

**Minutes**  
**Bar Harbor Planning Board**  
**Wednesday, October 5, 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: 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. Fitzpatrick moved to adopt the agenda as published. Mr. Eleftheriou, Jr. seconded the motion which was approved unanimously.*

**III. EXCUSED ABSENCES**

*None (It was noted that there is now an opening on the Planning Board)*

**IV. APPROVAL OF THE MINUTES**

**a. September 21, 2016 Meeting**

*Mr. Eleftheriou, Jr. moved to approve the minutes as presented and Mr. Fitzpatrick seconded the motion which was approved unanimously.*

**V. REGULAR BUSINESS**

**a. Completeness Review- 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.

*Todd Hardy and David Woodside were present to address the Board. Mr. Hardy indicated that the Board will recall that they had previously presented subdivision sketch plan on this site and that there had been a few modest changes since that time. He indicated that they had a Certificate of Appropriateness from Design Review Board to demolish the existing structure except the front façade of the building which will be saved and incorporated into the new design. He also noted that the right-of-way driveway at the rear of the building was reviewed and the building was pulled back 4 feet in that area to create some additional space.*



*The Planning Board discussed the waivers that had been requested.*

*Mr. Fitzpatrick asked if there were electrical easements required. After some discussion it was left that Mr. Hardy would check with Emera. He noted that 3C Easements had been provided. 4A Emera easements would be explored. All signs would be on the building and in accordance with Design Review. 20B Elevations document would be provided to be on the record noting that there was not a concern that the building height was at issue. Business Operations 25B and 25C have been provided.*

*Lighting was discussed and in addition to the sign lighting Mr. Hardy indicated that they would also need a soffit light at the rear entrance and they would provide details and photometric plan for that as well.*

*Mr. Fitzpatrick made a motion that the Acadia Park application be set for public hearing for November 2, 2016 and that the requested waivers be approved except that 3C, 4A, 9Q 20B (height) be provided. He noted that 25B & C need not be waived as they had already been provided. Mr. Eleftheriou, Jr. seconded the motion which was approved unanimously.*

*Mr. Fitzpatrick noted that as required conditions of approval that the lighting details previously discussed and the Emera easement would also be required.*

*Mr. Hardy asked: Are there any know issues we should be looking considering? It was suggested that they provide a sheet that identifies total square footage and uses within the building. (This goes to questions such as parking requirements).*

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

*The Planning Board discussed some background concerning the request from Maine Port Authority requesting the zoning amendment to add the cruise ship use to the Eden Street location.*

*Martha Searchfield discussed the joint partnership of the Town, Chamber of Commerce and Maine Port Authority that paid for then B&A study.*

*Mr. Fitzpatrick indicated that there was valuable information in the study that compared differing amounts of usage at the terminal.*

*Passenger caps were noted as a governing factor and that this would be the Town Council's role to determine*

*The Board discussed the potential of a marina at the terminal and that it has a number of considerations for both uses and interplay with cruise days.*

*The Board questioned what the marine law is in terms of land use law.*

#### **c. Land Use Ordinance Discussion of Parking**

*Mr. Osborne indicated that there would be a draft set of warrant articles available for the next meeting that would attempt to address a number of questions that had been raised through the recent hearings and reviews.*



**d. Land Use Ordinance Discussion of Minimum Area Per Family**

*Mr. Osborne indicated that he had available a draft set of warrant articles for minimum area per family that proposes to eliminate the requirement in the Downtown Village I and II districts.*

**OTHER BUSINESS**

**a. Cottage Street Streetscape RFP Update**

*Mr. Osborne noted that the review committee had met with design firms and that a recommendation to contract with one of them was on the Town Manager's desk at this time.*

**b. Pending Applications**

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

*Mr. Cough identified a number of questions that he had regarding MDOT approval, curb cuts, parking, driveways, loading berths and non-conformities noting that he would provide Mr. Osborne with a list that could be passed on to the applicant.*

**c. Sign Minor Subdivision Plan – MSD-2016-02– Pine Street Subdivision Revision**

*Mr. Osborne noted that this plan had been approved by staff in accordance with the LUO. The Planning Board signed the subdivision plan after they adjourned.*

**VI. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA**

*All members of the Planning Board took the opportunity to laud Ivan Rasmussen for a job well done.*

*Tom St. Germain noted that he would not be available for the December 7, 2016 meeting.*

**VII. ADJOURNMENT**

*Mr. Fitzpatrick moved to adjourn the meeting at 5:24 pm. Mr. Cough seconded the motion. The Board voted four in favor and none against the motion to adjourn.*

**Signed as approved:**

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

10/19/16  
\_\_\_\_\_  
**Date**

