

Agenda
Bar Harbor Town Council
Special Meeting
Wednesday
June 13, 2018

- I. **CALL TO ORDER – 5:30 P.M.**
- II. **ORGANIZATIONAL MATTERS**
 - A. **Oath of Office**
 - B. **Election of Officers**
 - 1. **Chair**
 - 2. **Vice-Chair**
 - C. **Selection of Seating**
- III. **ADOPTION OF AGENDA**
- IV. **PUBLIC HEARINGS:**
 - A. **Special Amusement Permit: Dog & Pony Tavern, 4 Rodick Place, for a class 4, other type of entertainment, as submitted by Amanda Gallant. (Renewal)**
- V. **CONSENT AGENDA:**
 - A. **Vehicle for Hire License** – The following requests approved by the Police Department and proof of insurance provided. Possible motion to approve:
 - 1. **Occassions Limousine**, request for three limousine licenses, as submitted by James Ohmeis.(Renewal)
 - 2. **At Your Service Taxi**, request for four additional taxi licenses, as submitted by Clare Bingham (Renewal)
 - 3. **Amazin Moe'z Taxi**, request for one taxi license, as submitted by Maureen Leeman (Renewal)
 - 4. **MDI Tours**, request for one additional taxi license, as submitted by Matt Valarik (Renewal)
 - B. **Certification of Property Owners and Abutters Mailing List** – Possible passage of a motion to sign the certification of the mailing list used for the notice of the Town Council's June 19, 2018 public hearing on the Land Use Ordinance Amendment, map amendment Town Hill for November 6, 2018.
- VI. **REGULAR BUSINESS:**
 - A. **Council Committee Appointments** –
 - 1. **Appointments Committee** – Appointment of three Town Councilors to serve for one year.

2. Joint (School) Budget Advisory Committee – Appointment of two Town Councilors to serve for one year.
3. Communication Technology Task Force – Appointment of one Town Councilor representative
4. Cruise Ship – Appointment of one Town Councilor representative
5. Ferry Terminal – Appointment of one Town Councilor representative
6. MD/BH Joint Police Chief Sharing – Appointment of two Town Councilor representatives
7. Task Force on Aging – Appointment of one Town Councilor representative
8. Recycling Task Force – Appointment of one Town Councilor representative
9. Parking Solutions Task Force – Appointment of one Town Councilor representative

VII. COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA

VIII. EXECUTIVE SESSION (None Anticipated)

IX. ADJOURNMENT

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

Manager's Memo

To: Bar Harbor Town Council
cc: Department Heads
From: Cornell Knight, Town Manager
Date: Friday, June 8, 2018

Re: **Town Council Special Meeting of June 13th**

CALL TO ORDER – 5:30 P.M.

II. Organizational Matters.

IV. Public Hearing

A. Special Amusement Permit: Dog & Pony – Following the public hearing a possible motion: to approve the Dog & Pony Special Amusement Permit Application for Class 4 permit.

V. CONSENT AGENDA –

A. Vehicles for Hire- applications enclosed

1. **Occasional Limousine** – a possible motion: to approve the vehicle for hire renewal application from Occasional Limousine for three limousines.
2. **At Your Service Taxi**- a possible motion: to approve the vehicle for hire renewal from At Your Service Taxi for four taxis.
3. **Amazin Moe'z Taxi**- a possible motion: to approve the vehicle for hire for Amazin Moe'z Taxi for one taxi.
4. **MDI Tours**- a possible motion: to approve the vehicle for hire for MDI Tours for one taxi.

B. Certification of Property Owners and Abutters Mailing List- a possible motion: to sign the certification of the mailing list used for the notice of the Town Council's June 19, 2018 public hearing on the Land Use Ordinance Amendment, map amendment Town Hill for November 6, 2018.

A possible motion: to approve the consent agenda as published.

VI. REGULAR BUSINESS

A. Appointments.



Town of Bar Harbor Application for Special Amusement Permi

IV A

Special Amusement Permits are valid only for the license year of the applicant's existing liquor license.

Date: 5/10/18 Application Type: New Renewal Permit Number: _____
 Applicant: Amanda Gullant Applicant's Address: 4 Rodick Place Bar Harbor
Name Mailing Address
 Business Name: Dog + Pony Tavern Business Address: 4 Rodick Place
Physical Address in Bar Harbor
 Type of Business: Restaurant/Bar Location to be used: indoor/outdoor
Restaurant, Bar, Nightclub, etc. Where on the premises will the amusement take place? Use back of page if necessary.
 Phone: 207-288-0900

Has a liquor license or special amusement permit for this business ever been denied or revoked? Yes No
If yes, describe the circumstances in the space below:

Has the applicant, any partners or corporate officers of the business ever been convicted of a felony? Yes No
If yes, describe the circumstances in the space below:

The Town Council requests all applicants or their representatives attend the public hearing to answer any questions. Please be advised that the absence of your representative may delay the Council's decision.

Application is hereby made for a Special Amusement Permit for one of the following:

- Without Mechanical Amplification**
- Class 1 - Single musician
 - Class 2 - Two musicians
 - Class 3 - Three or more musicians

- With Mechanical Amplification**
- Class 1a - Single musician
 - Class 2a - Two musicians
 - Class 3a - Three or more musicians

- With Mechanical Amplification and Dancing**
- Class 1ad - Single musician
 - Class 2ad - Two musicians
 - Class 3ad - Three or more musicians

- Other Entertainment or Amusement**
- Class 4 - any other type of entertainment, as provided by 28A MRSA 1054.1.C

I certify that this application is true and correct, that I have received a copy of the Special Amusement Ordinance and that I will read said ordinance prior to offering any special amusement.

[Signature]
Applicant's Signature

The Municipal Officers of Bar Harbor hereby approve deny this application on _____
Date

Patricia A. Gray, Town Clerk



Town of Bar Harbor

Application for Bus/Carriage-for-Hire/Limousine/Taxicab/Pedicab

V A1

FEE SCHEDULE

Taxi, Carriage-for-Hire and Pedicab (1 - 14 passengers) \$65
Limousine and Bus (15 or more passengers) \$119

Owner's Name: JAMES L O'HUMERIS SR d/b/a: OCCASSIONS LIMOUSINE
Address: 108 SEAFOUR CORNER SOUTHWEST HARBOR ME 04679
Phone (land): Phone (cell):

List all drivers and their Maine Driver's License Number below (use back of application if more space is necessary)

Name: JAMES L O'HUMERIS SR ME Driver's Lic #:
Name: CLARE O'HUMERIS ME Driver's Lic #:
Name: ME Driver's Lic #:
Name: ME Driver's Lic #:

List all the vehicles you wish to include in this application (use additional sheet if more space is necessary)

Table with 4 columns: Type of Vehicle, Year/Make/Model/Serial or VIN, # Seats, Own or Lease. Includes handwritten entries for three limousines.

I hereby agree to abide by Chapter 40 of the Bar Harbor Town Code as well as all applicable laws, statutes, ordinances and regulations related to the operation of Buses, Carriages-for-Hire, Limousines, Taxicabs and Pedicabs.

Owner's Signature [Signature] Date 5-10-18

For official use:

Approvals: Police Department [Signature] Date 05.10.18
Town Clerk, Fee Paid [Signature] Date 05/11/18
Proof of Insurance (DEC page with VIN) [Signature] Date 05/11/18

Copy of Chapter 40 of the Bar Harbor Town Code provided [checked]

V A2



Town of Bar Harbor

Application for Bus/Carriage-for-Hire/Limousine/Taxicab/Pedicab License

| FEE SCHEDULE | |
|---|-------|
| Taxi, Carriage-for-Hire and Pedicab (1 - 14 passengers) | \$65 |
| Limousine and Bus (15 or more passengers) | \$119 |

Owner's Name: Clare Bingham d/b/a: At Your Service
 Address: 3 Acadia Pines Lane, Mount Desert, Maine
 Phone (land): 288-9222 Phone (cell): 479-6340 (Jeff)

List all drivers and their Maine Driver's License Number below (use back of application if more space is necessary)

Name: _____ ME Driver's Lic #: _____
 Name: see attached ME Driver's Lic #: _____
 Name: _____ ME Driver's Lic #: _____
 Name: _____ ME Driver's Lic #: _____

List all the vehicles you wish to include in this application (use additional sheet if more space is necessary)

| Type of Vehicle | Year/Make/Model/Serial or VIN | # Seats | Own or Lease |
|-----------------|-------------------------------|-----------|--------------|
| <u>Taxi</u> | <u>2007 Dodge Caravan</u> | <u>6</u> | <u>own</u> |
| | <u>2D46P48L77R195457</u> | <u>14</u> | <u>own</u> |
| <u>Taxi</u> | <u>2013 GMC Savanna</u> | <u>14</u> | <u>own</u> |
| | <u>1GJ2J1F67D1180504</u> | <u>14</u> | <u>own</u> |
| <u>Taxi</u> | <u>2016 Ford Transit</u> | <u>14</u> | <u>own</u> |
| | <u>1FBZXA2ZMC66RA78578</u> | <u>14</u> | <u>own</u> |
| <u>Taxi</u> | <u>2003 Pontiac Montana</u> | <u>6</u> | <u>own</u> |
| | <u>16MUX13E83D191847</u> | <u>6</u> | <u>own</u> |

I hereby agree to abide by Chapter 40 of the Bar Harbor Town Code as well as all applicable laws, statutes, ordinances and regulations related to the operation of Buses, Carriages-for-Hire, Limousines, Taxicabs and Pedicabs.

Owner's Signature: [Signature] Date: 5-16-18

For official use:

Approvals: Police Department [Signature] Date: 05.16.18
 Town Clerk, Fee Paid [Signature] Date: 5/17/18
 Proof of Insurance (DEC page with VIN) [Signature] Date: 5/17/18

Copy of Chapter 40 of the Bar Harbor Town Code provided



Town of Bar Harbor

Application for Bus/Carriage-for-Hire/Limousine/Taxicab/Pedicab

V A3

FEE SCHEDULE

Taxi, Carriage-for-Hire and Pedicab (1 - 14 passengers) \$65
Limousine and Bus (15 or more passengers) \$119

Owner's Name: Maureen Leeman d/b/a: Anazini Moez Taxi
Address: PO Box 452 Hulls Cove, Maine 04644
Phone (land): Phone (cell): 207.266.1478

MoezTaxi

List all drivers and their Maine Driver's License Number below (use back of application if more space is necessary)

Name: Maureen Leeman ME Driver's Lic #:
Name: Sherwood S. Clark Jr. ME Driver's Lic #:
Name: ME Driver's Lic #:
Name: ME Driver's Lic #:

List all the vehicles you wish to include in this application (use additional sheet if more space is necessary)

Table with 4 columns: Type of Vehicle, Year/Make/Model/Serial or VIN, # Seats, Own or Lease. Row 1: Taxi, F-150 2018 1FTRF3B64GEC86053, 5, Own.

I hereby agree to abide by Chapter 40 of the Bar Harbor Town Code as well as all applicable laws, statutes, ordinances and regulations related to the operation of Buses, Carriages-for-Hire, Limousines, Taxicabs and Pedicabs.

Owner's Signature Maureen Leeman Date

For official use:

Approvals: Police Department, Town Clerk, Fee Paid, Proof of Insurance (DEC page with VIN) with signatures and dates (05.31.18, 5/31/18, 5/31/18)

Copy of Chapter 40 of the Bar Harbor Town Code provided [checked]



Town of Bar Harbor
Application for Bus/Carriage-for-Hire/Limousine/Taxicab/Pe

V A4

| FEE SCHEDULE | |
|---|-------|
| Taxi, Carriage-for-Hire and Pedicab (1 - 14 passengers) | \$65 |
| Limousine and Bus (15 or more passengers) | \$119 |

Owner's Name: MATT VALARIK d/b/a: MDI TOURS
 Address: 81 HALL QUARRY RD.
 Phone (land): 207-244-7657 Phone (cell): 207-669-5674

MDI TR 3

List all drivers and their Maine Driver's License Number below (use back of application if more space is necessary)

Name: MATTHEW J. VALARIK ME Driver's Lic # _____
 Name: EVAN O. VALARIK ME Driver's Lic # _____
 Name: WILL CASS ME Driver's Lic # _____
 Name: LINDA HANZEL ME Driver's Lic # _____

List all the vehicles you wish to include in this application (use additional sheet if more space is necessary)

This one only
prev. lic.

| Type of Vehicle Bus/Carriage/Limo/Taxi/Pedicab | Year/Make/Model/Serial or VIN | # Seats | Own or Lease |
|---|-------------------------------|---------|--------------|
| 2003 Subaru | 3GN6C26U239280622 | 7 | OWN |
| 2001 " | 3GNFK16T01G267865 | 7 | OWN |
| 1999 " | 1GNFK16S5XJ384711 | 7 | OWN |
| | | | |
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| | | | |

I hereby agree to abide by Chapter 40 of the Bar Harbor Town Code as well as all applicable laws, statutes, ordinances and regulations related to the operation of Buses, Carriages-for-Hire, Limousines, Taxicabs and Pedicabs.

Owner's Signature Matt Valarik Date 5/31/18

For official use:

Approvals: Police Department [Signature] Date 05.31.18
 Town Clerk, Fee Paid Shawn M. Gurney Date 06/06/18
 Proof of Insurance (DEC page with VIN) Shawn M. Gurney Date 06/06/18

Copy of Chapter 40 of the Bar Harbor Town Code provided

V B

Certification

of

Property Owners and Abutters Mailing List

for

Bar Harbor Town Council Notice of Public Hearing for June 19, 2018 on the Proposed Land Use Ordinance amendment Official Neighborhood Districts Map Amendment Town Hill Residential to Town Hill Rural for November 6, 2018 town meeting warrant.

Pursuant to the Bar Harbor Town Code Chapter 125-9, The Bar Harbor Town Council hereby certifies that the attached mailing list which contains the list of property owners, abutters and addresses were mailed the notice entitled "Bar Harbor Town Council Notice of a Public Hearing for proposed amendments to the Bar Harbor Land Use Ordinance for November 6, 2018 Town Meeting" on May 25, 2018 from the Bar Harbor Post Office, 55 Cottage Street, Bar Harbor, Maine.

Given under our hands and seal at Bar Harbor on this 13th day of June, 2018

Municipal Officers of the Town of Bar Harbor

Paul A. Paradis, Chair

Gary Friedmann, Vice Chair

Peter St. Germain

Stephen Coston

Erin E. Cough

Matthew Hochman

Judith Noonan



**Bar Harbor Town Council
Notice of a Public Hearing for proposed amendments to the
Bar Harbor Land Use Ordinance
for November 6, 2018 Town Meeting**

May 25, 2018

«abutters_owner1» «abutters_owner2»
«abutters_address»
«abutters_town», «State» «Zip»

Dear Bar Harbor Property Owner:

This is to notify the public that, under the requirements of Bar Harbor Land Use Ordinance, Chapter 125, Article I General Provisions, Section 125-9, the Bar Harbor Town Council will hold a public hearing on the proposed Land Use Ordinance amendment listed below and consider placement on the November 6, 2018 Town Meeting Warrant for voting thereon. The public hearing will be held on **Tuesday, June 19, 2018 at 7:00 PM** in the Council Chambers of the Municipal Building, 93 Cottage Street, Bar Harbor, Maine.

**LAND USE ORDINANCE AMENDMENT – Official Neighborhood Districts Map
Amendment Town Hill Residential to Town Hill Rural**– Shall an ordinance, dated March 21, 2018, to amend the Official Neighborhood Districts Map by extending a portion of the boundary of the Town Hill Rural district to encompass the parcel identified as Tax Map 213, Lot 008-001 be enacted?

EXPLANATION:

This amendment is to relocate the district boundary line of the Town Hill Rural district to include the property located at Bar Harbor Tax Map 213, Lot 008-001.

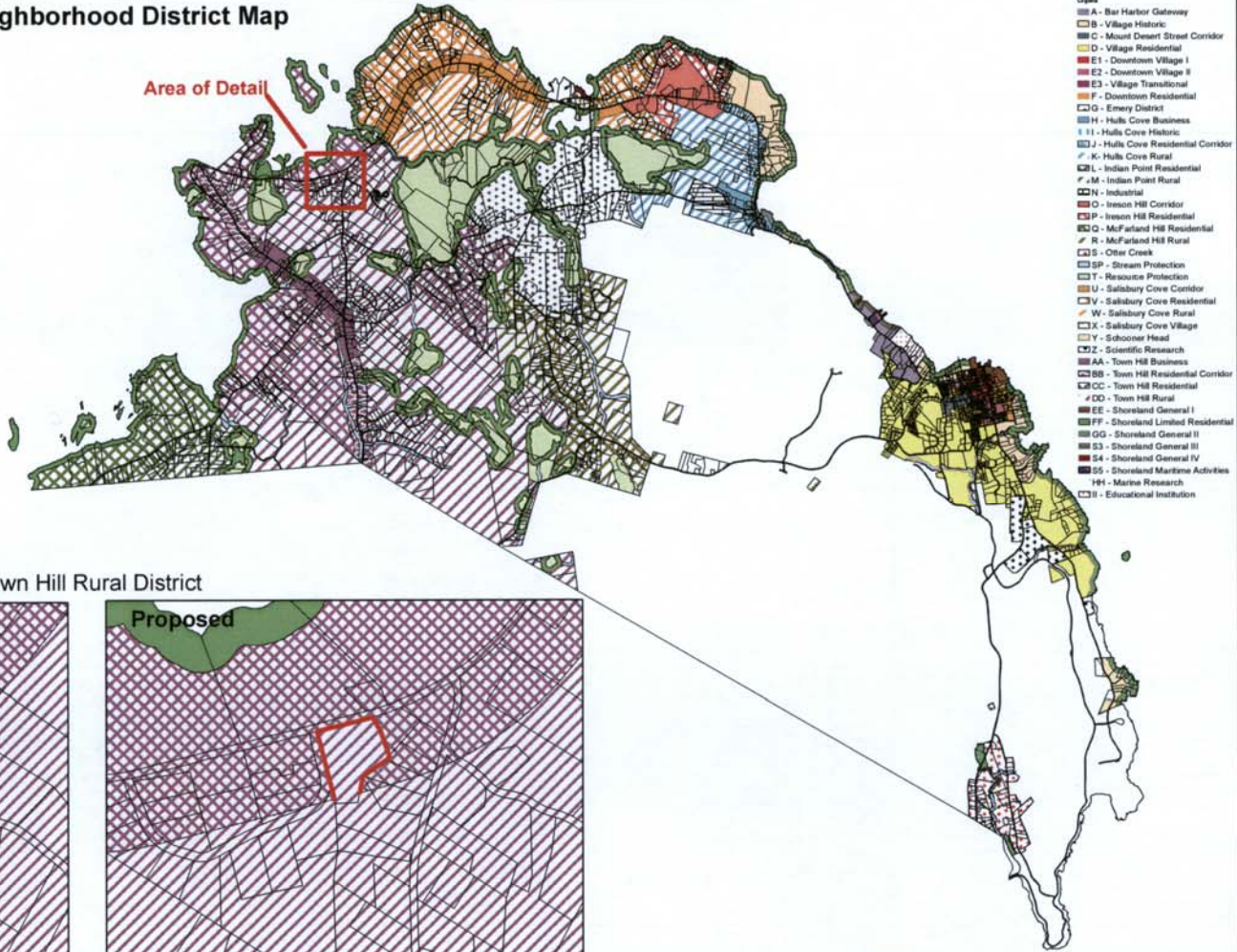
(see back for proposed map change)

Copies of the full text amendments are available at the Town Clerk's office and Planning Department at 93 Cottage Street, Bar Harbor, ME 04609. Amendments can also be found on the Town's website under the Planning Department section at: www.barharbormaine.gov. Public comment is encouraged at the public hearing on June 19, 2018 or may be submitted in advance by email to council@barharbormaine.gov or by US Mail.

Town of Bar Harbor Current Official Neighborhood District Map



Area of Detail

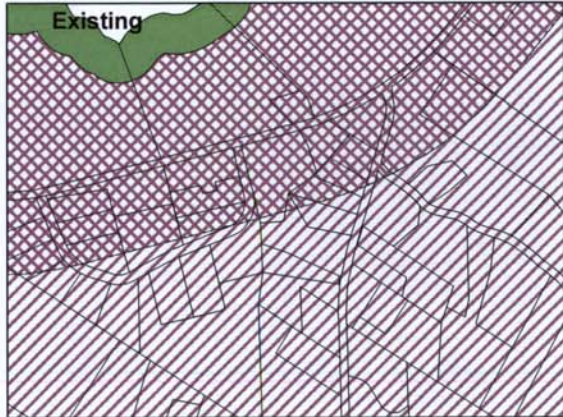


- Legend
- A - Bar Harbor Gateway
- B - Village Historic
- C - Mount Desert Street Corridor
- D - Village Residential
- E1 - Downtown Village I
- E2 - Downtown Village II
- E3 - Village Transitional
- F - Downtown Residential
- G - Emery District
- H - Hulls Cove Business
- I1 - Hulls Cove Historic
- J - Hulls Cove Residential Corridor
- K - Hulls Cove Rural
- L - Indian Point Residential
- M - Indian Point Rural
- N - Industrial
- O - Iveson Hill Corridor
- P - Iveson Hill Residential
- Q - McFarland Hill Residential
- R - McFarland Hill Rural
- S - Otter Creek
- SP - Stream Protection
- T - Resource Protection
- U - Salisbury Cove Corridor
- V - Salisbury Cove Residential
- W - Salisbury Cove Rural
- X - Salisbury Cove Village
- Y - Schooner Head
- Z - Scientific Research
- AA - Town Hill Business
- BB - Town Hill Residential Corridor
- CC - Town Hill Residential
- DD - Town Hill Rural
- EE - Shoreland General I
- FF - Shoreland Limited Residential
- GG - Shoreland General II
- SS - Shoreland General III
- S4 - Shoreland General IV
- S5 - Shoreland Maritime Activities
- H1 - Marine Research
- I1 - Educational Institution

Legend

□ Parcel to be moved from Town Hill Residential to Town Hill Rural

Proposed District Map Boundary Change to Town Hill Rural District



Printed for
Bar Harbor Planning Office
January 31, 2018

| abutters_owner1 | abutters_owner2 | abutters_address | abutters_town | State | Zip |
|--|-----------------------------------|-------------------------|----------------------|--------------|------------|
| ✓ADAM N & JULIA W HILTON | | 1171 STATE HWY 3 | BAR HARBOR | ME | 04609 |
| ✓DOWNEAST HORIZONS INC | | 1200 STATE HWY 3 | BAR HARBOR | ME | 04609 |
| ✓THOMAS V LANGE | | 236 KNOX ROAD | BAR HARBOR | ME | 04609 |
| ✓BERTHA M HIGGINS | | 264 KNOX ROAD | BAR HARBOR | ME | 04609 |
| ✓LUCAS M & RACHEL L BUTLER | | 271 KNOX ROAD | BAR HARBOR | ME | 04609 |
| ✓KNOX DISTRICT HOUSING | | 276 KNOX RD | BAR HARBOR | ME | 04609 |
| ✓JANICE SPRAGUE | | 279 KNOX RD | BAR HARBOR | ME | 04609 |
| ✓JAMES W DENNISON | | 280 KNOX ROAD | BAR HARBOR | ME | 04609 |
| ✓NATALIE SPRINGUEL | | 285 KNOX ROAD | BAR HARBOR | ME | 04609 |
| ✓DIANE M COUSINS | | 288 KNOX RD | BAR HARBOR | ME | 04609 |
| ✓JERRY E BOUCHARD & MICHAEL J BOUCHARD | | 290 KNOX ROAD | BAR HARBOR | ME | 04609 |
| ✓TODD & PATRICIA STAPLES | | 38 SANDY LANE | BAR HARBOR | ME | 04609 |
| ✓TOWN OF BAR HARBOR | | 93 COTTAGE ST | BAR HARBOR | ME | 04609 |
| ✓STANLEY MT DESERT NARROWS, LLC | C/O B&D EQUITY PROPERTY TAX GROUP | PO BOX 06115 | CHICAGO | IL | 60606-6115 |
| ✓WHITE DEER INVESTMENTS, LLC | | PO BOX 1123 | ELLSWORTH | ME | 04605 |
| ✓JOY ANN FRODING | | PO BOX 302 | HULLS COVE | ME | 04644 |
| ✓TERRY L & SHERYL A REECE | | PO BOX 49 | NORTHEAST HARBOR | ME | 04662 |
| ✓ELI M SIMON | | PO BOX 514 | BAR HARBOR | ME | 04609 |
| ✓ARIEL L BOTHEN & CHELSEA R BOTHEN | | PO BOX 539 | MOUNT DESERT | ME | 04660 |
| ✓BARRY L GUTRADT | | PO BOX 561 | BAR HARBOR | ME | 04609 |
| ✓BLACK MOUNTAIN TIMBER FRAMES LLC | | PO BOX 936 | BLUE HILL | ME | 04614 |