



Town of Bar Harbor Planning & Code Department

93 Cottage Street • Suite 1 • Bar Harbor • Maine • 04609-1400

Memorandum

To: Comprehensive Planning Committee
Copy: Lix Graves, Town Clerk
Cali Martinez, Housing & Community Planner
Haley Bondy, Staff Planner
From: Michele Gagnon, Planning Director
Date: January 27, 2025
Subject: Adoption of the Bar Harbor 2035 Comprehensive Plan

The Comprehensive Planning Committee is scheduled to meet in the Bar Harbor Municipal Building, room 321 (across from the Council Chambers), on Monday, February 3, 2025, at 6:00 PM. As usual, committee members and the public will be able to participate via zoom <https://us02web.zoom.us/j/87178345417?pwd=Vygv0cD02839jbb813ScaqEFgs9bUa.1>.

The purpose of the meeting is to conduct a review of the final Comprehensive Plan final edits, and for consideration of a vote to move the plan forward to the Town Council for acceptance.

We will be looking for a proposed motion such as: *The Comprehensive Planning Committee presents to the Town Council the Bar Harbor 2035 Comprehensive Plan for acceptance and certifies that the plan was developed with a significant amount of community engagement and shaped by residents and interested parties' input, and it implements the values of the community.*

Attached are the 1) agenda, 2) Sept 18 minutes, 3) Comments and edits, 4) Approval timeline.

The Bar Harbor 2035 Comprehensive Plan documents can be found at <https://www.barharbormaine.gov/501/Comprehensive-Plan>.



TOWN OF BAR HARBOR
93 Cottage Street
Bar Harbor Maine 04609

Agenda

Comprehensive Planning Committee Meeting

Bar Harbor Municipal Building
Room 321 across from the Town Council Chambers
February 3, 2025, 6:00 PM

Members of the public may attend the meeting and offer comment in person or via zoom
<https://us02web.zoom.us/j/87178345417?pwd=Vygv0cD02839jbb813ScaqEFgs9bUa.1>.

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|----|------------------------------------|----------------|
| 1. | Call to order | 6:00 – 6:05 PM |
| 2. | Excused absences | 6:00 – 6:05 PM |
| 3. | Adoption of Agenda | 6:00 – 6:05 PM |
| 4. | Adoption of Sept 18, 2024, minutes | 6:00 – 6:05 PM |
| 5. | Public comment period | 6:05 – 6:30 PM |
| 6. | Comments and edits | 6:30 – 7:30 PM |
| 7. | Approval timeline | 7:30 – 7:45 PM |
| 8. | Public comment period | 7:45 – 8:00 PM |
| 9. | Adjourn | 8:00 PM |

TOWN OF BAR HARBOR
Comprehensive Planning Committee
September 18, 2024
MINUTES

Comprehensive Planning Committee members present were Elissa Chesler, Jacquie Colburn (Zoom), Greg Cox, Kevin DesVeaux, Cherie Galyean (arrived during agenda item #7), John Kelly, Jim Mahoney, Michael McKernan, Kristin Murphy (Zoom, could not vote because of technical difficulties), Misha Mytar, Val Peacock, Allison Sasner (arrived during agenda item #7), David Woodside. Kyle Shank was absent.

Housing & Community Planner Cali Martinez and Planning Director Michele Gagnon attended.

Participating via Zoom were consultant Steve Whitman and Liz Kelly.

1. Call to order

Vice-Chairperson Greg Cox called the meeting to order at 6:02 PM.

2. Excused absences

Kyle Shank was excused.

3. Zoom logistic, review/adoption of meeting agenda

On a motion by David Woodside, seconded by John Kelly, the agenda was adopted on a rollcall vote (10-0).

4. Adoption of meeting minutes

On a motion by Kevin DesVeaux, seconded by John Kelly, the March 13, 2024, minutes were adopted on a rollcall vote (10-0).

5. Public comment period

There were none.

6. Summary of the Planning Process.

Steve Whitman explained that the draft was assembled using the many materials that the Comprehensive Planning Committee and the public have helped inform and shape over the last few years. It includes the vision, the future land use strategy, themes, the implementation actions, and appendices. All the parts were pulled together, and final revisions were made based on staff feedback. We then sent the plan to the proofreader in early August.

7. Request for Feedback

Greg Cox explained that the purpose was to evaluate whether the plan hits the mark. It is important to remember that a comprehensive plan will never include every item that everyone wants. Does the plan reflect the work you contributed? Does it represent the general direction for Bar Harbor, and does it provide enough for you to build on over the

coming decade? While it may not provide answers to every issue, it serves as the baseline—a starting point for much of the work ahead. We look forward to hearing your thoughts, edits, and suggestions during tonight's discussion.

Greg Cox pointed out that while there has been significant public input, much of it contained conflicting opinions, as everyone has a different perspective. He noted that some sections may not be as detailed as people expect. However, the plan is intended to establish a foundation and offer general guidance. It cannot be so detailed that it quickly becomes outdated, as opinions and needs evolve over time.

Elissa Chesler expressed concern about using the phrase “intended to be a living document,” stating that, in her perspective, it is not a flexible plan. Although this is a starting point, it is also meant to serve as a legal framework.

Jim Mahoney suggested there should be clearer support for residential areas in the downtown. Misha Mitar added that she had made a similar point in her written comments. She emphasized that while the plan addresses this concept, it needs to be more explicitly stated. Elissa agreed, and other members voiced similar concerns. Greg Cox summarized by noting that there is interest in prioritizing residential areas downtown, but the language may need to be clarified.

Steve Whitman proposed adding a sentence on page 27 to clarify that the downtown core is envisioned as continuing to include residential units and residential neighborhoods.

James Mahoney asked that the “walkable downtown” be more obvious. Steve Whitman recommended a sentence be added to that effect on pages 66 and/or 67.

A question was raised about whether the images align with the narrative. It was agreed that images not depicting Bar Harbor should be replaced unless they illustrate a concept, in which case captions should be added. Captions will also be included for images that are not immediately intuitive. Val Peacock requested pictures of the working waterfront. Michele Gagnon said she would obtain some from Joanna Fogg. Additionally, it was agreed to replace or supplement the large cruise ship image used for tourism with another image.

Mike McKernan asked how people are expected to navigate the document. Michele Gagnon explained that she intends to create a summary document and organize the files on the website for easier navigation. Cali Martinez added that the Planning Department's web page will be arranged by themes. It was also noted that page numbers are occasionally obscured by images, and that the map labeled “Zoning Map” should instead be labeled “Land Use Ordinance Map.”

It was noted that some actions are inconsistently phrased—some describe “doing” certain things, while others are written as suggestions. Additionally, there is a lack of clarity regarding bolded and tabbed items. It was agreed that the actions will be numbered for consistency.

There was also a discussion about the “white” (empty) columns. It was explained that these columns are placeholders to be completed later by the Implementation Committee. Concerns were raised about ensuring they do not appear as though they were left blank accidentally.

9. Roll out of the Draft Plan

10. Project timeline

Michele Gagnon explained that the plan was sent to the state for consistency review with the Growth Management Act. She explained the timeline on final comments. It was explained that the “public hearing” will be more about if we are moving this plan forward or not.

11. Public comment period

Ruth Eveland noted that where it says that the “new wing being planned for the Jesup Memorial Library is intended to serve....,” it should be changed to “new wing under construction will serve,” because it is under construction. She added that the plan is very approachable. There was extensive outreach and hopefully people will see that their voices were heard. She added that many of the downtown residential neighborhoods have many businesses in them, especially short-term rentals.

Terri Wagner said that she agrees that we need to make sure that there's room in this document to keep the residential nature of certain downtown areas. She recommended that the plan mention that decision making bodies will have the authority to delineate what specific areas of these growth areas will be residential and what will be commercial. She said that she was not clear on what density means, if it is residential, commercial or both.

The meeting was adjourned at 7:44 PM on a motion of by Kevin Desveaux seconded by Jon Kelly. It passed (13-0).

Minutes approved by the Comprehensive Planning Committee on February 3, 2025.

Greg Cox
Chair, Comprehensive Planning Committee

Date



Town of Bar Harbor Planning & Code Department

93 Cottage Street • Suite 1 • Bar Harbor • Maine • 04609-1400

Memorandum

To: Comprehensive Planning Committee
From: Michele Gagnon, Planning Director
Date: January 27, 2025
Subject: Comments and edits

This memo explains the comprehensive plan edits since the committee last met on September 18, 2024.

Below is a list of edits made from the comments heard during the September 18, 2024, Comp Plan meeting, and edits made based on the written comments received between September 19 and December 31, 2024. Also included are the written comments received during that same period.

Comments were addressed to the greatest extent possible, however, all comments were not addressed. The reasons for not addressing some of the comments are: 1) although not exactly addressed as requested by the commenter we felt it was already addressed somewhere in the plan, 2) the comments were too specific or too narrow in focus, meaning that it belonged more in a specific plan than in a general plan, or 3) it was just not something that rose to the top during the two and a half years long process.



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Bar Harbor 2035 - Edits from CPC	
18-Sep-24 - 31-Dec-25	
Section	Page # Edit
Community Facilities	84 Change "Encouraging larger not-for-profit organizations to increase their payments in lieu of taxes" to "Encourage not-for-profit organizations to increase their payments in lieu of taxes..."
Housing	42 capital "S" upporting should be changed.
Housing	46 change " the housing authority" to "housing organizations"
Stewardship of Resources	62 says town-owned Jesup Library. Not town-owned.
Introduction	3 delete "and is intended to be a living document"
Bar Harbor Today and Tomorrow	27 In Downtown...clarify that some residential neighborhoods should remain, clarify that this area houses a lot of people... "It is envisioned that the Downtown homes and residential neighborhoods..." "Housing as a priority"

Bar Harbor Today and Tomorrow	24	last sentence is missing
Introduction	3	define "amenity community"
Bar Harbor Today and Tomorrow	18	add quotes to "amenity trap"
People Centered Transportation	66/67	stress issues with pedestrian and bicycle infrastructure in the downtown and build on bullet #2 in issues box
Stewardship of Resources	64	caption needed for aerial map (as well as on select others in the document)
People Centered Transportation	70	captions for complete streets images
Diverse Economy	97	need image of working waterfront
Diverse Economy	91	swap cruise ship photo
TOC		hyperlink major sections in TOC
TOC		remove reference to a glossary
Full Plan	All	make sure page numbers are visible on each page of document - bold them
Regulatory Changes	102	zoning/land use map label or caption?
Implementation		D.13 - bolded - new wing - under construction

Implementation	All	clean up section in general - repeat top rows on each page, finished #ing the actions, ensure consistency in bolding, review checkboxes for consistency, etc. Decide if white boxes for implementation phase should remain or if a note should be added to explain why they are not filled in
Diverse Economy	89	There was also some recognition that the existing zoning restrictions may prevent density in some of the areas where WHERE it is needed and desired.
Housing	49	it says, "The employer survey completed for this analysis indicated that most respondents support strategies to provide more workforce housing options, as well as advocating for zoning changes that would make it easier to build housing." Employee housing amendments to the LUO were made in 2024, after the survey. It would be helpful to mention that significant LUO worker housing changes were made in 2024 (post survey)
Stewardship of Resources	54	Header on left at top is cut off
Full Plan		Staff will look for a place to reference tools such as Impact Fees and others so they can support future actions if desired by the Town.
Appendix	Appendix	Add the State Review Packet to the Plan Appendix
December Comments Below		

Future Land Use Strategy	25 & 26	High Brook Road is actually Duck Brook Road
Future Land Use Strategy	26	Could we add next to the Downtown Center label, in parenthesis (encompasses residential neighborhoods)
Housing	43, image	Could we put Year-Round Residents first instead of Seasonal Residents.
Natural and Cultural Resources	62	In the last paragraph says the "town-owned Jesup Library," it is NOT town-owned. Could we say "...Jesup Library, nationally-renowned Abbe Museum, and the Bar Harbor Historical Society Museum at LaRochelle."
Implementation	All	please number pages as i1, i2, i3, etc.
Implementation	5	Delete the action "create an annual line item budget dedicated to funding housing projects."
Implementation	5	Delete the action "establish a local tax on hotel rooms/short-term rentals to be dedicated to affordable housing programs."
Implementation	5	Delete "Have inclusionary zoning fees in lieu go directly to fund affordable housing/programs."
Implementation	5	Add "Explore ways to help encourage the creation of more housing including creative financing."
Implementation	Transportation Actions	Add "Coordinate with the National Park Service, Maine Department of Transportation, and others on using parking as a tourism management tool."
Implementation	Transportation Actions	"Pursue the use of the Ferry Terminal as a transit hub, satellite parking location, parking and/or pedestrian connection."

To: James Smith, Town Manager
From: Earl Brechlin

RE: First look at the draft comprehensive plan

First and foremost, my deepest appreciation and affection for the staff, volunteers and citizens who have labored so hard and long on this plan. It is an impressive document from beginning to end. It is well organized, succinct while at the same time comprehensive (no pun intended), and written with a hand and heart that clearly reflects this town.

The breakout quotes, graphics, photographs, and maps help keep it airy and accessible.

Assembling the thoughts and desires of scores of people, multiple agencies and committees, into a single document is always a formidable task. Especially difficult is having the result not drown out the myriad voices involved as a cohesive narrative thread is developed and strengthened.

Including next steps and possible regulatory revisions is especially enlightening.

It's great. Bravo!

Here are a couple thoughts, a suggestion or two, and some general questions that came to mind while reading through etc.

Page 26

The maps showing general areas of residential, future growth, etc., are a valuable tool, especially when it comes to suggesting we could certainly live with fewer zones or zone types, however, when I see the downtown "Center" in orange while the yellow is residential, I worry we're telegraphing the orange, which I believe has vital core residential areas, is in effect commercial.

In past plans there was an emphasis on delineating growth areas for commercial. I think the preservation of residential will be the most important aspect for the next decade.

Page 43

Small thing but in the graphic about who wants housing, I would put Year-Round residents first.

Page 45

In setting clear targets for the number and type of housing, does it make sense for us to investigate whether or not we as a community should look at not just setting a cap on the number of VR2 but also a maximum number of non-resident homes period. The scenario exists that even if homes are not being bought by investors, the unmatched pressure of huge out of state financial resources can still ultimately prevail, meaning more and more seasonal homes dark all year and a shrinking resident housing availability.

Likewise, in thinking of the positive goals in the box, are there tools or techniques to disincentivize projects that won't help us get there?

Page 62

In the last graph it mentions supporting cultural resources which is great but it says the Jesup Library is town-owned which it is not. Mentioning the Abbe is good but there is an opportunity to mention by name the Bar Harbor Historical Society Museum at LaRoche which is the literal keeper of the town's history. For the record I am no longer on that board.

Page 74

In reference to encouraging EV charging infrastructure, one possible incentive might be to not charge local excise tax on chargers as business equipment. Currently the only incentive I am aware of is that transient accommodation standards for parking give the planning board leeway in the required number of spaces if some are designated for charging etc. However, that might be an incentive but it results in overall fewer spaces per establishment which, I would argue is a bigger problem. When there are not enough on property, it becomes someone else's (the town's?) problem.

Whether EV or high efficiency, a vehicle is still a vehicle and there should be adequate places to park them on site.

General question

Is it appropriate in a comp plan to make at least passing mention of public health and safety departments, organizations of institutions?

Page 103

I learn something new every day. Love the term "Euclidean Zoning."

Page 107

In addressing concerns about sprawl I think there's another, even more worrisome dynamic from a community character standpoint. That's when a person

or entity begins gobbling up lots of smaller lots or properties and then demolishes everything for one big project. It's sort of a black hole effect. Not sure if the plan includes some mention of the process as a foundation for future regulation.

I believed with recent real estate transfers, etc., we're headed for an era of unwelcome consolidation. The north corner of Cottage and Eden narrowly avoided that recently when the Bike Shop changed hands. Directly across the street all but one small residential property on the end of that block has been purchased by the same company. I fear another amorphous, generic 40-room hotel might be in its future.

Two housing solutions suggestions on page 5 of the Implementation appendix made me pause.

One was to create an annual line item budget dedicated to funding housing projects

Number two was establish a local tax on hotel rooms/short term rentals to be dedicated to affordable housing programs.

In the same vein is the fees in-lieu going to the housing trust and the real estate transfer tax and the town going into debt (issuing housing bonds).

These are items that are entirely under the town council's purview (and ultimately town meeting) and are more appropriate to be discussed and vetted under council goals. Tucking them in the comp plan seems more like a political, rather than a planning aspiration.

While I'm sure others may disagree, this is the only place I felt the plan strayed too far into political realms.

It provides ammunition to future proponents who can say "but it's in the comp plan."

Personally, the idea of using property tax dollars for housing runs counter to the concern of people being able to afford to live here year-round. Higher taxes to fund other people's housing, makes it harder for those already here to stay.

Likewise, designating any alternative revenue for housing (a bill in the last legislative session doing just that failed) is short sighted when an even bigger issue locally is property tax relief. At least with general tax relief future councils and town meetings could direct some of that money to housing or other vital issues but considering the cost of house and expense of land etc., there's really no way the town is going to be any real player in building more.

Waivers of fees and creating areas such as a TIF are worth exploring.

We can and should continue to encourage, incentivize and de-regulate as a worthy contribution.

Perhaps the comp plan statement could be more general that the community should explore ways the town can help encourage the creation of more housing including creative financing etc., without outright committing the community to being a core funder via specific courses of action.

Finally, under People-Centered Transportation a possible action item could be to have the town coordinate with Acadia, MDOT and others to see that our local parking regulations work with theirs to maximize the effectiveness of this method of controlling crowding and overuse.

I.E. If the park lots in Acadia and in Trenton are over full, and the community finds people are leaving their vehicles all day in downtown Bar Harbor (thus leaving fewer spaces for residents, visitors and customers), Bar Harbor may want to re-examine our fee structure to insure adequate churn preventing our streets from becoming a dispersed paid lot for the park. For instance, after 2 or 3 hours, the fee increases to \$50/hour.

From: Elissa Chesler
To: Michele Gagnon
Subject: Re: State comments
Date: Thursday, November 7, 2024 7:50:06 PM

Hi, Michele,

Many of the comments seem to raise points that echo resident concerns about waterfront access, water supply and wastewater. Adding the comments as an appendix is a partial solution but I would suggest that we discuss the possibility of presenting these with a separate set of suggested policy actions that can be integrated into the main set of policy actions if the plan is adopted. Otherwise these letters would go in the appendix as unaddressed critiques that could raise significant concerns among residents. I realize it's extra work to construct more strategies and goals, but I think it's important.

Thanks,
Elissa

On Nov 7, 2024, at 3:22 PM, Michele Gagnon <mgagnon@barharbormail.org> wrote:

Good afternoon, members of the CPC,

I am writing about two things: 1) state comments and how best to proceed forward; and 2) the list of edits that we received at our last committee meeting.

State comments — Yesterday, Nov 6, staff met with the consultant to discuss the attached state comments. Even though these comments are not mandatory but advisory, we do feel that they are important. However, we asked ourselves if the comments warranted immediate inclusion in the Analysis of Current Conditions and/or the addition of an action(s). We feel that the comments do not warrant immediate inclusion but, as we do not want them to be lost, we recommend that they be added as an appendix to the plan, like the following documents: Existing Conditions Analysis Report, Housing Analysis, Outreach and Engagement Report, and Capital Investment Strategy.

If after review of the comments there is a general feeling that something different may be needed and that the comments

deserve a committee discussion, please let me know by November 22, and I will schedule a CPC meeting for the purpose of discussing the comments.

List of Edits — Attached is the list of edits that we have captured as being needed per the last CPC meeting and that we intent to make in January. Please let me know by December 31 if there is anything else needed.

Looking forward to hearing from you soon.

-MG

Michele Gagnon
Planning Director
Town of Bar Harbor
207.288.3329

Correspondence to and from this office is considered a public record and may be subject to a request under the Maine Freedom of Access Act. Information that you wish to keep confidential should not be included in email correspondence.

<StateConsistencyFindings_2024-10-25.pdf>
<CPC Plan Edits_updated after state review_11.6.24.xlsx>

From: diane.vreeland
To: cpc@barharbormaine.gov
Subject: Letter to Planner from State
Date: Tuesday, December 31, 2024 1:15:43 PM

Dear Comprehensive Plan Members,

I have read part of the 2035 comp plan and agree that several critical points are missing.

The best way to sum up a few is the letter from the state to the town planner. I was wondering if you read the letter and what you are planning on doing going forward.

I have attached the particular link for you.

https://www.barharbormaine.gov/DocumentCenter/View/7868/StateConsistencyFindings_2024-10-25

Thank you,

Diane L. Vreeland

12/31/2024

To Planner and Comprehensive Plan Members,

Town Hill, an area of Bar harbor, is mostly a rural area with no infrastructure, no local transportation and the highest point is on a recharge area. We are a rural village with houses, nature and a diverse ecosystem and sensitive in nature. Several people from this area attended the meetings when developing the 2035 Comprehensive Plan and everyone of us requested and shared why Town Hill should not be in a growth area. The last Comprehensive Plan in 2007 only showed a draft of the growth in Town Hill and it was never voted on. It is difficult to understand the Future land Use Map of 2007 when it gives designation of three different areas, rural, transitional and growth. Rural states this area shall be maintained relatively free of development sprawl, and contains critical natural and scenic resources that shall be protected and the growth area to be developed should have infrastructure as a first step.

While developing the 2035 Comprehensive Plan, LD2003 was being implemented at the same time. We voted against it for obvious reasons, but it did pass. So, town hill is now zoned for two and one half times the number of units that can be built being outside of the center of town with no infrastructure in the so called growth area which is now referred to as Gentle Density.

With much outcry and the concern from the Park with nitrates from development, Town Hill now has a different designation. It now states that Town Hill is designated for Gentle Density, which is for urban areas and not rural. This is still unacceptable with having no infrastructure. This is crucial because we don't have any policies or plans to protect our natural resources in the 2035 Comprehensive Plan. We must designate critical rural areas before we sprawl

anymore into the rural areas.

This change is very confusing for anyone not following the new Comprehensive Plan . Should there have been an amendment or a public Hearing to clarify what designation Town Hill is to follow.

Involvement is critical to identify areas for growth and ensure the plan reflects the community values. In order to support growth and development we must also protect the environment. In the rural area we have significant wildlife habitats, deer, owls, songbirds, migratory birds and bats. We also have significant vernal pools, significant wetlands and streams which there is no inventory of. There is no mention of critical rural areas or critical habitat.

All of these things should be protected and there are no specific goals, policies or map to protect these areas and species in the new Comprehensive Plan.

Acadia National Park expressed alarm recently about all the development around and near our largest watershed, Northeast Creek. The park is requesting federal funding to monitor such activity. There was also a report this year about the effects of pollution on Acadia's vegetation and species and was deemed of significant concerns by a non governmental agency and received an unsatisfactory report of hazy and unhealthy air.

Lisa St. Hilaire, MNAP, Maine Natural Area Program sums it up on a relevant comp plan requirement of Natural Resources “ This page doesn't mention that Bar Harbor has a wealth of Natural Resources . It seems more like a focus on future land use planning than on the rich Natural Resources in the town.”

Thank You, Diane L. Vreeland

From: Terry Wagner
To: Michele Gagnon; council@barharbormaine.gov; cpc@barharbormaine.gov; planningboard@barharbormaine.gov
Subject: Comp Plan Comments
Date: Thursday, December 19, 2024 12:28:31 PM

Michele,

I appreciate the opportunity to comment on the Comprehensive Plan. I send these remarks as a resident of downtown Bar Harbor.

It is evident that a tremendous effort was put into this project. The Comprehensive Plan Committee and the Planning Department should be proud of this work product. I am really pleased to see that themes such as housing shortages, over-tourism/tourism management and lack of revenue were highlighted. I think these and the other "Big Issues" are spot on. I applaud the team for calling out the excellent report on 'Amenity Traps' and believe we can learn from that report and the experiences of other similar towns.

My primary concern with the documents is with the lack of specificity regarding business/mixed use and residential zones of the orange area labeled Downtown Center. In particular, the overview map that literally merges the entire downtown, spanning from the business core (Main St/Cottage St area) to the residential streets extending to Eden St, Spring St., and Cromwell Harbor Rd. into one visual 'zone' is worrisome. This is a very impactful image that implies an intent to convert zones such as Downtown Residential, Village Historic, Shoreline Limited Residential and Downtown Village Transitional into business use areas. The labeling of the surrounding zones as Downtown Residential further establishes this perception.

I don't see evidence that it was the intent of committee members or the community to lose the existing core downtown residential neighborhoods, but I worry that the current presentation promotes that possibility. It will minimally cause confusion and possible pressures to encroach on existing residential streets with more commercial uses.

I ask that some adjustments be considered. Please revise the color coded maps on pages 25 and 26 to make clear that our existing downtown residential neighborhoods are just that – residential. Include them in the yellow part of the map or create a third zone.

The text on page 27 that refers to this entire downtown area (existing business and existing residential) as 'mixed use' also opens the door to non-residential use in our residential zones. I believe this is counter to the priority stated throughout the report to preserve housing and residential neighborhoods. Increased housing density is not the same as "mixed-use."

Thank you for considering my comments.

Terry Wagner

From: [Katherine Wasserman](mailto:Katherine.Wasserman@barharbormaine.gov)
To: planner@barharbormaine.gov
Subject: Bar Harbor 2035 Comprehensive Plan
Date: Friday, November 22, 2024 9:29:22 PM

Just a quick note about the map you have on this plan.

What you show as "High Brook Road" is not that, it's Duck Brook Road. Furthermore, the Park - Downtown Residential boundary is wrong in parts. For example, you show the west side of Cleftstone Road to be in the downtown residential area but it is in fact part of the Park.

Thank you,

Katie Wasserman

From: Cara
To: cpc@barharbormaine.gov
Subject: draft feedback
Date: Tuesday, December 31, 2024 6:22:06 PM

Dear Members of the Comp Plan Committee,

First, many thanks for your long, hard work in producing this Comp Plan draft--it's incredibly informative & very ambitious! It shows many of our challenges & constraints as well as some great guidelines & tools to guide future growth. Nonetheless, I feel some concern that there may be a crucial disconnect between the many, many pages dedicated to our housing problem and the maps guiding development, especially the map on p. 26 where an orange area called Downtown Center is surrounded by a yellow area called Downtown Residential. I live in our current Downtown Residential and it's *not* in the DR yellow in your new plan but instead in the newly expanded "mixed-use" Downtown Center. I know from our LUO that quite a few uses are already allowed in this & other residential districts (from office space to museums, nursing homes to wind turbines!?) but some things are *not* allowed, for instance, new Lodging and restaurants. And notwithstanding the disclaimer on these maps (that their boundaries are "approximate locations and specific lines will be defined later"), other statements in the Comp Plan that "at its most basic, a comprehensive plan is a clear statement of the community's vision for the future," that it provides a "legally defensible foundation for . . . regulations, and "will serve as a road map" suggest we could be setting ourselves up for new trouble if we don't respect and retain the residential boundaries where they are now. It just doesn't make sense to me to co-opt what are currently protected neighborhoods into a new Downtown Center where new, maybe simpler rules could mean essentially anything goes. This doesn't come from a NIMBYism--personally I welcome density and many forms of mixed-use. What concerns me is the possible creep into our current residential neighborhoods by those forms of development that only makes our town more seasonal and more housing-desperate.

I appreciate our collective commitment to protecting natural resources and avoiding sprawl, so well explained in the Comp Plan draft. But I also noticed important information on p. 88 describing in which sectors (professional, scientific, health care, etc.) the majority of jobs in Bar Harbor are and how 70% (!) of them are filled by people living outside BH. We simply can't afford to put any currently-protected residential districts at more risk. As you illustrate so well (pp. 42-45), there are multiple pressures on our existing housing, so many of which may be very difficult to remedy.

Again, I understand the disclaimer on the maps, but if they're left as they are, I worry we'll find it impossible to rein in any use in those newly-expanded Centers on pp. 26 & 28. The warnings are already there in the Comp Plan draft, p. 102, that "An important first step toward regulatory revisions for Bar Harbor is the completion of a policy and regulatory audit. This includes a careful review of Bar Harbor's existing land use regulations against the adopted Comprehensive Plan's Vision, Future Land Use Strategy, and implementation actions. This process will clearly identify any disconnects and inconsistencies that must be addressed through regulatory amendments over the coming years. This process will help to identify how best to reduce the overall number of zoning districts."

For this reason, and for buy-in from the many voters who live in Downtown Residential & other zones subsumed under this draft's Downtown Center, I hope the lines will be redrawn to preserve the residential zones.

Many thanks & all the best for a great 2025!

Cara Ryan

From: [Dessa Dancy](#)
To: cpc@barharbormaine.gov
Cc: [Jake Jagel](#)
Subject: Comments -- Draft 2035 Comprehensive Plan
Date: Tuesday, December 31, 2024 11:26:42 PM

To: Bar Harbor Planners and the Comprehensive Planning Committee
From: Dessa Dancy and Jake Jagel
Date: December 31, 2024
Re: Suggestions for the Draft 2035 Comprehensive Plan

Please understand that because this draft comprehensive plan was not available to the public until just before the Thanksgiving/Christmas holidays, we've not been able to read the entire document and have perhaps missed key provisions in our rush to meet this December 31 deadline. But assuming that other voters may find themselves in a similar situation, perhaps some of the following concerns can be addressed and presented more clearly.

1. "Growth Areas" need to be clearly defined.

At your March 26 Virtual Community Meeting meeting, we were assured by both the planning consultant Steve Whitman and our planning director Michael Gagnon that **areas of Bar Harbor without access to public sewer and water sewer would not be designated as growth areas in the new comprehensive plan! We were assured that only Downtown and parts of Hulls Cove which have access to public water and sewer would be designated as growth areas.**

We are surprised and troubled to now see five of the 2007 growth areas expanded and renamed "Focus Areas" where future development is to be directed in the new comprehensive plan. Unless designated growth areas with access to public water and sewer are clearly differentiated from areas with no access to public sewer and water, the State's LD 2003 housing opportunities provisions could still be applicable. According to your explanation of Maine's Growth Management Act "**comprehensive plans in the State of Maine must direct most of their anticipated growth to areas of the community designated as 'growth' areas**". It's therefore imperative that Future Land Use Growth Areas be clearly defined and restricted to areas with access to public sewer and water. (We've not been able to find a copy of the Glossary in section 5 of the 2035 Comp Plan on the Town website)

2. Critical Rural Areas and Scenic Roads

We find no protections or mapping of Critical Rural Areas or identification of Scenic Roads of Bar Harbor. Please see that these critical items are included.

3. Hydrogeological Information Pertaining to Groundwater Protection

Fundamental to future planning is a shared understanding of the unique geology of this island, the untraceable flow of water within bedrock fissures and the vulnerability of our shared groundwater. It's not enough to refer to the Stratex report in this new plan. The findings and recommendations of that report also need to remain front and center of this Comprehensive Plan. Also needed is information about the critical role that forests play in the retention and recharge of groundwater on this granite island.

An example of a Stratex report recommendations still being ignored is to limit development on the upper third of the watershed. Yet this new comp plan again identifies the top of Town Hill – unmistakably the upper third of three watersheds – as a “Focus Area 3” for future development! Already maxed out, with a brewery shipping out our water in their beer, a lumber yard's clear-cutting acres of forest, additional major loss of forest for a solar farm, more transient accommodations, subdivisions, glamping resort, car repair garage ... the cutting, building and paving has not stopped. (But the well water for our garden did stop.) The Stratex report also warns against the proximity of septic systems and danger of nitrate pollution. Yet this new comp plan is recommending shared wells and shared septic to further increase density here. In addition to information about the protection of Bar Harbor's visible water resources, please add excellent hydrogeological Information pertaining to groundwater protection.

We regret our inability to fully review this Draft Comprehensive Plan at this time. We hope that you'll be able to address the above concerns during your upcoming editing in January.

With much appreciation,
Dessa Dancy & Jake Jagel

From: [James Mahoney](#)
To: [Michele Gagnon](#)
Cc: cpc@barharbormaine.gov
Subject: Re: State comments
Date: Sunday, December 1, 2024 5:56:20 PM

Hi Michelle

I reiterate my opinion that there are Districts in the Downtown Center defined by the map on page 28 that are primarily residential and that should be characterized as such, rather than as mixed-use. Specifically, I think the map on page 28 should be changed to characterize the Village Historic, Limited Shoreline Residential, and Downtown Residential Districts as Downtown Residential (Yellow) rather than Downtown Center (Mustard) to reflect that these districts are primarily residential. To characterize these Districts as mixed use, as is done on page 29 the draft plan (see below), sets a policy to expand commercial and mixed-use developments into these Districts. This policy is a radical departure from the current Land Use Ordinance, and it is not elsewhere explicitly stated or supported by evidence in the Draft Comprehensive Plan.

Thank you for your consideration.

Jim

Future Land Use Strategy Focus Area 1 Downtown Center and Downtown Residential

Bar Harbor's Downtown Area will continue to function as the community's main commercial and residential center. This area is composed of distinct businesses, homes, and neighborhoods, and is surrounded by other predominantly residential areas that do include some nonresidential uses. Served by municipal water and sewer infrastructure, this portion of Bar Harbor presents the greatest opportunities for increasing density through new and infill development, and redevelopment activity. However, these opportunities are not unlimited and will need to be focused and guided appropriately. The primarily residential area surrounding the mixed-use center should be less dense overall. This area also includes Jackson Laboratory, open space and undeveloped land, municipal land, and a variety of commercial uses. To accomplish this strategy, a range of housing options should be enabled, promoted, and incentivized through the land use regulations and other means, including consideration of infill housing and opportunities for additional density in residential areas in a manner compatible with the existing development characteristics of each neighborhood. As future development takes place, the protection and restoration of existing parks, natural areas, and vegetated corridors within the Downtown Center and Downtown Residential Area should also be prioritized. Additionally, the Town should work to protect the natural features and green connections that extend into or throughout the Downtown. There will also be a need to address parking and traffic congestion issues in these areas. The Town will also prioritize investments that enhance the safety and accessibility of biking and walking in the Downtown and

surrounding areas and expand the public transit options. The protection and enhancement of the Downtown's unique and historic character is also extremely important, and efforts should be made to complement the aesthetic qualities of new development. As land use policies are amended to provide for increased density in this coastal area of the town, efforts should be made to prioritize climate resilience, energy efficiency, and sustainability design.

On Thu, Nov 7, 2024 at 3:22 PM Michele Gagnon <mgagnon@barharbormail.org> wrote:

Good afternoon, members of the CPC,

I am writing about two things: 1) state comments and how best to proceed forward; and 2) the list of edits that we received at our last committee meeting.

State comments — Yesterday, Nov 6, staff met with the consultant to discuss the attached state comments. Even though these comments are not mandatory but advisory, we do feel that they are important. However, we asked ourselves if the comments warranted immediate inclusion in the Analysis of Current Conditions and/or the addition of an action(s). We feel that the comments do not warrant immediate inclusion but, as we do not want them to be lost, we recommend that they be added as an appendix to the plan, like the following documents: Existing Conditions Analysis Report, Housing Analysis, Outreach and Engagement Report, and Capital Investment Strategy.

If after review of the comments there is a general feeling that something different may be needed and that the comments deserve a committee discussion, please let me know by November 22, and I will schedule a CPC meeting for the purpose of discussing the comments.

List of Edits — Attached is the list of edits that we have captured as being needed per the last CPC meeting and that we intent to make in January. Please let me know by December 31 if there is anything else needed.

Looking forward to hearing from you soon.

-MG

Michele Gagnon

Planning Director

Town of Bar Harbor

207.288.3329

Correspondence to and from this office is considered a public record and may be subject to a request under the Maine Freedom of Access Act. Information that you wish to keep confidential should not be included in email correspondence.

Michele Gagnon

From: Michele Gagnon
Sent: Tuesday, January 7, 2025 6:07 PM
To: Micala Delepierre; jsmith@barharbormaine.gov
Cc: kaitlynmullen@yahoo.com
Subject: RE: Harbor Committee Recommendation Regarding Comprehensive Plan

Micala, we will rephrase the sentence to be all encompassing to such as:

"Pursue the use of the Ferry Terminal as a transit hub, satellite parking location, parking and/or pedestrian connection."

MG

Michele Gagnon
Planning Director
Town of Bar Harbor
207.288.3329

Correspondence to and from this office is considered a public record and may be subject to a request under the Maine Freedom of Access Act. Information that you wish to keep confidential should not be included in email correspondence.

From: Micala Delepierre <micaladelepierre@gmail.com>
Sent: Monday, January 6, 2025 12:59 PM
To: Michele Gagnon <mgagnon@barharbormail.org>; jsmith@barharbormaine.gov
Cc: kaitlynmullen@yahoo.com
Subject: Harbor Committee Recommendation Regarding Comprehensive Plan

Good morning to you both,

I hope you have each had a lovely holiday season!

I am reaching out as part of my duties as chair of the Harbor Committee regarding some language in the comprehensive plan brought to our attention and discussed at our last committee meeting. A concern was raised by a member of the public about language within the comprehensive plan that refers to pursuing the use of the ferry terminal as a transit hub and satellite parking location.

In particular this language appears under the section called People-Centered Transportation, Page 11

"Continue to pursue the use of the Ferry Terminal as a transit hub, satellite parking location, and pedestrian connection."

As a committee we discussed the suitability of this language and unanimously agreed that although it is appropriate to refer to the terminal as a transit hub, it is not in accordance with our recommendations summarized in the ferry terminal master plan to regard 'satellite parking' as a recommended use.

Carrie Jones reached out to Michelle via email on 12/10/24 asking for her input on our concern. Below is her summarized response to that question.

"In summary, standalone parking at the Ferry Terminal is consistent with the Comp Plan and parking to serve a marina is definitely not inconsistent with the Comp Plan. The "not inconsistent with the Comp Plan" view is that we have to recognize that a plan is a big picture plan and not every single issue will be specifically addressed."

I want to elaborate on why, although the language within the comp plan would not legally inhibit the ferry terminal plan as it stands, the Harbor Committee believes eliminating "satellite parking" as a listed use of the terminal property is a worthy change.

Primarily, we are concerned with the public perception of the use and development of the property and the challenge of communication we face building a capital intensive project over such a long span of time. I have had multiple concerns brought to me which include those regarding members of other boards and committees voicing a desire to heavily promote the terminal property as a stand alone parking area and a lot of members of the public feeling very unsure of where the project stands and just what it is the town is trying to accomplish. We have not had many pathways to communicate the progress of our project so every opportunity we have to manage perception and provide correct information is valuable to us. Although the comp plan is a document intended for general guidance and not necessarily about the minutiae of language, we believe the current language would have a negative impact on our project's goals. I hope that we can rely on your assistance as we aim to avoid confusion or potential conflicts down the road.

I know we are close to the end of the comp plan process, but I hope you will take our recommendation into consideration.

Thank you both so much for taking the time to hear me out. I'm looking forward to another year of working towards an ever better Bar Harbor.

Regards,

Micala Delepierre
Harbor Committee Chair
Service Manager, Hinckley Yachts
207-300-2018 207-479-6149

BAR HARBOR 2035

APPROVAL TIMELINE

MONDAY, FEBRUARY 3

SPECIAL COMPREHENSIVE PLANNING COMMITTEE MEETING

The Comprehensive Planning Committee conducts their final review of the Bar Harbor 2035 Comprehensive Plan (Plan) and vote to move the Plan forward for Town Council acceptance.

WEDNESDAY, FEBRUARY 5

SPECIAL PLANNING BOARD MEETING

The Plan is presented to the Planning Board and the board considers holding a public hearing on March 10, 2025.

TUESDAY MARCH 18

TOWN COUNCIL MEETING

The Council holds a public hearing on the Plan and makes a recommendation to adopt or not adopt.

TUESDAY, FEBRUARY 4

TOWN COUNCIL PERMIT MEETING

The Plan is presented to the Town Council for acceptance. Subsequently, the Town Council asks for the Planning Board to consider the Plan at a public hearing. The Town Council considers scheduling a public hearing.

MONDAY, MARCH 10

SPECIAL PLANNING BOARD MEETING

The Planning Board holds a public hearing on the Plan and recommends to adopt or not adopt.

TUESDAY, JUNE 10

JUNE ELECTION

