

**Bar Harbor Planning Board  
Wednesday, April 29, 2020 — 4:00 PM  
Council Chambers – Municipal Building  
93 Cottage Street in Bar Harbor**

*The meeting was held via the Zoom online meeting platform,  
and was broadcast live on Spectrum channel 1303 in Bar Harbor  
as well as online via Town Hall Streams (where it is also archived).*

**I. CALL TO ORDER**

Chair Tom St. Germain called the meeting to order at 4:07 PM.

Planning Board members present were Chair St. Germain, Vice-chair Joe Cough, Secretary Basil Eleftheriou and members Erica Brooks and John Fitzpatrick.

Town staff members present were Planning Director Michele Gagnon, Code Enforcement Officer Angela Chamberlain, Deputy Code Enforcement Officer Patrick Lessard and Assistant Planner Steve Fuller.

**II. ADOPTION OF THE AGENDA**

Chair St. Germain asked for a motion to adopt the agenda, though he noted the board was going to be asked to amend the agenda as presented. He said the board had been asked to vote (make a recommendation of ought to pass or ought not to pass) on the citizen's initiative Land Use Ordinance amendment relating to vacation rentals, set to appear on the ballot this summer.

**Mr. Fitzpatrick moved to adopt the agenda as modified, and Mr. Eleftheriou seconded.** Vice-chair Cough asked if it would be placed at the end of the regular business section of the agenda as item 6 F. Chair St. Germain agreed. **On a roll-call vote, the motion then carried unanimously (5-0).**

**III. EXCUSED ABSENCES**

None.

**IV. PUBLIC COMMENT PERIOD**

Public comment was accepted via a conference call line. Art Greif noted that his wife, Donna Karlson, wished to make a comment. Ms. Karlson said she had a comment about the proposed Land Use Ordinance amendment relating to the Employee Living Quarters (ELQ) use, particularly the proposal to allow that use in the Village Residential zoning district.

Ms. Karlson said that during the process of drafting that amendment, she heard a comment primarily from the Planning Board that it was advantageous to add the use to Village Residential because it would allow grandfathered bed and breakfasts without road frontage/access on/to Route 3 or Route 233 to use the

Call to order  
at 4:07 PM

All five board  
members present

Four town staff  
members present

Recommendation on  
citizen's initiative  
relating to VR  
added to the agenda

Agenda approved as  
amended, 5-0

No absences  
to excuse

D. Karlson has  
comments about  
Employee Living  
Quarters proposal,  
particularly RE:  
Village Residential

ELQ use. Ms. Karlson noted she lives in Village Residential and said she did not see many grandfathered B&Bs in such locations that could take advantage of the use. As such, she said she didn't see the need to add ELQs to the whole zone of Village Residential (rather than the sections of the district designated in the Land Use Ordinance to allow for B&Bs now).

Vice-chair Cough asked staff if they could get back to Ms. Karlson with a breakdown of such properties (not what could be, but what exists now). Ms. Karlson reiterated her question/concern. Ms. Brooks said it was important to note that ELQ is not designated just for B&Bs, but for other commercial entities as well. Ms. Karlson said B&Bs had been referenced specifically in prior comments.

Discussion between  
D. Karlson and  
board members

Chair St. Germain said he believed Ms. Karlson's characterization was incorrect. He said he recalled the discussion being about B&Bs that could be built as allowed presently in the district, rather than grandfathered existing uses. Chair St. Germain said he believed the record would support him, but that if it is different he would stand corrected. Ms. Karlson said she would consult the record. She thanked the board for its work and continuing to do its work through the difficult circumstances of the coronavirus pandemic.

Discussion between  
Chair St. Germain  
and D. Karlson

#### V. APPROVAL OF MINUTES

- a. February 5, 2020
- b. March 4, 2020

**Mr. Fitzpatrick made a motion to approve the minutes from February 5, 2020 and March 4, 2020 as submitted. Ms. Brooks seconded the motion. Mr. Eleftheriou asked that the two items be separated, as he was not present for the February 5 meeting and wished to abstain.**

**Mr. Fitzpatrick moved to approve the February 5, 2020 minutes, seconded by Ms. Brooks. On a roll-call vote, the motion carried 4-0 (with Mr. Eleftheriou abstaining).**

Feb. 5, 2020 minutes  
approved, 4-0 (B.  
Eleftheriou abstain)

**Mr. Fitzpatrick then made a motion to approve the March 4, 2020 minutes as submitted, seconded by Ms. Brooks. Mr. Cough said he would abstain from this vote, as although he had watched the meeting afterwards on video he was not present at the meeting itself. The motion then carried 4-0 (with Vice-chair Cough abstaining).**

March 4, 2020  
minutes approved,  
4-0 (J. Cough  
abstain)

#### VI. REGULAR BUSINESS

- a.) **Public Hearing/Compliance Review, Site Plan SP-2019-07 - Triple Chick Farm**

**Project Location:** Off of State Highway 102 —Tax Map 235, Lot 002, encompassing 72.19 acres of land in the following zoning districts: Town Hill Residential Corridor, Town Hill Residential and Stream Protection.

**Applicant/Owner:** Triple Chick Farm, LLC

Public Hearing/  
Compliance Review  
for SP-2019-07,  
Triple Chick Farm

**Application:** Construction of a driveway (over 500 feet in length) to provide for land and forestland management practices, as well as to serve a future single-family residence. Site plan review is required because the driveway will cross a stream in the Stream Protection zoning district.

Mr. Eleftheriou noted he was not at the completeness review on February 5, but said he had gone back and watched the video of the meeting and read the minutes as well. He said he wanted to make sure both the rest of the board and the applicant were comfortable with him voting on the application. Engineer Greg Johnston, present via Zoom to represent the applicant, said he had no issue based on what Mr. Eleftheriou said.

**B. Eleftheriou was absent for previous meeting, but reviewed discussion**

Mr. Johnston introduced himself and described the project: driveway construction for a future farm manager's home. He said the driveway is about 2,200 feet in length and that it is before the Planning Board because it crosses the Stream Protection district. He noted emergency turnaround was provided at the end and pull-off spots were provided along the way. He summarized what permits were secured.

**Greg Johnston present to represent the applicant, gives overview of project.**

Mr. Johnston said during the previous meeting he realized the ordinance required utility information to be provided, in the Stream Protection district, and he said that information had since been provided.

Chair St. Germain opened the public hearing at 4:22 PM. Assistant Planner Fuller checked on the conference call line, set up for public input and comment, and said he had no indication anyone was there. Chair St. Germain closed the public hearing at 4:23 PM.

**Public hearing at 4:22 PM, closed with no comment**

Chair St. Germain noted staff had provided a draft decision. He asked if board members had any questions about the application. Mr. Eleftheriou asked about a road width figure of 20 feet referenced in the Fire Department's capacity statement. Mr. Johnston explained the road width is 16 feet, with 2-foot wide gravel shoulders on either side.

**Question about road width discrepancy**

Mr. Fitzpatrick noted that everything the board had asked for previously had been submitted. **Mr. Fitzpatrick moved to approve application SP-2019-07 for Triple Chick Farm for a driveway crossing that complies with the Land Use Ordinance, specifically Section 125-67 (General Standards) and Section 125-68 (Shoreland Standards) according to the draft decision dated April 29, 2020. Mr. Eleftheriou seconded the motion. The motion then carried unanimously (5-0) on a roll-call vote.**

**SP-2019-07, Triple Chick Farm driveway crossing: APPROVED (5-0)**

- b. Public Hearing/Compliance Review for Site Plan SP-2020-02 -Bar Harbor Oceanside KOA**  
**Project Location:** 135 County Road —Tax Map 211, Lot 001, and encompassing ±2.63 acres of land in the following zoning districts:

**Public Hearing/ Compliance Review for SP-2020-02, Bar Harbor Oceanside KOA**

Town Hill Corridor, Town Hill Residential and Shoreland Limited Residential

**Applicant:** Bar Harbor Oceanside KOA

**Owner:** Kampgrounds of America, Inc.

**Application:** To construct a manager's house and laundry/maintenance facility; to relocate the sewerage dump station, propane filling tank and dumpsters out of the County Road right-of-way and along a new camp road on the site; to demolish the existing old log cabin and other structures on the site; and to close one of the four existing curb cuts on County Road.

Jim Kiser, engineer, and Barb Fallon, KOA operations manager, were both present via Zoom for this application. Mr. Kiser recapped the work that is proposed as part of this application, and he explained why the proposed work is an upgrade for the facility. He noted that items flagged by board members at the previous meeting (March 4, 2020) had been addressed.

**Jim Kiser and Barb Fallon present for the applicant**

Mr. Fitzpatrick raised the issue of lot coverage. He referred to Note 2 on the site plan dated March 11, 2020 that states the total area of the parcel is 111,514 square feet, or roughly 2.5 acres. He then referred to Note 6 and the numbers shown there, for disturbed area, impervious area, building area, etc. He noted the coverage figure shown was 5,480 square feet, or 4.9 percent. Mr. Fitzpatrick asked Mr. Kiser to explain his figures and calculations. Discussion ensued between the two men.

Mr. Fitzpatrick said he had calculated lot coverage at about 25 percent, and noted the maximum allowed in the zoning district is 15 percent. Planning Director Gagnon said she had missed that the lot coverage exceeded 15 percent. Chair St. Germain asked for a clarification of how lot coverage is handled, as the property sits in several districts. Mr. Fitzpatrick said he looked at Town Hill Residential Corridor, as referenced in Note 3 on the plan.

**Discussion on lot coverage issue**

Mr. Kiser said any non-soil cover type was included in lot coverage, and that his understanding was any mineral-based substance did not count toward lot coverage. Mr. Fitzpatrick read from the definition of lot coverage in the Land Use Ordinance, which states in part that it consists of "principal and accessory buildings; all improved vehicular and pedestrian surfaces, such as parking lots, roads, driveways, maneuvering spaces, and pedestrian walkways, regardless of the construction material employed; graveled areas and other non-vegetated surfaces."

Planning Director Gagnon confirmed with Mr. Kiser that some of the disturbed area would be re-vegetated. Discussion ensued between the two of them and Mr. Fitzpatrick. Code Enforcement Officer Angela Chamberlain noted there is a lot coverage exception and referred to Section 125-67 B. (8) of the Land Use Ordinance and read the language aloud. She said she believed this meant Mr.

Kiser could claim an exemption for some of the area in the front setback but noted he can “only exempt that area that is as wide as is required.” She said she did not know off the top of her head if that would bring the application in compliance for lot coverage.

There was discussion about what the current lot coverage is (prior to this work being done), but no one had the number available. Chair St. Germain discussed Mr. Fitzpatrick’s calculations with him. Mr. Kiser said the exemption would appear to reduce lot coverage, but did not have new numbers in front of him. Mr. Kiser said 15 percent is a pretty low coverage allowance, noting that 25 percent is allowed in a rural zone. He said that in part why he believed gravel material was not counted toward lot coverage.

**Discussion on lot coverage continues**

Mr. Fitzpatrick said it appeared to him that roughly 11,000 square feet needed to be taken out of the equation in order to bring the application into compliance. Mr. Kiser said that sounded roughly correct to him. Chair St. Germain asked if the application should be continued until the next meeting, since it was only a week away on May 6, 2020, or if the matter could be resolved presently. Planning Director Gagnon said the board could either continue the application over to the next meeting or make the lot coverage calculation correction a condition of approval.

There was discussion and agreement around the figure of approximately 11,000 square feet. Chair St. Germain asked Mr. Kiser if he believed he could come up with such a reduction. Mr. Kiser responded favorably.

Vice-chair Cough said given the complexity of the calculations, he wanted the application to be tabled until the next meeting (May 6) so that the board could see the figures and calculations. He said it should be placed first on the agenda, so it could be taken care of quickly. Chair St. Germain said it seemed like a wise way to go.

**Suggestion to table application until May 6 meeting**

Assistant Planner Fuller asked about holding the required public hearing for the application — whether that should be done now or a week later at the May 6 meeting. Vice-chair Cough said the public hearing could be opened, and then tabled and carried forward to next week. Attorney Ed Bearor, present for the meeting via Zoom, said that would work.

At 4:43 PM, Chair St. Germain opened the public hearing for SP-2020-02 (Bar Harbor Oceanside KOA). Assistant Planner Fuller noted the public hearing was advertised in notices to abutters and also on the Planning Board website [note: it was also advertised in the *Mount Desert Islander* for two weeks as required by ordinance, though it was not mentioned at the meeting] with information about how to participate. Assistant Planner Fuller then read that information aloud. No one was on the phone line.

**Public hearing opened at 4:43 PM**

Vice-chair Cough confirmed with Attorney Bearor that this would be an appropriate course of action for the board. Attorney Bearor said it would be, and that continuing the hearing to a date certain would not require additional advertising. Another check was made of the public comment line, and no one was there.

No one speaks during public hearing

Vice-chair Cough moved that the public hearing for SP-2020-02, Bar Harbor Oceanside KOA, be tabled until next Wednesday, May 6, and be placed on that agenda. Mr. Eleftheriou seconded the motion. Chair St. Germain asked Mr. Fitzpatrick if he had any other issues the applicant should be aware of before voting. Mr. Fitzpatrick said his other questions had been answered, but said going forward with any commercial use, per [125-67 E. 26], an applicant would only be able to deduct the actual width within the setback, up to 18 feet (whichever is less), for the length of what is in the setback. He said he was sharing that as guidance for the applicant. Mr. Kiser asked for clarification, and Chair St. Germain and Mr. Fitzpatrick responded. Mr. Eleftheriou asked for clarification on lot coverage calculations and Mr. Kiser responded. Mr. Eleftheriou asked for the information to be presented in a table format, to make it easier for the Planning Board. Mr. Kiser said that could be done. **On a roll-call vote, the motion then passed unanimously (5-0).**

SP-2020-02 — Bar Harbor Oceanside KOA: TABLED (5-0) to the May 6, 2020 meeting

- ~~e.) Public Hearing/Compliance Review for Site Plan SP-2020-01—Bar Harbor Savings & Loan  
Project Location: 15 Everard Court (Tax Map 104, Lot 389, encompassing ±0.1 acre of land in the Downtown Village I zoning district)  
Applicant/Owner: Bar Harbor Savings & Loan  
Application: Modification of an approved site plan (SP-2018-06) for parking lot design. The proposal is to increase the number of parking spaces from eight to 12. The revised design will require double-stacked (tandem) parking, designated for employees only.~~

~~Public Hearing/ Compliance Review for SP-2020-01, Bar Harbor Savings & Loan parking lot~~

- c.) Public Hearing/Compliance Review under Site Plan Review for Subdivision SD-2019-02 —Harborcove (formerly Harbor View)  
Project Location: 25 Crooked Road (Tax Map 216, Lot 006; encompassing 4.5 acres of land in the Hulls Cove Business District).  
Applicant/Owner: ABC, LLC  
Application: The renovations of three single-family dwelling units, the conversion of an existing single-family dwelling unit into a two-family dwelling unit, and the construction of one new two-family dwelling unit and of six new single-family dwelling units for a total of 13 dwelling units.

Public Hearing/ Compliance Review for SD-2019-02, Harborcove

Mike Rogers, present to represent the applicant for this project, asked that this agenda item one and the one following it be flipped so that the other one (Harborcove) comes first. He explained that was because of the availability of

Mike Rogers present to represent the applicant, asks to reverse order of agenda items

the parties for that other application. After further discussion, Chair St. Germain said it would be appropriate to have a motion to reverse the order in which the applications were reviewed. **Mr. Cough motioned to that effect, and Mr. Fitzpatrick seconded. The motion then, on a roll-call vote, carried unanimously (5-0).**

**Move to rearrange agenda: 5-0 in favor**

Mr. Eleftheriou then introduced SD-2019-02, Harborcove.

**SD-2019-02,  
Harborcove**

Assistant Planner Fuller noted there was another gentleman who, prior to the meeting starting, had identified himself via Zoom as being associated with ABC, LLC. He was then let in to the Zoom meeting room, and later identified himself as Albert Simpkins and described himself as an investor in the property.

**A. Simpkins present as investor in project**

Mr. Rogers introduced and summarized the project, noting the total number of buildings for the project (which is a mix of existing structures to be renovated and new structures to be built). He spoke about covenants, based on the Island Housing Trust model. He spoke about how there are now outlines of where the buildings will be, and land space to go with each property so that there can be future expansion (i.e., decks) without requiring a return to the Planning Board for review and approval.

**M. Rogers introduces and explains project**

Mr. Rogers said the one thing the applicant is asking for a waiver on is the underground power requirement. He said there is a pretty significant savings in going overhead vs. going underground.

**Request for waiver of underground power requirement**

Chair St. Germain opened a public hearing at 4:57 PM. Assistant Planner Fuller read the phone number and passcode again. Patsy Nishina identified herself as a resident at 40 Crooked Road and spoke, saying that she had written a letter to the board and wished to read it aloud to the board during the public hearing. She then proceeded to read that letter aloud. She said it seemed like too many houses in too small an area, especially during the COVID-19 pandemic. She said even if the development as proposed is allowed, does not necessarily make it a good idea. She spoke of the effect the traffic from the development could have on Crooked Road at its junction with Route 3. She also voiced concern about expected increases in light and noise. She also asserted that a careful landscaping plan would be essential. She asked the Planning Board to step back and look at the big picture regarding development.

**Public hearing opened at 4:57 PM**

**P. Nishina speaks, voices concerns about project including density of development and increased traffic**

No one else was on the public comment line to speak on the application. At 5:03 PM, Chair St. Germain closed the public hearing.

**Public hearing closed at 5:03 PM**

Chair St. Germain noted there had been discussion of allowing for overhead utilities, per the request of the applicant. He asked if other items needed to be discussed, also. Attorney Richard Cleary noted that he was present for the meeting and able to answer any questions relating to declarations and covenants, should any arise. Mr. Fitzpatrick asked Mr. Rogers if the underground power

**Discussion of overhead vs. underground power**

standard was the only standard he was seeking to have modified, and Mr. Rogers said that was correct.

Mr. Fitzpatrick said he had had a series of questions when the application came for completeness review, and said it had all been addressed in the revised submission. Ms. Brooks said she would support a modification of standards, noting that it represented a significant savings which could be passed on to the eventual occupants of the homes. She also said it was not a significant change from the present conditions, as there are already overhead utility lines.

Planning Director Gagnon noted there was a difference between the staff draft decision and the staff report. She said a public land surveyor will put her name on the plan and stamp it, so that the item in the staff report relating to that can be disregarded.

**Mr. Fitzpatrick moved to modify standard 125-67 DD (Utilities) as presented in the application as electrical wires remaining above ground are located in harmony with the neighborhood properties and the site. Ms. Brooks seconded the motion.**

Motion to modify standard, to allow overhead electric lines

Mr. Eleftheriou said he hesitated to bring it up, and did not want to start a long discussion nor did he necessarily disagree with the motion, but said he was curious how the board might approach the issue of underground utilities in the future as it seems to come up often. Ms. Brooks said with existing overhead power at the site, it seemed to make sense in this case.

Mr. Fitzpatrick said he had the same question Mr. Eleftheriou, noting he had been on the board for six years and anytime a developer asks for the standard to be waived it is waived. He asked why the requirement was still in the ordinance. Mr. Fitzpatrick said he supports the requirement, but it always gets waived. Chair St. Germain said the questions raised by Mr. Fitzpatrick and Mr. Eleftheriou were good ones.

Chair St. Germain called the vote, and on a roll-call vote it was 4-1 in favor of the motion (Mr. Fitzpatrick opposed).

Motion to modify standard:  
APPROVED, 4-1 (J. Fitzpatrick opposed)

**Mr. Fitzpatrick moved to approve subdivision site plan SD-2019-02, Harborcove, with the following conditions: responses from Maine Historic Preservation Commission, Maine Inland Fisheries and Wildlife and the Natural Areas Program stating that there are no issues; otherwise it complies with the Land Use Ordinance, specifically 125-67 General Standards, and Special Standards (125-69) and Subdivision. Ms. Brooks seconded the motion.**

Motion to approve SD-2019-02, Harborcove, with conditions (compliance letters from state agencies)

Mr. Eleftheriou raised what he called some minor issues. He said on the site plan (sheet L1), in the box under parking summary, a reference to 25-67 should be

125-67. Mr. Eleftheriou also noted that in the capacity letter from Wastewater, Tony Griffin signed it but under the signature block it had Andrew Joy's name. Planning Director Gagnon said she would let staff know about that for future reference.

**Chair St. Germain called the vote, and on a roll-call vote it was unanimous (5-0) in favor of the motion.** There was discussion whether Mr. Eleftheriou's comment on sheet L1 needed to be included in the motion, followed by agreement that it was not significant enough to rise to the level of being added to the motion.

~~**d.) Public Hearing/Compliance Review under Site Plan Review for Subdivision SD-2019-02 — Harborecove (formerly Harbor View)**  
**Project Location:** 25 Crooked Road (Tax Map 216, Lot 006; encompassing 4.5 acres of land in the Hulls Cove Business District).  
**Applicant/Owner:** ABC, LLC~~

~~**Application:** The renovations of three single family dwelling units, the conversion of an existing single family dwelling unit into a two family dwelling unit, and the construction of one new two family dwelling unit and of six new single family dwelling units for a total of 13 dwelling units.~~

**d.) Public Hearing/Compliance Review for Site Plan SP-2020-01 —Bar Harbor Savings & Loan**

**Project Location:** 15 Everard Court (Tax Map 104, Lot 389, encompassing ±0.1 acre of land in Downtown Village I zoning district)

**Applicant/Owner:** Bar Harbor Savings & Loan

**Application:** Modification of an approved site plan (SP-2018-06) for parking lot design. The proposal is to increase the number of parking spaces from eight to 12. The revised design will require double-stacked (tandem) parking, designated for employees only.

Vice-chair Cough noted that he was not present at the previous meeting where the application was reviewed (March 4), but said he had watched the video. Mr. Rogers, who remained present as he was also representing this applicant, said he had no problem with Vice-chair Cough taking part in this review.

Mr. Rogers gave an overview of the application and a history of the bank's involvement with the particular property. He noted the bank had gotten approval for a different design previously. He also spoke about other subjects including signage and stormwater.

Chair St. Germain asked if the board had already approved the modification of standard. Planning Director Gagnon said the first step would be for the board to find the application complete. She said the board had not addressed the modification of standard issue.

**B. Eleftheriou raises several minor items**

**SD-2019-02 — Harborecove: APPROVED (5-0), w/ conditions (letters of compliance from state agencies)**

**Public Hearing/ Compliance Review for SD-2019-02, Harborecove**

**Public Hearing/ Compliance Review for SP-2020-01, Bar Harbor Savings & Loan parking lot**

**J. Cough was absent for previous meeting, but reviewed discussion**

**M. Rogers present to represent applicant, gives overview of project**

**Discussion on modification of standard request**

**Mr. Fitzpatrick moved to find the application complete. Ms. Brooks seconded the motion, and it then carried unanimously (5-0) on a roll-call vote.**

**Application complete: 5-0 vote**

Chair St. Germain opened the public hearing for the application. Assistant Planner Fuller read aloud the numbers to join the conference call for the public hearing, though there was no one on the line and no one came on the line. As such, the public hearing was subsequently closed.

**Public hearing opened, closed when no one speaks**

Chair St. Germain returned the discussion to the request for a modification of standard. Mr. Fitzpatrick said he had no concerns about the request and Ms. Brooks agreed. **Mr. Fitzpatrick moved to modify standard 125-67 E. Parking Areas and Driveways to allow the applicant to utilize tandem parking. Mr. Eleftheriou seconded the motion, and it then carried unanimously (5-0) on a roll-call vote.**

**Modify standard to allow tandem parking: APPROVED (5-0)**

Planning Director Gagnon asked if it would be possible for the board to state the reason(s) why it is allowing the modification of standard. She said it was important. She said reasons were highlighted in the staff report and draft decision. She said those reasons included that the parking area was within a larger parking area, that it only serves employees and that it does not impede traffic flow. She said it was important to anchor the decision in the reasoning.

**Planning Director Gagnon: important to state why standard modified**

**Mr. Fitzpatrick agreed and retracted his motion. Mr. Eleftheriou then retracted his second. Mr. Eleftheriou then moved to modify standard 125-67 E. (3) to allow tandem parking, because the parking area is within a larger parking area, it serves its own employees and does not impede traffic flow, and it will also serve to free public parking spaces. Mr. Fitzpatrick seconded that motion. On the roll-call vote that followed, the motion carried unanimously (5-0).**

**Previous motion retracted, motion to modify standard with reasons why: APPROVED, 5-0**

Planning Director Gagnon proposed that a condition be attached to the approval, which was stated in both the staff report and the draft decision (relating to a storm drain).

**PD Gagnon notes condition of approval**

**Mr. Fitzpatrick moved to approve application SP-2020-01, Bar Harbor Savings & Loan, with the condition that the applicant demonstrates that the 12-inch diameter storm drain is in good condition prior to connecting a new storm drain to the existing pipe, as it complies with the Land Use Ordinance, specifically 125-67, General Standards. Vice-chair Cough seconded the motion. On a roll-call vote, the motion then carried unanimously (5-0).**

**SP-2020-01, Bar Harbor Savings & Loan parking lot: APPROVED, 5-0, with condition relating to storm drain**

**e.) Public Hearing for remand of PUD-2017-02 from Board of Appeals  
Project Location: 25 West Street Extension (Tax Map 103, Lots 48 and**

**PUD-2017-02, BHAPTS, LLC (Remand from Board of Appeals)**

49; encompassing a total of 1.54 acres of land in the Village Residential District).

**Applicant/Owner:** BHAPTS, LLC

**Application:** The remand to the Planning Board was from a decision on appeal from the Board of Appeals (identified as AB-2019-01). The Board of Appeals, at a meeting on February 11, 2020 and in a written decision dated February 13, 2020, found in four separate findings that the Planning Board's approval of PUD-2017-02 was clearly contrary to the town's Land Use Ordinance in four specific areas (non-conforming structures, base development density, maximum allowable units and required affordable housing units). The applicant has submitted a revised plan for the project to the Planning Board, stating the new plan addresses those four specific findings of the Board of Appeals.

Assistant Planner Fuller read aloud the information about how to participate in the public hearing, noting that it was not taking place at that time but was sharing it so they could be prepared for when it did start. Perry Moore, one of the representatives for BHAPTS, LLC; after discussion, Assistant Planner Fuller noted that the meeting was being broadcast and recorded on Town Hall Streams and asked if that was sufficient; Mr. Moore said that it was.

**Information about how to participate is read aloud**

Chair St. Germain gave a procedural recap: how the project was approved by the Planning Board, eventually made its way to the Board of Appeals which made certain findings and then remanded it back to the Planning Board. He said the application from BHAPTS, LLC had been modified as a result. He noted there were representatives present on behalf of the applicant, and that while the appellant from the Board of Appeals application was also present the meeting would largely be between the board and the applicant.

**Chair St. Germain recaps history of this project**

Chair St. Germain said the board had a lot of ground to cover and proposed form for the meeting, including opening statements and a presentation by the applicant(s). He said a public hearing would come later, and that there might be a time after that to converse with the applicant and also possibly to allow comment from the applicant and members of the public. Chair St. Germain said the board did not want repeat callers.

**Chair St. Germain proposes format**

Mr. Fitzpatrick read the document from the Board of Appeals and said he understood the Planning Board to be limited to consideration of three things: base development density, maximum allowable units and required affordable units. He asked if those were the only three things that the board was allowed to decide on. Both Chair St. Germain and Attorney Bearor said that was correct.

**J. Fitzpatrick recaps issues before the board, Attorney Bearor agrees**

Chair St. Germain asked Attorney Hamilton to speak, on behalf of his client, BHAPTS, LLC. He referenced the decision by the Board of Appeals and said the review at this meeting was limited to findings 7, 8 and 9. He then gave a PowerPoint presentation. He spoke about the 16 existing units at the sight, and

**Attorney Andy Hamilton present to represent BHAPTS**

why as a Multifamily II project the application had to come before the board as a PUD-V application. He stressed the narrow focus of the remand order from the Board of Appeals, and said why the applicant sees finding 2 from the Board of Appeals as moot for the Planning Board's review.

**A. Hamilton gives overview of his client's position**

Attorney Hamilton said the board's findings from the last time this project came before the board could largely be retained, except in the three areas identified by the Board of Appeals. He said PUD-V would moot finding 2. He said the Planning Board was looking at a limited application amendment for this project, one that dropped the total number of units from 18 to 16 (with Building D going from four units to two units).

**A. Hamilton talks about issues before the board**

Attorney Hamilton spoke about base development density and explained how the Board of Appeals reached the number of eight for base development density. Regarding maximum allowable units, he said the Board of Appeals determined that to be 16 (LUO allows for up to 2x the base development density). He referenced the 16 grandfathered units on the lot as well. On the subject of affordable housing units, he said it needs to be one (20 percent of 8 is 1.6, and per the reasoning of the Board of Appeals that number should be rounded down to 1).

**A. Hamilton gives numbers for base development density, and affordable units**

Attorney Hamilton spoke about Multifamily Dwelling II being a use that is only allowed in the Village Residential district through PUD-V review by the Planning Board (and not the Board of Appeals or the Code Enforcement Officer). He addressed the claim from Ms. Mills, the appellant in the Board of Appeals case, that the Planning Board does not have authority to approve changes to dimensional standards. He said Section 125-69 (S) (2) (c) does that. He said Section 125-64 makes it clear only the Planning Board can modify standards.

**Planning Board has and is the only authority, says A. Hamilton**

Attorney Hamilton said all legal nonconformities are eliminated and made moot once BHAPTS, LLC vests rights after getting approval from the Planning Board for its amended PUD-V application. He said his client was asking for two findings from the Planning Board: one, to make finding 2 by the Board of Appeals moot by affirming the base development density of 8 and by extension affirming the project is in compliance with the Land Use Ordinance; and two, that all legal nonconformities would be eliminated as a result of Planning Board approval of the amended PUD-V application and by BHAPTS, LLC vesting that approval by commencing construction.

**A. Hamilton explains what his client is seeking from the Planning Board**

Attorney Hamilton said any other legal arguments or theories would be "coloring outside the lines" and "getting way too creative."

Planning Director Gagnon noted the PowerPoint presentation was not part of the submittal package but said it was now part of the record and asked for a copy to be emailed to town staff and the Planning Board. Attorney Hamilton noted he

**Planning Director Gagnon asks for copy of PowerPoint**

had already sent it to Assistant Planner Steve Fuller that afternoon, who said he would pass it on to others as requested.

Perry Moore, present along with Attorney Hamilton on behalf of BHAPTS, LLC, asked for the opportunity to have virtual sidebars with his other team members. Chair St. Germain said that seemed fair and asked if board members had questions about Attorney Hamilton's presentation.

Mr. Fitzpatrick said he saw the Planning Board's job as having to provide three numbers for three criteria: base development density (which he saw as 8), maximum allowable units (16) and affordable units (6). He said he did not think the board needed to tackle some of the other areas Attorney Hamilton had addressed. There was discussion about the affordable units number. Mr. Fitzpatrick said he got 6 because 20 percent of 8 is 1.6, and when it says minimum then you round up and not down. That is 2 affordable units for the base development density of 8, and then additional units come on at a one-to-one ratio, meaning 4 affordable units, and that 4 plus 2 is 6.

Chair St. Germain invited feedback from other board members. Vice-chair Cough said he understood the 8 and 16 numbers, but said he had a question about the affordable units number and how the number should be rounded (up or down). Mr. Eleftheriou said he, too, agreed on 8 and 16 and asked Mr. Fitzpatrick to explain his calculations on affordable units (which he did). Mr. Eleftheriou added that the applicant cannot "have it both ways" after forfeiting non-conformity protection.

Chair St. Germain asked Attorney Hamilton to clarify building calculations and how the existing buildings factored in to those calculations. He elaborated on his question. Attorney Hamilton deferred to Mr. Moore and his experience with the Land Use Ordinance to address the questions. Mr. Moore said the BHAPTS, LLC team agreed with 8 as the base development density and 16 units as the maximum. On the subject of affordable units, Mr. Moore said there were two paths the board could take. He said he agreed with Chair St. Germain about being grandfathered for 16 units (those already existing). He did the 20 percent of 8 equals 1.6 and said the applicant was willing to round up and do 2 affordable units.

Mr. Moore mentioned the idea that the applicant "might be required to walk away from the nonconformity because we applied under PUD." He said that is not stated anywhere in the ordinance. He said any attempt to say the applicant has to do that "is legislating outside the ordinance." He said 125-69 (S) (6) (2) is an "a la carte menu" by which the applicant can ask for additional units over the base development density of eight. Mr. Moore said the applicant is allowed an additional market rate unit for underground utilities and another for pedestrian amenities (sidewalk and a bike rack on Woodbury Road).

**Perry Moore also present for BHAPTS, LLC**

**J. Fitzpatrick makes his case for what the three key numbers are for base development density, maximum units and affordable units**

**Discussion between board members and applicant representatives regarding numbers**

Attorney Hamilton said he does not believe the applicant is required to treat the subject property as though it is a vacant lot. He said the ordinance provides the requirement that nonconformities must be treated as transferrable. He recounted BHAPTS, LLC's history with the subject property. He said it sought a PUD-V because the existing configuration of the site was not optimal. He said his position is that grandfathering gives the applicant rights. "We don't agree that you give up nonconformities," he said. He later added, "If we think about starting at zero, you are wiping the slate clean, you're taking away rights, you're taking away property rights, specifically."

**A. Hamilton talks about grandfathering and legal nonconformities**

Attorney Hamilton then went through a series of calculations and said he could come up with anywhere between one and three affordable units, depending on which route was taken. "I can't get to four, five or six," he said. He said he did not agree with the thinking that two units had to be affordable right off the bat just to get to the base development density of eight. He then turned to the subject of the existing units. He explained how to get to three affordable units, and said again he could not get above that number. Attorney Hamilton said he believed the matter could be resolved that night.

**A. Hamilton does calculations for number of affordable units**

Mr. Fitzpatrick said his math was corrected. He said he stood by 8 and 16, but addressing the number of affordable units, he said he, too, could get to 3 as the number for affordable units. Mr. Eleftheriou referred to a letter written by town attorney Ed Bearor dated August 14, 2018, and he read from that letter. Explaining his reasoning, Mr. Eleftheriou said he also agreed with 3 as the number for affordable units.

**J. Fitzpatrick offers new numbers on the three key categories**

Chair St. Germain referred to 125-69 S (6) (B) that states the minimum number of affordable units "must be" 20 percent of the base development density. Mr. Fitzpatrick said in his reading two or more affordable units would meet that requirement. Vice-chair Cough said he agreed and explained his reasoning.

Chair St. Germain noted that a public hearing was part of the review process for the meeting. Assistant Planner Fuller read aloud the information necessary to participate one more time. Attorney Arthur Greif spoke first and addressed the subject of affordable units. He said his position was that the correct number was five or six. He said if that number was correct, the issue of non-conforming structure would not matter. He said he was "puzzled" by Attorney Hamilton's claim that the existing units were grandfathered. He elaborated on that subject. He said Section 125-64 talked about things like health and welfare, and "not the convenience of the applicant." He said there was nothing in 125-69 S (2) (C) that allows the Planning Board to waive the dimensional requirements for the Village Residential districts. He said the only provision for waivers deals with setbacks. Attorney Grief said the subjects of underground power or pedestrian amenities had not been raised in the context of this application or meeting. He said the correct number of affordable units was either five or six.

**Public hearing is opened**

**A. Greif speaks first, says correct number of affordable units is five or six**

Donna Karlson spoke next. She first addressed Attorney Hamilton's comments about property rights and urged the board to think carefully about his points. She said his argument about grandfathering could allow lots of people in Bar Harbor to build additional dwelling units on their small-size properties. She said she was concerned about the precedent that argument could set. She said the earlier Superior Court decision in this matter was instructive about what she saw as failings in Attorney Hamilton's argument. She said his argument could lead to "chaos" in Bar Harbor, if the board accepted it.

**D. Karlson speaks next, rejects A. Hamilton's ideas on grandfathering**

Sargent Collier spoke next, and said his family lived next door at 15 Highbrook Road. He said he had two areas of concern, the first being visual effect. He referred to the historic gardens on the property, and the historic nature of the house. Mr. Collier said the proposed development is visible from both the house and the garden. He said he was concerned it would adversely affect the property value. He said his second concern was grandfathering, and noted that his property used to be a farm. He asked why his family couldn't start a farm in the middle of town today, given that history. He also touched on affordable housing, and said at least five of the units needed to be affordable. He spoke about declining school enrollments and tied that into the difficulty families face in finding affordable places to live in Bar Harbor. He said if the applicant wants to address affordable housing, it should work with a group like Island Housing Trust.

**S. Collier speaks, talks about impact to family property and wonders what uses grandfathering might be allowed there**

Attorney Greif spoke next. He said Ms. Mills is a party, and that he represents Ms. Mills as a party, and said he tried to object to Chair St. Germain's suggestion that the board would hear only from the applicant. He said that was inconsistent with due process, and he noted that the Planning Board's rules of procedure do not address the particular issue. He said the LUO allows for the submission of written comments in advance of the meeting, which he did, but said he hoped he would not be limited to speaking in the public comment section of the meeting. He asked to have the matter clarified, for the record.

**A. Greif wants to speak on behalf of client**

**Discussion ensues about what rights A. Greif has in this situation**

Chair St. Germain noted the board typically limits public comment to three minutes per speaker, and asked Attorney Bearor to weigh-in on the matter. Attorney Bearor said his impression of the matter so far was that Attorney Greif, as the representative of Ms. Mills, had been given an opportunity to speak for more than three minutes to make his argument about what the Planning Board is required to do. Attorney Bearor said he was "troubled to understand what more" Attorney Greif might think he was entitled to. Attorney Bearor said there are not parties at the Planning Board level, but said Attorney Greif had been given a status in order to hear his arguments on behalf of his clients. Attorney Bearor said if Attorney Greif now wanted to speak as a member of the public, he was welcome to do that. Attorney Hamilton said he agreed. Chair St. Germain noted Attorney Greif had concluded his own remarks when speaking (he was not asked to stop by the chair) and that he had spoken for just under six minutes.

**Town Attorney Ed Bearor weighs in**

**Chair St. Germain explains rationale for what A. Greif is allowed to do**

Attorney Greif said the number of affordable units was critical to the decision that the Planning Board needed to make. He referred to the decision by Justice Murray and the subject of affordable units, and said he did not agree with the “novel theory” that non-conforming structure status can be applied to completely new structures. He said both the Board of Appeals and Superior Court were clear that the existing buildings are non-conforming structures.

**A. Greif says number of affordable units is critical issue**

At 6:45 PM, with no one else on the line, the public hearing was closed by Chair St. Germain. Mr. Fitzpatrick asked Attorney Bearor if he was correct that the board could not look at anything de novo and was instead limited to looking at what is in the original application with regard to the three points at hand. Attorney Bearor said that was a fair assessment. Mr. Fitzpatrick asked about the underground utilities and pedestrian amenities were in the original plan. He said if they were, he would stick with his point about 8, 16 and 3.

**Public hearing closed at 6:45 PM**

**J. Fitzpatrick recaps new numbers for three key areas**

Chair St. Germain asked what other board members thought about the numbers presented by Mr. Fitzpatrick. All four other members than Mr. Fitzpatrick said they agreed that the base development density was 8 and that the maximum allowable number of units was 16.

**Board members agree with first two numbers from Fitzpatrick**

Mr. Fitzpatrick said if the three following items were referenced in the original plan — underground utilities, pedestrian amenities and a bus stop — that he would support allowing an additional market rate unit for each one (for up to a total of three, bringing the overall number to 11, as  $8 + 3 = 11$ ) and then going at a one-to-one ratio from there for affordable units. Conversely, he said, if none of those things were proposed the one-to-one ratio would begin as soon as unit 9 is considered. In the latter scenario, that would push the number of required affordable units to four, he said.

Attorney Hamilton asked if his team could share with the board what the final plan showed previously. Attorney Greif objected that this information was not before the board as a submission and that it was in either in the record already or it was not. Mr. Moore referred to the Planning Board’s decision and noted it referred to exhibit 9.1.2, proposed site plan dated 1.06.2019 prepared by the Moore Companies and said he was prepared to show that plan. Attorney Bearor said that seemed acceptable to him, based on the way Mr. Moore presented and referenced the plan. Mr. Moore presented the plan via the screen sharing feature and he zoomed in on the title of the plan to show it was the one he was talking about.

**Discussion about calculation of number of affordable units**

Mr. Moore recounted the history of the proposed project. He showed where the underground utilities were located, both existing and proposed. On the subject of pedestrian amenities, he said the applicant had proposed a sidewalk along West Street and a proposed bus stop. Mr. Moore said he had discussed that with former Public Works Director Chip Reeves, and that Mr. Reeves presented numbers to the Town Council but that the Town Council elected not to

participate. Mr. Moore said his best recollection was that a set of side stairs and a patio walkway that gave residents access to Woodbury Road so that they did not have to walk up and down West Street. He said he didn't recall discussions about making a connection to downtown.

Attorney Hamilton said the applicant was willing to go with three affordable units, explaining how that figure was reached. He said the applicant wants to move on and actually construct the project.

Chair St. Germain said any motion that might be made should cite a provision cited earlier by Mr. Fitzpatrick. Chair St. Germain further said any motion made would need to reflect the direction given by the Board of Appeals: to come up with a base development density, to determine the maximum number of allowable units and, by extension, to explain with LUO how those units are apportioned. Mr. Eleftheriou referred to the decision and the findings from the Board of Appeals, and he noted that the decision cited three points while the finding had another point (#2) and asked if the board needed to address that. Attorney Bearor said he did not think the board needed to address it, and called finding 2 "puzzling." He said he believed the board could make a decision without addressing that finding. He said he did not think it was the job of the Planning Board to tell the Board of Appeals that it got something wrong. He said he thought a three-part motion such as the one suggested by Mr. Fitzpatrick earlier would suffice.

Attorney Bearor further said he did not think the board's decision would be based upon a grandfathering argument as was presented earlier. He also said Justice Murray's decision, while it found "some infirmities" in the Planning Board's earlier decision, was "by no means a ruling of that court." Continuing, he said, "I don't want the board to be left with the impression that the Superior Court had ruled that your earlier decision was right or wrong. It simply alluded to the fact that it certainly appeared to the court based on the papers that were filed, that there could have been an error in your calculations."

Attorney Greif disagreed. He said the appellant had to show a likelihood of success on final appeal. He said the appellant showed that, and that while it was not a final decision it should be a persuasive one. Discussion ensued between Attorney Greif and Attorney Bearor.

**In response to the Bar Harbor Board of Appeals decision, specifically that related to AB-2019-01, dated February 13, 2020, Mr. Fitzpatrick moved to approve the subdivision site plan PUD-2017-02 (BHAPTS), with the condition that the subdivision plan be recorded in the Registry of Deeds, stamped by a public land surveyor prior to being signed by the Planning Board, as it complies to the Land Use Ordinance, specifically as follows: the Planning Board finds that the base development density number, based on LUO Section 125-69 S. (6) (a) [1], to allow eight units; the Planning Board**

**A. Hamilton:  
applicant is OK with  
three affordable  
units**

**Chair St. Germain  
talks about what  
board needs to do**

**Question about  
BOA finding #2, E.  
Bearor says board  
does not need to  
address it**

**Discussion between  
attorneys Bearor  
and Greif on legal  
matters**

also finds, based on LUO Section 125-69 S. (6) (a) [3], that the maximum allowable units under the PUD shall be 16; and the Planning Board also finds, based on LUO Section 125-69 S. (6) (b), that the number of base affordable units shall be three. It finds that, Mr. Fitzpatrick said, with the applicant obtaining one additional market rate unit for the provision of underground utilities and one additional market rate unit for the provision of amenities as outlined in 125-69 S. (6) (a) [2] (e); for a total of 13 market rate units and 3 affordable units. Vice-chair Cough seconded the motion.

Chair St. Germain asked for feedback from the board. Mr. Eleftheriou wondered if it was important to note in the motion how the board got to the number of affordable units and the rounding that was done. Mr. Fitzpatrick suggested that the motion state the application meets Section 125-69 S. (6) (3) [b]. Vice-chair Cough said he was fine with that, as the second. Vice-chair Cough asked Attorney Bearor if he saw any omissions in the motion. Attorney Bearor clarified to determine how Mr. Fitzpatrick had determined the number of affordable units. There was agreement Mr. Fitzpatrick had made reference to pedestrian amenities. Chair St. Germain asked if the motion was a conditional one, and Mr. Fitzpatrick said it was accepting of what Mr. Moore had shared.

**With no further discussion, the vote was called and the motion then passed unanimously (5-0) on a roll-call vote.**

Mr. Moore said he would revise the plat to show the three affordable units required.

- f.) Recommendation of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on July 14, 2020, to adopt or reject a Land Use Ordinance Amendment, presented by Citizens Initiative and entitled, "Changes to the Definition of Vacation Rentals in the Land Use Ordinance"**

Chair St. Germain asked if there were any representatives from the citizens initiative group planning to attend that night. Staff said they were not aware of anyone coming to take part in the meeting. Planning Director Gagnon said the item was placed on the agenda on the advice of Town Clerk Sharon Linscott.

Chair St. Germain explained how the citizens initiative is worded and what its intent is. He said it will be on the warrant for the town meeting this summer (voting in July, rather in June, due to the pandemic). He said the Planning Board is tasked to vote whether it recommends for it to pass or not to pass. He explained that as a citizens initiative, this will pass with a majority vote no matter what the Planning Board recommends. He explained how that is different from other proposed amendments.

**PUD-2017-02, BHAPTS, on remand from BOA: APPROVED, 5-0**

**Approval based on base development density of 8 units, maximum allowable units of 16 and 3 affordable units (two additional market rate units allowed due to underground utilities and pedestrian amenities)**

**Recommendation of Planning Board on citizens initiative proposal relating to definition of Vacation Rental (for July 2020 ballot)**

**Planning Director Gagnon explains why this was added to the agenda**

**Chair St. Germain offers explanation on process, effect**

Vice-chair Cough referenced the workshop the night before, and discussion on language relating to the homestead exemption. He noted that term had been removed from a staff-sponsored proposal, and said the fact this proposal has the term in there that the town “may end up in a world of hurt.”

**J. Cough and J. Fitzpatrick explain their opposition**

Mr. Fitzpatrick said the initiative “touches on some high points” but misses out on others, including the proposal Vice-chair Cough referred to. He elaborated on why he thought that staff-sponsored proposal was better. “I don’t think we should put something forward now that we’re going to have to react to” in the future, he said. He said the proposal was myopic and short-sighted and will cause more work for the town down the road.

Ms. Brooks spoke about what she saw as the intent of the citizens initiative proposal. Mr. Eleftheriou echoed what Mr. Fitzpatrick and Vice-chair Cough had said. Mr. Eleftheriou said it only serves to cloud the issue of the other work that is being done, and said he would vote against the initiative.

**Other board members speak, too**

Chair St. Germain said he had supported similar initiatives in the past, and said he generally shares the view of hosted rentals. He said he would vote that it ought to pass.

**Chair St. Germain explains support**

Planning Director Gagnon thanked the people behind the initiative for coming to talk with town staff and work with staff on the language used in the initiative (to avoid creating more conflicts in the ordinance). She said working with those people was not a statement of approval or disapproval by town staff of what the citizens were proposing. She said she appreciated comments by the Planning Board members tonight who expressed concern about long-term conflicts within the ordinance, but said she was not as worried about that happening.

**Planning Director Gagnon thanks drafters of question for working with town staff on language matters**

Vice-chair Cough said he was supportive of the idea in general but said he thought the specific language was not right. He said it needed to dovetail with larger efforts by the town. Like other board members, he expressed doubt that the town-sponsored proposal would make the town-wide vote in November.

**Vice-chair Cough moved that the Planning Board recommend the citizens initiative, Exhibit A, changes to the definition of vacation rental in the Land Use Ordinance, ought not to pass. Mr. Fitzpatrick seconded the motion. The motion then carried 3-2, with Chair St. Germain and Ms. Brooks opposed.**

**Recommend ought not to pass: APPROVED, 3-2 (St. Germain and Brooks opposed)**

Mr. Eleftheriou asked about the definition of family, and whether it was included in different proposed definitions for vacation rentals. Code Enforcement Officer Chamberlain said staff has not addressed that definition yet. Mr. Eleftheriou explained his position. Planning Director Gagnon said the definition of “family” does need help, but that any work on it will need to be done carefully because it affects many other things throughout the rest of the ordinance.

**Discussion of definition of family and addressing that**

**VII. OTHER BUSINESS**

Chair St. Germain noted there was another meeting coming up next week (May 6). The various projects set to appear on that agenda were reviewed by name. Planning Director Gagnon told board members they had done a fantastic job that night with a full agenda and that she was impressed with their work.

Next meeting coming up on May 6

PD Gagnon: Good job with Zoom, PB

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

Mr. Fitzpatrick said he felt the agenda for May 6 was deep enough without anything else being added to it.

Chair St. Germain also says board doing good job with Zoom

Chair St. Germain thanked everyone for adapting to the new format of remote meetings, and said he felt the board was "making the best of it."

**IX. REVIEW OF PENDING PLANNING BOARD PROJECTS**

Done above under Other Business.

Done above (under Other Business)

**X. ADJOURNMENT**

At 7:28 PM, Mr. Eleftheriou moved to adjourn the meeting and Ms. Brooks seconded the motion. It then carried unanimously (5-0).

Meeting adjourned at 7:28 PM, 5-0

Minutes approved by the Bar Harbor Planning Board on July 8, 2020:

7.15.20  
Date

Basil Eleftheriou Jr., Secretary, Bar Harbor Planning Board