warrant Article a3 is Parking Decks. It identifies the districts that are proposed for parking deck use and adds a definition of what a parking deck is.

Warrant Article A4 is Off-site Off-street Parking. It modifies that parking regulations to allow off-site, off street parking in any district within 500 feet of a development that requires the parking spaces.

Warrant Article A5 1-6 is Parking Garages. It identifies the districts that are proposed for parking deck use and separately considers them. It also adds a definition for parking garage (a modification of the definition for commercial garage).

Draft Order

Of the Bar Harbor Town Council
For the June x, 2017 Town Meeting

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

Draft Warrant Article a1

LAND USE ORDINANCE AMENDMENT – Parking Lot – Shall an Ordinance dated x, 2016 and entitled "An amendment to add the defined use "parking lot" as a principal use permitted by Planning Board site plan review to the Bar Harbor Gateway district, Mount Desert Street Corridor district, Downtown Village I district, Downtown Village II district, Downtown Village Transitional district, Shoreland General Development III district, Educational Institutional district, Hulls Cove Business district, Ireson Hill Corridor district and Scientific Research district in the Land Use Ordinance" be enacted?

Parking Lot

An amendment to add parking lot use to the Bar Harbor Gateway, Mount Desert Street Corridor, Downtown Village I, Downtown Village II, Downtown Village Transitional, Shoreland General Development III, Educational Institutional, Hulls Cove Business, Ireson Hill Corridor and Scientific Research districts as a principal use.

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.

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: artist studio; child care family; gallery; government facility; home occupation (NOTE: Home occupations in properties with lot frontage or access on Route 3 shall be required to obtain minor site plan approval.); municipal facility; municipal school; public or private park with minimal structural development; vacation rentals; single-family dwelling and two-family dwelling.
[Amended 6-14-2011]

(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) 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; private compulsory school; professional office building; restaurant; retail; road construction; services; take-out restaurant; wind turbines, and wireless communication facilities...

§ 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.

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.

(3) Principal uses allowed by conditional use permit: retail; restaurants; bed-and-breakfast III and IV.

§ 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; farmers market; home occupation.

[Amended 11-5-2013; 6-14-2016]

(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 lot; road construction; automobile sales lot; automobile repair garage; retirement community.

[Amended 6-14-2016]

(3) Uses allowed by conditional use permit: public utility facility.

[Added 6-9-2015]

§ 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; farmers market; single-family dwelling; two-family dwelling; home occupation.

[Amended 6-14-2016]

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

[Amended 6-14-2016]

(3) Uses allowed only by conditional use permit: public utility facility.

[Added 6-9-2015]

§ 125-21.2 Downtown Village Transitional.

C. Allowed uses.

[Amended 6-14-2016]

(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; farmers market; home occupation.

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

§ 125-49.1 Shoreland General Development III.

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: artist studio, child care, family, gallery, government facility, home occupation (NOTE: Home occupations in properties with lot frontage or access on Route 3 shall be required to obtain minor site plan approval.); municipal facility, municipal school; public or private park with minimal structural development; all vacation rentals; single-family dwelling and two-family dwelling.

(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) 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; 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															
Parking lot		b		b						b					
	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															
Parking lot		b					b								

Appendix C Table of Permitted Uses, Key to Appendix C - Permissibility of Use (Excerpt)

b = Activity or structure requires approval through site plan review process before it may be commenced or built. [Amended 5-5-2003]

blank space = activity prohibited.

EXPLANATION: This warrant restores the defined use "parking lot" to the Bar Harbor Gateway district, Mount Desert Street Corridor district, Downtown Village I district, Downtown Village II district, Downtown Village Transitional district and Shoreland General Development III district as a use allowed by Planning Board Site Plan Review. The use was removed from these areas in 2010 when the current districts were adopted. This warrant adds the use "parking lot" to the Educational Institutional district, Hulls Cove Business district, Ireson Hill Corridor district and Scientific Research district as a use allowed by Planning Board Site Plan Review. Parking lot is defined as: "An open area other than a street used for the parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers." Parking lots are regulated in the Land Use Ordinance for dimensional, design and locational standards.

Draft Order

Of the Bar Harbor Town Council
For the June x, 2017 Town Meeting

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

Draft Warrant Article a2

LAND USE ORDINANCE AMENDMENT – Accessory Uses and Accessory Use Parking – Shall an Ordinance dated x, 2016 and entitled "An amendment to clarify the definition of accessory use to include accessory use parking; an amendment to permit accessory uses in the Mount Desert Street Corridor district, Downtown Village I district, Downtown Village II district, Downtown Village Transitional district; an amendment to delete redundant accessory use parking lot uses and to clarify that legally constituted accessory uses and structures are allowed in the following districts: Downtown Residential district, Educational Institutional district, Emery district, Hulls Cove Business district, Hulls Cove Residential district, Hulls Cove Rural district, Indian Point Rural district, Industrial district, Ireson Hill Corridor district, Ireson Hill Residential district, McFarland Hill Residential district, McFarland Hill Rural district, Marine Research district, Otter Creek district, Resource Protection district, Salisbury Cove Corridor district, Salisbury Cove Residential district, Salisbury Cove Rural district, Salisbury Cove Village district, Schooner Head district, Scientific Research district, Shoreland General Development I district, Shoreland General Development II district, Shoreland Limited Residential district, Stream Protection district, Town Hill Business district, Town Hill Residential Corridor district, Town Hill Residential district and Town Hill Rural district in the Land Use Ordinance" be enacted?

Accessory Uses and Accessory Use Parking

An amendment to add language to the definition of accessory use to include parking as an accessory use, an amendment to allow accessory uses in every district, an amendment to delete redundant accessory parking lot uses from certain districts, an amendment to clarify that legally constituted accessory uses and structures are allowed in certain districts.

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:

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

§ 125-19 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.

§ 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; farmers market; home occupation.

[Amended 11-5-2013; 6-14-2016]

(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; road construction; automobile sales lot; automobile repair garage; retirement community.

[Amended 6-14-2016]

(3) Uses allowed by conditional use permit: public utility facility.

[Added 6-9-2015]

(4) 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.

§ 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; farmers market; single-family dwelling; two-family dwelling; home occupation.

[Amended 6-14-2016]

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

[Amended 6-14-2016]

(3) Uses allowed only by conditional use permit: public utility facility.

[Added 6-9-2015]

(4) 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.

§ 125-21.2 Downtown Village Transitional.

C. Allowed uses.
[Amended 6-14-2016]
(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; farmers market; home occupation.
(2) Uses allowed by site plan review: multifamily dwelling I and II; all other types of child-care facilities; medical clinics; automobile sales lot; automobile repair garage; retirement community.
(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.

[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 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 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

Appendix C Table of Permitted Uses, Key to Appendix C - Permissibility of Use (Excerpt)

b = Activity or structure requires approval through site plan review process before it may be commenced or built. [Amended 5-5-2003]

c = Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built.

1 = CEO permit required for uses or structures accessory to uses or structures requiring CEO permit; Planning Board/Planning Department approval required for uses or structures accessory to uses or structures requiring Planning Board/Planning Department approval. [Amended 5-5-2003]

2 = CEO permit required for uses or structures with total developed area not exceeding 2,000 square feet; Planning Board approval required for uses or structures with total developed area of more than 2,000 square feet.

12 = Except when the area is designated resource protection due to floodplain, in which case a site plan review is required. [Amended 6-8-2010]

blank space = activity prohibited.

EXPLANATION: This warrant adds language to the definition of accessory use stating that parking is considered a permitted accessory use. It adds accessory use to the Mount Desert Street Corridor district, Downtown Village I district, Downtown Village II district, Downtown Village Transitional district. Every other district expressly allows accessory uses and structures. This warrant deletes the redundant accessory use parking lot uses, and the warrant clarifies that legally constituted accessory uses and structures are allowed in the following districts: Downtown Residential district, Educational Institutional district, Emery district, Hulls Cove Business district, Hulls Cove Residential district, Hulls Cove Rural district, Indian Point Rural district, Industrial district, Ireson Hill Corridor district, Ireson Hill Residential district, McFarland Hill Residential district, McFarland Hill Rural district, Marine Research district, Otter Creek district, Resource Protection district, Salisbury Cove Corridor district, Salisbury Cove Residential district, Salisbury Cove Rural district, Salisbury Cove Village district, Schooner Head district, Scientific Research district, Shoreland General Development I district, Shoreland General Development II district, Shoreland Limited Residential district, Stream Protection district, Town Hill Business district, Town Hill Residential Corridor district, Town Hill Residential district and Town Hill Rural district.

Draft Order

Of the Bar Harbor Town Council
For the June x, 2017 Town Meeting

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

Draft Warrant Article a3

LAND USE ORDINANCE AMENDMENT – Parking Deck – Shall an Ordinance dated x, 2016 and entitled "An amendment to define parking deck and add parking deck use to the following districts: Bar Harbor Gateway district, Downtown Village I district, Downtown Village II district, Shoreland General Development III district, Educational Institutional district, Marine Research district and Scientific Research district in the Land Use Ordinance" be enacted?

Parking Deck

An amendment to define the term "parking deck" and to add parking deck use to the Bar Harbor Gateway district, Downtown Village I district, Downtown Village II district, Shoreland General Development III district, Educational Institutional district, Marine Research district and Scientific Research district in the Land Use Ordinance as a principal use.

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 - As a principal use, a structure for parking vehicles on a deck supported above grade. Parking decks may utilize site grade differential to access parking. 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.

[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.

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: artist studio; child care family; gallery; government facility; home occupation (NOTE: Home occupations in properties with lot frontage or access on Route 3 shall be required to obtain minor site plan approval.); municipal facility; municipal school; public or private park with minimal structural development; vacation rentals; single-family dwelling and two-family dwelling.
[Amended 6-14-2011]

(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) 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; private compulsory school; professional office building; restaurant; retail; road construction; services; take-out restaurant; wind turbines, and wireless communication facilities...

§ 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; farmers market; home occupation.
[Amended 11-5-2013; 6-14-2016]
(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; road construction; automobile sales lot; automobile repair garage; retirement community.
[Amended 6-14-2016]
(3) Uses allowed by conditional use permit: public utility facility.
[Added 6-9-2015]

§ 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; farmers market; single-family dwelling; two-family dwelling; home occupation.
[Amended 6-14-2016]
(2) Uses allowed by site plan review: hotel, motel; multifamily dwelling I and II; parking deck; all types of child-care facilities; all types of schools; hospitals, medical and dental clinics; automobile service stations; redemption centers; automobile sales lot; automobile repair garage; retirement community.
[Amended 6-14-2016]
(3) Uses allowed only by conditional use permit: public utility facility.
[Added 6-9-2015]

§ 125-49.1 Shoreland General Development III.

C. Allowed uses.
(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: artist studio, child care, family, gallery, government facility, home occupation (NOTE: Home occupations in properties with lot frontage or access on Route 3 shall be required to obtain minor site plan approval.); municipal facility, municipal school; public or private park with minimal structural development; all vacation rentals; single-family dwelling and two-family dwelling.
(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) 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; 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 deck		b												b	
	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 deck							b								

Appendix C Table of Permitted Uses, Key to Appendix C - Permissibility of Use (Excerpt)

b = Activity or structure requires approval through site plan review process before it may be commenced or built. [Amended 5-5-2003]

blank space = activity prohibited.

EXPLANATION: The term parking deck is defined to establish a structural parking alternative somewhere between parking lot and parking garage. Parking decks typically consist of at grade parking and one level of structured parking directly above. Parking decks can be designed to utilize existing grades to eliminate the need for internal ramps in the structure. This warrant adds parking deck to the following districts: Bar Harbor Gateway district, Downtown Village I district, Downtown Village II district, Shoreland General Development III district, Educational Institutional district, Marine Research district and Scientific Research district.

Draft Order

Of the Bar Harbor Town Council
For the June x, 2017 Town Meeting

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

Draft Warrant Article a4

LAND USE ORDINANCE AMENDMENT – Off-site Off-street Parking – Shall an Ordinance dated x, 2016 and entitled "An amendment to add regulations to allow greater utilization of off-site, off-street parking regulations and to add parking reference citations in certain districts in the Land Use Ordinance" be enacted?

Off-site, Off-street Parking

An amendment to add regulations to allow for greater utilization of off-site, off-street parking and to add parking reference citations in certain districts.

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 III Land Use Activities and Standards

§ 125-17 Bar Harbor Gateway.

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]
(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.

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.

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.

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.

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.

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)).

[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: This warrant makes provisions for off-site, off-street parking through Planning Board Site Plan review. It adds reference citations to make clear that this district is subject to parking regulations found in a different part of the ordinance. It clarifies the circumstances under which parking is required.

Draft Order

Of the Bar Harbor Town Council
For the June x, 2017 Town Meeting

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

Draft Warrant Article a5.1

LAND USE ORDINANCE AMENDMENT – Parking Garage – Shall an Ordinance dated x, 2016 and entitled "An amendment to restore parking garage use permitted by Planning Board site plan review to the Bar Harbor Gateway district in the Land Use Ordinance" be enacted."

Parking Garage

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.

C. Allowed uses.

(1) Principal uses allowed by building permit or a change of use permit from the Code Enforcement Officer: artist studio; child care family; gallery; government facility; home occupation (NOTE: Home

occupations in properties with lot frontage or access on Route 3 shall be required to obtain minor site plan approval.); municipal facility; municipal school; public or private park with minimal structural development; vacation rentals; single-family dwelling and two-family dwelling.
[Amended 6-14-2011]
(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) 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.

EXPLANATION: This warrant article restores parking garage use approved by Planning Board Site Plan review in the Bar Harbor Gateway district. The parking garage use was permitted in this location prior to the adoption of the current zoning in 2010. Parking garages are considered a tool to accommodate parking with reduced lot coverage.

Draft Order

Of the Bar Harbor Town Council
For the June x, 2017 Town Meeting

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

Draft Warrant Article a5.2

LAND USE ORDINANCE AMENDMENT – Parking Garage – Shall an Ordinance dated x, 2016 and entitled "An amendment to restore parking garage use allowed by Planning Board site plan review to the Downtown Village district I in the Land Use Ordinance" be enacted."

Parking Garage

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; farmers market; home occupation.
[Amended 11-5-2013; 6-14-2016]
(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; automobile sales lot; automobile repair garage; retirement community.
[Amended 6-14-2016]
(3) Uses allowed by conditional use permit: public utility facility.
[Added 6-9-2015]

EXPLANATION: This warrant article restores parking garage use approved by Planning Board Site Plan review in the Downtown Village I district. The parking garage use was permitted in this location prior to the adoption of the current zoning in 2010. Parking garages are considered a tool to accommodate parking with reduced lot coverage.

Draft Order

Of the Bar Harbor Town Council
For the June x, 2017 Town Meeting

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

Draft Warrant Article a5.3

LAND USE ORDINANCE AMENDMENT – Parking Garage – Shall an Ordinance dated x, 2016 and entitled "An amendment to restore parking garage use allowed by Planning Board site plan review to the Downtown Village II district in the Land Use Ordinance" be enacted."

Parking Garage

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; farmers market; single-family dwelling; two-family dwelling; home occupation.
[Amended 6-14-2016]
(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; automobile sales lot; automobile repair garage; retirement community.
[Amended 6-14-2016]
(3) Uses allowed only by conditional use permit: public utility facility.
[Added 6-9-2015]

EXPLANATION: This warrant article restores parking garage use approved by Planning Board Site Plan review in the Downtown Village II district. The parking garage use was permitted in this location prior to the adoption of the current zoning in 2010. Parking garages are considered a tool to accommodate parking with reduced lot coverage.

Draft Order

Of the Bar Harbor Town Council
For the June x, 2017 Town Meeting

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

Draft Warrant Article a5.4

LAND USE ORDINANCE AMENDMENT – Parking Garage – Shall an Ordinance dated x, 2016 and entitled "An amendment to add parking garage use by Planning Board site plan review to the Educational Institutional district in the Land Use Ordinance" be enacted."

Parking Garage

An amendment to add parking garage use, to the Educational Institutional district.

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

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

Chapter 125 , LAND USE ORDINANCE

APPENDIX C, Table of Permitted Uses

	Downtown Residential	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		b													
Parking deck															
Parking lot															
	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															
Parking lot															

Appendix C Table of Permitted Uses, Key to Appendix C - Permissibility of Use (Excerpt)
b = Activity or structure requires approval through site plan review process before it may be commenced or built. [Amended 5-5-2003]
blank space = activity prohibited.

EXPLANATION: This warrant article restores parking garage use approved by Planning Board Site Plan review in the Educational Institutional district. The Educational Institutional district is in the area of College of the Atlantic. Parking garages are considered a tool to accommodate parking with reduced lot coverage.

Draft Order

Of the Bar Harbor Town Council
For the June x, 2017 Town Meeting

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

Draft Warrant Article a5.5

LAND USE ORDINANCE AMENDMENT – Parking Garage – Shall an Ordinance dated x, 2016 and entitled "An amendment to add parking garage use by Planning Board site plan review to the Marine Research district in the Land Use Ordinance" be enacted."

Parking Garage

An amendment to add parking garage use, to the Marine Research.

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

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

Chapter 125 , LAND USE ORDINANCE

APPENDIX C, Table of Permitted Uses

	Downtown Residential	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														b	
Parking deck															
Parking lot															
	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															
Parking lot															

Appendix C Table of Permitted Uses, Key to Appendix C - Permissibility of Use (Excerpt)

b = Activity or structure requires approval through site plan review process before it may be commenced or built. [Amended 5-5-2003]

blank space = activity prohibited.

EXPLANATION: This warrant article adds parking garage use approved by Planning Board Site Plan review in the Marine Research district. The Marine Research district is in the area of MDI Biological Laboratory. Parking garages are considered a tool to accommodate parking with reduced lot coverage.

Draft Order

Of the Bar Harbor Town Council
For the June x, 2017 Town Meeting

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

Draft Warrant Article a5.6

LAND USE ORDINANCE AMENDMENT – Parking Garage – Shall an Ordinance dated x, 2016 and entitled "An amendment add parking garage use by Planning Board site plan review to the Scientific Research for Eleemosynary Purpose district in the Land Use Ordinance" be enacted."

Parking Garage

An amendment to add parking garage use, to the Scientific Research for Eleemosynary Purpose district.

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

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

Chapter 125 , LAND USE ORDINANCE

APPENDIX C, Table of Permitted Uses

	Downtown Residential	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															
Parking lot															
	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							b								
Parking deck															
Parking lot															

Appendix C Table of Permitted Uses, Key to Appendix C - Permissibility of Use (Excerpt)

b = Activity or structure requires approval through site plan review process before it may be commenced or built. [Amended 5-5-2003]

blank space = activity prohibited.

EXPLANATION: This warrant article adds parking garage use by Planning Board site plan review to the Scientific Research for Eleemosynary Purposes district. The Scientific Research district is in the area of The Jackson Laboratory. Parking garages are considered a tool to accommodate parking with reduced lot coverage.

MEMORANDUM

DATE: OCTOBER 28, 2016

TO: BAR HARBOR TOWN COUNCIL

FROM: ROBERT OSBORNE, PLANNING DIRECTOR

RE: FERRY TERMINAL LUO DISCUSSION

The Planning Board offers the attached draft warrant article to craft a new district for the ferry terminal site located at 121 Eden Street. The Board reached a general consensus on the draft language and zoning map amendment. Each Board member indicated that they support creating a district in which cruise ship operations may be conducted. They proceeded to finalize a list of uses that might be allowed in the proposed Shoreland Maritime Activities District.

The language is crafted is such a way as to propose that the land be used for water related uses with a group of other uses that might be done accessory to the water related uses. For example a hotel can be an accessory use but not if the water related use is eliminated.

Draft Order

Of the Bar Harbor Town Council
For the June 2017 Town Meeting

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

Draft Warrant Article b

LAND USE ORDINANCE AMENDMENT – Shoreland Maritime Activities District – Shall an Ordinance dated x, 2016 and entitled "An amendment to create a new shoreland district entitled Shoreland Maritime Activities District and define "passenger terminal" use in the Land Use Ordinance" be enacted?

Shoreland Maritime Activities District

An amendment to create a new Shoreland Maritime Activities District at the ferry terminal site 121 Eden Street and define "passenger terminal" use.

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 III Land Use Activities and Standards

<u>§ 125-49.3 Shoreland Maritime Activities District.</u>

<u>A. Purpose. The Shoreland Maritime Activities District seeks to support maritime activities related to the reuse of Bar Harbor Tax Map 231, Lot 004, the ferry terminal for both cruise ship and ferry activities. This district includes all land currently occupied by or suitable for active water dependent uses, taking</u>

into consideration: (1) Shelter from prevailing winds and waves; (2) Slope of the land within 250 feet, horizontal distance, of the shoreline; (3) Depth of the water within 150 feet, horizontal distance, of the shoreline; (4) Available support facilities including utilities and transportation facilities; and (5) Compatibility with adjacent upland uses.

B. Dimensional standards.

(1) Minimum lot size: None.

(2) Minimum road frontage and lot width: None.

(3) Minimum setback from shoreline: None.

(4) Minimum shore frontage: None.

(5) Minimum front setback: 50 feet (measured from centerline of Route 3).

(6) Minimum side 25 feet and rear setback: None.

(7) Maximum lot coverage: 70%.

(8) Maximum height: 35 feet.

C. Allowed uses.

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

(2) Accessory uses that are usual and normal to a principal use are allowed if they are typically permitted by the Code Enforcement Officer or site plan review for the district in which the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure and shall include bank; farmers market; hotel; multifamily dwelling I; multifamily dwelling II; parking lot; professional office building; restaurant; retail; take-out restaurant and wireless telecommunications facility.

D. The following uses shall be permitted by site plan review in any part of this district: commercial boat yard; commercial fish pier; passenger terminal; ferry terminal; services.

E. Allowed activities.

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

(2) Emergency operations

F. Other requirements.

(1) Multifamily I and Multifamily II uses are limited to employee housing.

§ 125-109 Definitions.

The following terms shall have the following meanings:

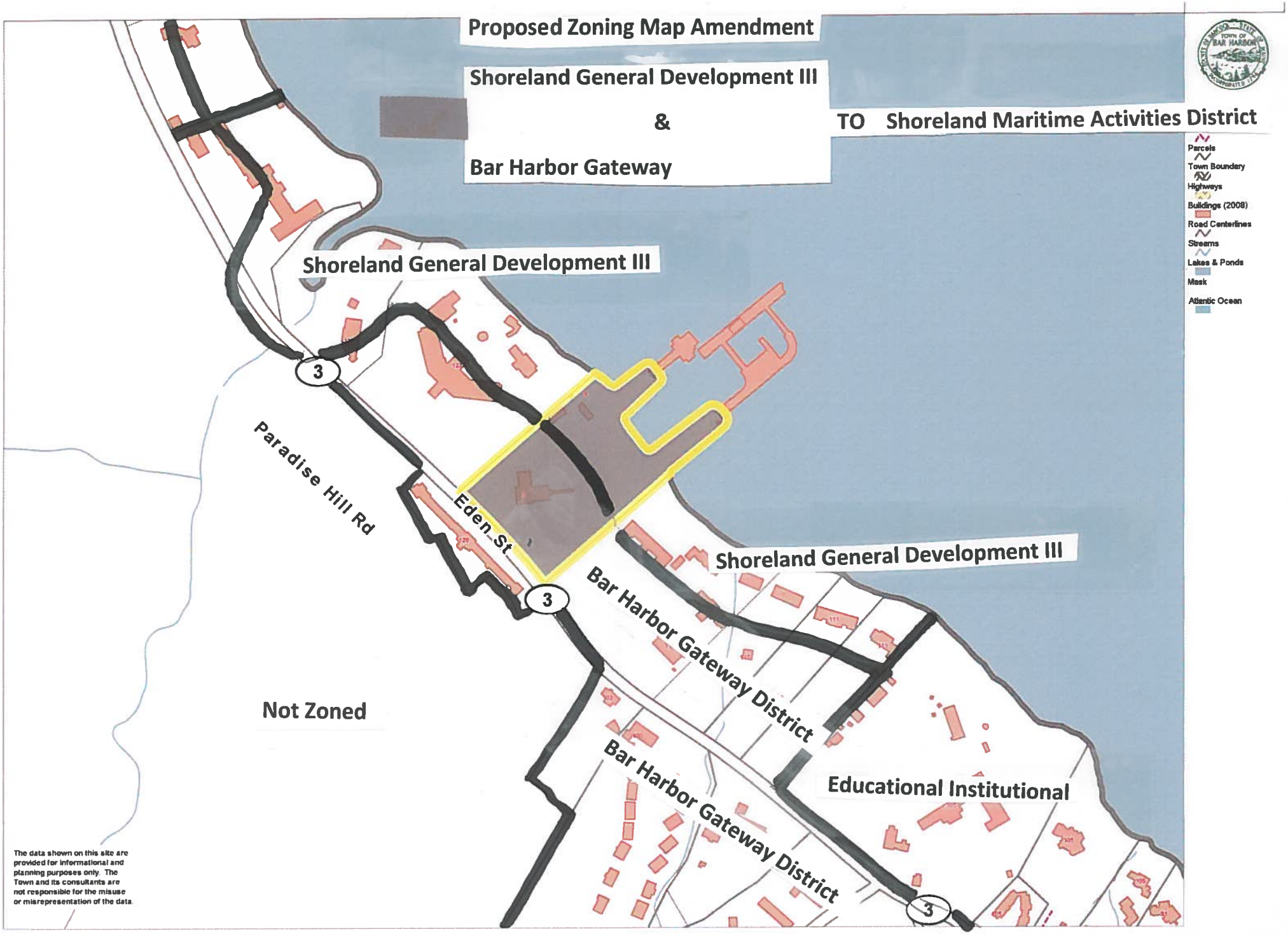
PASSENGER TERMINAL - A transportation facility where passengers embark on or disembark from carriers such as ferries and buses that provide transportation to passengers for hire by land or sea. Passenger terminals typically include some or all of the following: ticket counters, waiting areas, management offices, baggage handling facilities, restroom facilities, visitor center. A passenger terminal use on the waterfront may include moorage for cruise ships and/or vessels engaged in transporting passengers for hire. Activities commonly found aboard such vessels, whether moored or under way, that are incidental to the transport of passengers shall be considered -part of the passenger terminal use and shall not be treated as separate uses.

MAP AMENDMENT

Assign the Shoreland Maritime Activities District to the following Property Tax Map and Lot number pursuant the Official Neighborhood District Map of Bar Harbor, Maine effective November 5, 2013:

Map and Lot
231-004-000

EXPLANATION: Maine's Municipal Guide to Shoreland Zoning, Chapter 1000 allows municipalities to create a shoreland district on a single parcel of land to facilitate the uses and structures necessary for a deep water port. Thus the district proposed to cover the single parcel at 121 Eden Street. The dimensional standards proposed are compliant with Chapter 1000.


Proposed Zoning Map Amendment
Shoreland General Development III
&
Bar Harbor Gateway
TO Shoreland Maritime Activities District
Parcels
Town Boundary
Highways
Buildings (2008)
Road Centerlines
Streams
Lakes & Ponds
Mask
Atlantic Ocean
Shoreland General Development III
3
Paradise Hill Rd
Eden St
3
Shoreland General Development III
Bar Harbor Gateway District
Not Zoned
Bar Harbor Gateway District
Educational Institutional
3
The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.
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MapsOnline

MEMORANDUM

DATE: OCTOBER 28, 2016

TO: BAR HARBOR TOWN COUNCIL

FROM: ROBERT OSBORNE, PLANNING DIRECTOR

RE: MINIMUM AREA PER FAMILY LUO DISCUSSION

The Planning Board offers the attached draft warrant article to adjust the minimum area per family in the Downtown Village I and Downtown Village II districts down from 750 sq. ft. to 400 sq. ft. The effect of this change is: At the current standard a 5,000 sq. ft. lot located it these two districts would allow 6 dwelling units. After the change the 5,000 sq. ft. lot would allow 12 dwelling units. This could translate into a three-story building with four dwellings per floor or a three-story building with a first floor of retail space and either four or six dwelling units per floor on the second and third floor.

It would appear that this standard would allow significantly more development opportunity but does not throw the door open to tiny 80 sq. ft. apartments.

Draft Order

Of the Bar Harbor Town Council
For the June 2017 Town Meeting

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

Draft Warrant Article c

LAND USE ORDINANCE AMENDMENT – Minimum Area Per Family – Shall an Ordinance dated x, 2016 and entitled "An amendment to adjust minimum area per family in the Downtown Village I district and Downtown Village II district in the Land Use Ordinance" be enacted?

Minimum Area Per Family

An amendment to adjust the required minimum area per family within the Downtown Village I and Downtown Village II districts.

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 III Land Use Activities and Standards

§ 125-21 Downtown Village I.

B. Dimensional standards.
(1) Minimum lot size: 1,000 square feet.

(2) Minimum road frontage and lot width: 20 feet.
(3) Minimum front setback: zero feet.
(4) Minimum side setback: 25 feet on any side yard that abuts a residential or historic district; zero feet elsewhere.
(5) Minimum rear setback: 25 feet on any rear yard that abuts a residential or historic district; zero feet elsewhere.
(6) Maximum allowable lot coverage: 100%, exclusive of setbacks.
(7) Maximum height: 45 feet and within 15 feet of the front property line, the building height shall be no more than 35 feet. Beyond 15 feet of the front property line, the building may extend to a maximum height of 45 feet. The building shall contain no more than three stories above mean original grade unless the following conditions are met, in which case the building may contain a fourth story above mean original grade:
(a) An amount of space equal to the square footage of the floor area that extends above 35 feet is dedicated somewhere in the building for dwelling units only;
(b) These dedicated dwelling units shall be rented for periods of no fewer than 90 consecutive days; and
(c) The building must provide a minimum number of dwelling units (See Table 3.[2]) which qualify as affordable housing as defined or otherwise provided.
[2]Editor's Note: Table 3 is included as an attachment to this chapter.
(8) Minimum lot area per family: 400 ~~750~~ square feet.

§ 125-21.1 Downtown Village II.

B. Dimensional standards.
(1) Minimum lot size: 1,000 square feet.
(2) Minimum road frontage and lot width: 20 feet.
(3) Minimum front setback:
(a) Ten feet for buildings up to 30 feet in height.
(b) Twenty feet for buildings over 30 feet and up to 45 feet in height.
(c) Ten feet for buildings up to 45 feet in height, provided that the portion of the building above 30 feet in height meets all three of the following conditions:
[1] The portion of the building which is above 30 feet in height shall be set back no fewer than 20 feet from the front property line;
[2] The dedicated dwelling units shall be rented for periods of no fewer than 90 consecutive days; and
[3] The building must provide a minimum number of residential units (See Table 3.[2]) which qualify as affordable housing as defined or as otherwise provided.
[2]Editor's Note: Table 3 is included as an attachment to this chapter.
(4) Minimum side setback: zero feet.
(5) Minimum rear setback: 20 feet for buildings on any yard that abuts a residential district; 10 feet for accessory structures and parking on any yard that abuts a residential district; five feet elsewhere.
(6) Maximum lot coverage:
(a) Ninety percent for buildings up to 30 feet in height.
(b) Eighty percent for buildings over 30 feet and up to 35 feet in height.
(c) Seventy percent for buildings over 35 feet and up to 45 feet in height.

(7) Maximum height: 45 feet and: within 15 feet of the front property line, the building height shall be no more than 35 feet. Beyond 15 feet of the front property line, the building may extend to a maximum height of 45 feet. The building shall contain no more than three stories above mean original grade unless the following conditions are met, in which case the building may contain a fourth story above mean original grade:
(a) An amount of space equal to the square footage of the floor area that extends above 35 feet is dedicated somewhere in the building for dwelling units only;
(b) These dedicated dwelling units shall be rented for periods of no fewer than 90 consecutive days; and
(c) The building must provide a minimum number of dwelling units (See Table 3.[3]) which qualify as affordable housing as defined or otherwise provided.
[3]Editor's Note: Table 3 is included as an attachment to this chapter.
(8) Minimum lot area per family: 400 ~~750~~ square feet.

EXPLANATION: The term minimum area per family is a metric utilized to require a certain number of square feet of land area for each dwelling unit or "family" on a lot within the Town. The proposed change would reduce the minimum area required per family requirement in the Downtown Village I and Downtown Village II districts in order to facilitate construction of additional dwelling units in the location with the most demand. These districts already allow between 75 percent to 100 percent lot coverage (building and pavement). The anticipated visual impact of this amendment: The Land Use Ordinance would allow an additional story (floor) of apartments.