

Minutes
Bar Harbor Planning Board
Wednesday, July 20, 2016
Council Chambers – Municipal Building
93 Cottage Street
4:00 P.M.

I. CALL TO ORDER

The Chair called the meeting to order at 4:00 PM. Planning Board members present: Ivan Rasmussen, Chair; Tom St. Germain, Vice Chair; John Fitzpatrick, Secretary; Joe Cough, Member and Basil Eleftheriou, Jr., Member.

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

II. ADOPTION OF THE AGENDA

Mr. Cough moved to adopt the agenda as presented. Mr. Fitzpatrick seconded the motion and the Board voted five in favor and none against the motion.

III. EXCUSED ABSENCES

None

IV. APPROVAL OF THE MINUTES

a. July 6, 2016 Regular Meeting

Mr. Cough made a clarification about the circumstances of his request that the Board consider recusing him for consideration of an item on the July 6, 2016 agenda. Mr. Cough's son, with whom he does not live, works for the agent of an applicant, Eden Builders, Inc. Mr. Fitzpatrick seconded the motion to approve the minutes with the clarification. The Board voted five in favor and none against the motion.

V. REGULAR BUSINESS

a. Subdivision Sketch Plan Review (Pre-application) – SD-2016-04– Acadia Corporation

Project Location: 134 Main Street, Bar Harbor Tax Map 104, Lot 504-000

Applicant: Acadia Corporation

Application: The applicant is proposing demolition of an existing building and construction of a two-story building with commercial activity on the first floor and 4 dwelling units on the second floor in a Downtown Village I district.

Member Cough asked the Board if he should be recused from this item because of the involvement of Eden Builders, Inc. as the designer of the project and his son who works for Eden Builders, Inc. as a carpenter. His son works for the applicant's agent in a manner that is not involved with the subject project.

The Board discussed the circumstances briefly and Mr. Eleftheriou, Jr. moved not to accept Mr. Cough's offer to recuse himself because there is not a conflict of interest. Mr. St. Germain seconded the motion which was approved four in favor and none against.

Todd Hardy spoke representing the sketch plan. He explained that the proposal is for retail space on the ground floor and four apartments on the second floor. The subdivision of four dwelling units is the only aspect that requires Planning Board review.

Chair Rasmussen asked about the parking in the rear of the site. Mr. Hardy explained that it belongs to others.

There was some discussion about an existing right of way to an established parking area and that it should be shown on the plan. Mr. Hardy noted that he would be happy to note the easement area on the plan but did not recommend drafting a deeded easement at this time.

There was some discussion about existing parking to be removed and that should be shown on the plan.

Mr. Fitzpatrick asked if they had considered adding a third story with more dwelling units given the need for housing in the village. Mr. Hardy indicated that the issue becomes minimum lot area per family which cannot be met (750 sq. ft. per family). Mr. Hardy noted that the Downtown Village Transitional district does not have the minimum lot area per family requirement but their district does.

Mr. Hardy noted that the purpose of this housing is seasonal in nature.

Mr. Eleftheriou, Jr. noted that the retail area is doubled from the existing building.

There was some discussion about the need for a site visit and a doodle poll would be arranged to find a day and time to do it.

Mr. Cough moved that the Chair work with staff to set a date. Mr. Eleftheriou, Jr. seconded the motion which was approved five in favor and none against.

Mr. Cough moved that there be a legal description or easement more detail on the right of way and buildout on lot. Mr. Eleftheriou, Jr. seconded the motion which was approved five in favor and none against. There were some specific suggestions. There should be easement details on the right of way.

It was noted that the sq. ft. size of the building should be added to the application description.

Mr. Cough moved to approve the waivers as requested and Mr. Eleftheriou, Jr. seconded the motion which was approved unanimously.

Mr. Cough moved that there was not a need to hold a neighborhood meeting and Mr. Fitzpatrick seconded the motion which was approved unanimously.

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

The Board discussed the draft language and made the following comments:

Mr. Fitzpatrick suggested that the purpose statement should be refined.
The Board suggested that the dimensional standards should be adjusted by making the front setback 50 feet and the side setback 25 feet. They discussed the building height and were inclined to have it be 35 feet maximum. They noted that using average grade that there the opportunity for a fairly tall building to have an average grade that can meet 35 feet because of the topography of the site. The Board requested that they be provided with as much information about the site as possible for the next meeting.

The Board discussed the term temporary and suggested it be defined in a clearer way in terms of temporary piers and temporary breakwaters.

The Board suggested there should be some standards related to lighting and design of a new building/pier.

VI. OTHER BUSINESS

None

VII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

The Board requested a copy of the ethics chapter from MMA to be provided for the next meeting

VIII. ADJOURNMENT

Mr. Cough moved to adjourn the meeting at 6:20 pm. Mr. Fitzpatrick seconded the motion. The Board voted five in favor and none against the motion to adjourn.

Signed as approved:



**John Fitzpatrick, Secretary
Planning Board, Town of Bar Harbor**

9/7/16
Date