

Minutes
Bar Harbor Design Review Board
Thursday, April 9, 2020 at 6:00 P.M.

Meeting was conducted remotely, via Zoom video conference platform, due to COVID-19
(as authorized under the provisions of MRSA §403-A,
as approved by the Maine Legislature on March 17, 2020 as part of LD 2167)

Meeting agenda noted public comment would be accepted via email sent to
sfuller@barharbormaine.gov

Assistant Planner Steve Fuller, seated in the Council Chambers at the Municipal Building, opened the meeting at 6:04 PM. He explained that the meeting was being conducted remotely, believed to be a first for the Design Review Board. He explained the other meeting participants — board members, town staff and the applicant — were at their homes and participating via video. He noted that the recently enacted state law allowing for a remote meeting required all votes to be done by roll call. He also asked those taking part to mute their microphones when they were not speaking to reduce background noise and avoid talking over others. He then turned the meeting over to Chairman Barbara Sassaman.

I. CALL TO ORDER

Chairman Sassaman called the meeting to order at 6:05 PM.

II. EXCUSED ABSENCES

Chairman Sassaman noted there were no absences to excuse as all board members were present, via video.

III. ADOPTION OF AGENDA

Vice-Chair Steve Demers moved to adopt the agenda, seconded by Member Pancho Cole. On a roll-call vote, the motion carried unanimously (5-0).

IV. APPROVAL OF MINUTES

a. March 12, 2020

Cole moved to approve the minutes from the March 12, 2020 meeting as presented. Member Andrew Geel seconded the motion. On a roll-call vote, the motion carried without opposition (4-0). Demers abstained from voting as he was not present at the March 12 meeting.

V. PUBLIC COMMENT

Fuller noted that the published agenda for the meeting asked anyone who wished to make comment to send it via email to his email address (sfuller@barharbormaine.gov). He reported that as of the start of the meeting, no comments had been received.

VI. BUILDING PERMIT REMINDERS

Chairman Sassaman reminded Jennifer Litteral, the sole applicant on the evening's agenda, that if the board approved a certificate of appropriateness for her project she would need to obtain a building permit from the Code Enforcement Officer prior to starting construction.

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VII. REGULAR BUSINESS

a. Certificate of Appropriateness

Application: DRB-2020-10 (Coffee Hound)
Applicant: Jennifer Litteral
Project Location: 27B Main Street / 104-128-000
Proposed Project: Installation or changes in sign or awning (Changing shape and color scheme of hanging and on-door signs, changing color scheme of above-door sign, and changing text and color of window sticker signage)

Litteral explained she had put her application together earlier in the year prior to the coronavirus pandemic, and that she was proceeding ahead with the application so that she would be ready to go ahead with the work whenever an opportunity presented itself.

Litteral said everything in the application had been approved previously, but that she was coming back with a new logo and different color scheme. She also noted a change in shape of the hanging sign, from a round sign to a rectangular one. She spoke about changes in the lettering and decals on the windows and doors. She said window graphics were approved several years ago, but that what was approved never went up and that she is re-doing the design as part of this application. Litteral said she is within her allowance for signage with this proposal.

Chairman Sassaman invited comments or questions from the board. Secretary Pete Bono complimented Litteral on her application, and said he found the numbers to be correct and within what is allowed. He asked Litteral to clarify the lighting illumination path, as shown on her application. She addressed his question, explaining what the lightning bolts on the application materials represented and how the light travels. Bono offered a suggestion about improving the lighting, and Litteral explained why the signage and lighting are set up the way that they are. Bono said this explanation clarified things for him.

Chairman Sassaman asked a follow-up question about the direction of lighting, which Litteral answered. Litteral said the lights are all LED lights. Chairman Sassaman asked Litteral if she knew what the Kelvin value of the lights were, whether they were warm lights or cold. Litteral said she tries to go with warm LEDs but said she did not recall the exact Kelvin value. Chairman Sassaman said the board's goal is to keep lighting under 3,000 Kelvin in town, and Litteral said she would check the lights (the current ones have been in place for about five years, she said).

With no other questions, Demers moved to approve the application as submitted. Cole seconded the motion. On a roll-call vote, the motion then carried unanimously (5-0).

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VIII. OTHER BUSINESS

Chairman Sassaman mentioned she had recently emailed the board material regarding the Design Review Board handbook and encouraged board members to work on it as they have time.

Chairman Sassaman said she had sent an email to Dick Cough with the Village Improvement Association about the proposed overlay district change. She said she thought Cough should take a look at what the Design Review Board is proposing, from the VIA's standpoint, and see if the board is missing anything. She noted Cough is out of town at present, but reported that he said he would be happy to help with the review when he could.

Chairman Sassaman said the other topic she wanted to talk about was what would have to be done for public hearings (and how would they be done) for the proposed Land Use Ordinance changes that the Design Review Board is looking at. She noted the goal is to get the proposals on the November 2020 ballot.

Planning Director Michele Gagnon said staff is waiting for information from Town Clerk Sharon Linscott, with a list of deadlines as Linscott has prepared in the past. Gagnon said she did not yet know what would happen. Chairman Sassaman said the key thing is the map, and Fuller said he had not yet discussed the map with Assessor Steve Weed.

Chairman Sassaman said she wanted to make sure this was not put off for another year. She said she would like to have a set of dates and tasks so the board could keep the proposal moving forward. Gagnon referred to an outline of dates she had for the November 2020 vote (drafted pre-pandemic) which said the final draft of any proposed Land Use Ordinance amendments — no changes to be made after that date — must be done by July 21, 2020. The Planning Board would need to hold a public hearing by June 3, 2020. Gagnon said there were still unknowns.

Chairman Sassaman asked Fuller to outline how things are working now as far as Design Review Board applications. He said Planning staff is working remotely, but noted there is information posted online and at the Municipal Building about how things are being handled. He said staff recognizes there are people who want to move forward with projects, both for Design Review Board and for Planning Board. He said applications can be dropped off in a drop-box outside the Planning Office at the Municipal Building (though offices are closed, the building itself is still open and the box is being checked regularly) or by email (addresses are listed on the Design Review Board's web page).

In addition to accepting applications, staff is also working with the respective boards to process these applications. He said tonight's meeting was evidence of that. He said staff

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recognizes that applicants' plans may have changed or continue to change in light of the ongoing pandemic. He said some people may have to put business plans on hold. But he said the underlying message is that staff is looking for ways to work with people in advancing applications. He said at least one additional Design Review Board application had been submitted after the cutoff for this meeting.

Chairman Sassaman asked how a public hearing could be conducted in this current environment. Fuller said a Planning Board meeting was set for the following morning, which included a public hearing. He said that would be the first experience for Planning Department staff in conducting such a hearing remotely, and that if that went smoothly additional public hearings would be held by the Planning Board later in April for projects that are at the final stage of review. "It's new territory for everyone," said Fuller, "but we're trying to find a way to make it happen."

Fuller spoke about the challenge of having to put public notices out two weeks in advance of a Planning Board meeting (for public hearings for either projects or ordinance changes), but said staff has to make a best guess at what the landscape for meetings will look like down the road (or write notices in such a way that covers both options, remote or in-person).

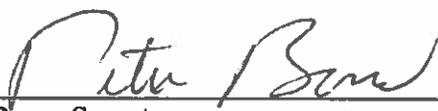
IX. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

None.

X. ADJOURNMENT

At 6:25 PM, Bono made a motion to adjourn the meeting, which was seconded by Cole. On a roll-call vote, the motion carried unanimously (5-0).

Signed as approved:



Peter Bono, Secretary
Design Review Board, Town of Bar Harbor

5-29-2020

Date