

**Minutes
Bar Harbor Planning Board
Wednesday, November 07, 2018
Council Chambers- Municipal Building
93 Cottage Street
6:00 P.M.**

I. CALL TO ORDER

The Chair called the meeting to order at 6:01 PM. Members present: Tom St. Germain, Chair; Joseph Cough, Vice Chair; and Alf Anderson, Member.

Also present: Angela Chamberlain, Code Enforcement Officer and Interim Planning Director and Catherine Leatherman, Administrative Assistant.

II. ADOPTION OF THE AGENDA

Mr. Cough moved to adopt the agenda as prepared. Mr. Anderson seconded the motion and the Board voted 3-0 to approve the motion.

III. EXCUSED ABSENCES

Mr. Anderson moved to excuse John Fitzpatrick and Basil Eleftheriou, Jr. as absent. Mr. Cough seconded the motion and the Board voted 3-0 to approve the motion.

IV. PUBLIC COMMENT PERIOD

There was none.

V. APPROVAL OF MINUTES

October 24, 2018

Mr. St. Germain moved to approve the minutes of the October 24, 2018 meeting as prepared. Mr. Anderson seconded the motion and the Board voted 2-0-1 to approve the motion with Mr. Cough abstaining.

VI. REGULAR BUSINESS

a. Public Hearing: SD-2018-03 – Major Subdivision

Project Location: Silent Stream Way, Bar Harbor Tax Map 220, Lot 061-003

Applicant: Steven Ciciotte

Application: The applicant is proposing to subdivide a 3.51-acre lot into two separate lots – one 1.97-acres in size, and the second 1.76-acres in size.

Mr. Ciciotte explained the project and noted that he had provided easement language for the right of way and sample deeds.

Staff noted that the draft decision described the number and sizes of plans to prepare for the Board to sign.

Mr. St. Germain opened the public hearing. No one spoke. Mr. St. Germain closed the public hearing.

Mr. Anderson moved to approve the draft decision as prepared for application SD-2018-03. Mr. Cough seconded the motion and the Board voted 3-0 to approve the motion.

Mr. Anderson moved to approve application SD-2018-03, as submitted and based on the specific finding in the written decision, and because the development meets the applicable standards in section 125-67 and 125-69 N. Mr. Cough seconded the motion and the Board voted 3-0 to approve the motion.

b. Completeness Review: PUD-2017-02 – Planned Unit Development - Village

Project Location: 25 West Street Extension, Bar Harbor tax Map 103, Lot 48 and 49

Applicant: BHAPTS, LLC

Application: The applicant is proposing to construct four new buildings with two dwelling units in each and to reconfigure the existing dwelling unit layout in the existing four buildings on the site.

Mr. Salvatore, and Mr. Moore, representing Ocean Properties, provided an explanation of the proposed project.

Mr. Moore went through the 31 items noted as missing or incomplete in the staff report and outlined which items he found irrelevant, which were appropriate as a waiver request, and which items he would submit before the public hearing.

Mr. St. Germain requested that the applicant provide a list of requested waivers to staff and Mr. Moore agreed. Mr. Moore noted that he could have the information for storm water, erosion control, and grading in next couple of days.

Mr. Moore cited a desire to get the project started and requested a special meeting in order to resolve outstanding completeness issues with the Board before the public hearing.

Discussion followed among the Board, the applicant and staff regarding notification concerns for the public hearing. The applicant intends to be on the December 5, 2018 agenda for the public hearing, and the next regular meeting for completeness would not allow time for advertising.

Mr. St. Germain strongly suggested that the applicant consider providing a mitigation plan as that had been a concern of the abutters.

Mr. Moore went on to discuss the proposed lighting, stormwater, and the erosion control plan with the Board.

Mr. St. Germain opened the meeting for public comment.

Mr. Jeff Crafts, representative of Betsy Mills and other neighbors, asked for a point of order to address the process for submittals in section 125-61 E. of the Land Use Ordinance. Mr. Crafts discussed submittal timing requirements for review of completeness and expressed concerns that that this was not in line with the ordinance.

Mr. Moore noted that the request was that the application be tabled until next week, where the Board would continue the completeness review and make a determination of completeness at that meeting.

Mr. Crafts discussed his concerns with the incompleteness of the application to the degree that it would take time for the Board to, once in receipt of a complete application, make determination of whether or not it is in compliance. Mr. Crafts expressed interest in the Board retaining both attorneys and subject matter experts in engineering, in order to provide due diligence before coming to a decision regarding the proposed project.

Donna Karlson discussed concerns regarding preservation of the community and noted that the intent of PUD was not for seasonal workers, but for year-round housing. She noted that her desire is to retain the current nature of a family residential neighborhood.

Mr. St. Germain closed public comment period at 07:08 PM

Mr. Anderson expressed a willingness to have a special meeting; however, noted the many moving parts of project and the time that it has lasted, since the origin of this proposal.

Mr. Cough moved to table the current application's completeness review for PUD-2017-02 to November 14, 2018 and to schedule a special meeting on November 14, 2018 at 6:00 PM for the continuation of the completeness review. Mr. Anderson seconded the motion and the Board voted 3-0 to approve the motion.

VII. OTHER BUSINESS

a. Pending Applications

- i. Jones Marsh PUD-O
- ii. Hamilton Hill Subdivision
- iii. White Spruce Road Subdivision

Ms. Chamberlain indicated that there were no updates on any of the pending application.

b. Principal Use Solar System Installations

- i. Joshua Ehrlich from: A Climate to Thrive would like to informally discuss a proposed amendment to the Land Use Ordinance to allow for principal use solar system installations in certain zoning districts in Bar Harbor.

Mr. Ehrlich discussed his work with the Planning Department to develop an ordinance that meets the goals and strategies of the Comprehensive Plan and wants to discuss questions and concerns with the Board this evening. Mr. Ehrlich would like to submit an application for completeness for the December 05, 2018 meeting.

Mr. St. Germain clarified with staff regarding the maximum lot coverage provision in the draft.

Mr. St. Germain inquired as to how the solar installation on a single property would enhance, help or benefit neighbors. Mr. Ehrlich discussed the benefits of how solar could be used to enhance community independence from electric companies.

There were no other questions.

The Board thanked Mr. Ehrlich for coming and looked forward to seeing his application in the future.

c. Design Review Board

- i. The Chair of the Design Review Board would like to discuss proposed amendments to the Design Review Board ordinance, overlay district, and Appendix A with the Board and propose a date for a joint-workshop with the Board.

Barbara Sassman, Chair of the Design Review Board and Pete Bono, Secretary of the Design Review Board discussed the proposal. Ms. Sassaman described that the changes included cleaning up Appendix A, resorting the list in alphabetical order, recreating a new overlay map which includes outer lying villages, and reworking the language in the Design Review Board ordinance.

Ms. Sassaman asked if the Board would be willing to hold a workshop with the Design Review Board to go over the specifics of the changes.

Mr. Anderson moved to schedule a joint workshop with the Design Review Board on December 5, 2018 at 4:00 PM. Mr. Cough seconded the motion and the Board voted 3-0 to approve the motion.

d. 2019 Calendar

- i. A draft of the 2019 Calendar is prepared for the Board’s review and adoption.

The Board discussed holding all their regular meetings at 4:00 PM but wanted to have the full Board there for the discussion. The Board also agreed that it was probably reasonable to cancel the July 3, 2019 meeting.

Mr. Anderson moved to table the discussion to the November 14, 2018 meeting.

VIII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

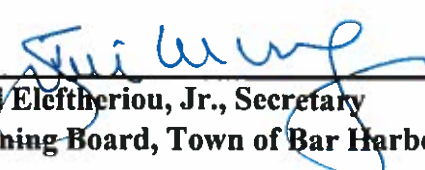
Mr. St. Germain noted that the draft housing study was out and it was worth reading and contained some interesting statistics.

Mr. Anderson noted that the recent Polco poll was on vacation rentals and he had been following the responses.

IX. ADJOURNMENT

Mr. Anderson moved to adjourn at 8:07 PM. Mr. Cough seconded the motion and the Board voted 3-0 to approve the motion.

Signed as approved:


 Basil Eleftheriou, Jr., Secretary
 Planning Board, Town of Bar Harbor


 Date