

TOWN OF BAR HARBOR
Comprehensive Planning Committee
May 16, 2022, 6:00 – 8:00 PM

MINUTES

The meeting was held via Zoom, under the provisions of the committee's Remote Participation Policy.

Comprehensive Planning Committee members present were Elissa Chesler, Jacquie Colburn, Greg Cox, Kevin DesVeaux, Cherie Galyean, John Kelly, Jim Mahoney, Calistra Martinez, Michael McKernan, Misha Mytar, Val Peacock, and Allison Sasner. Kristin Murphy, Kyle Shank, and David Woodside were absent.

Staff present were Planning Director Michele Gagnon, Assistant Planner Steve Fuller, and Deputy Code Enforcement Officer Mike Gurtler.

Consultants present were Steve Whitman, Liz Kelly, and Eric Halvorsen.

1. Call to order

Vice-chairperson Misha Mytar called the meeting to order at 6:04 PM.

2. Excused absences

Kyle Shank and David Woodside were excused.

3. Zoom logistic, review of meeting agenda and adoption

On a motion by Greg Cox, seconded by Kevin DesVeaux, the agenda was adopted on a roll-call vote (17-0).

4. Adoption of March 9, 2022 minutes

On a motion by Elissa Chesler, seconded by Greg Cox, the April 13, 2022 minutes were adopted on a roll-call vote (17-0) with one change – that it be reflected that the meeting was not in person, but via Zoom.

5. Public comment period

Marie Yarborough (school board member, mom, business owner, National Park Service employee) commented on the importance of education and the schools. While housing, transportation, and many other issues are also important she stated that the school may be the

most important to the future of Bar Harbor. What would the community be like without a school? It is the heart and center of the community.

6. Other efforts relating to Comprehensive Plan

Planning Director Michele Gagnon provided an update on the approval for the in-depth housing analysis that will be completed by RKG Associates. The funding has been secured to generate this greater specificity, and the findings will be ready by the September forum.

She also explained that the town is working with the Chamber of Commerce to complete an audit of the development review process. Town staff will be absent during the meeting(s) of the focus groups. This will hopefully provide the attendees the ability to share information more freely than they might otherwise do if staff were present. This process will include professionals in the field, major employers, and individuals who have been through the process.

Lastly, an update on the passing of LD2003 was provided. It was explained that this legislation needs to be addressed locally by the end of 2023.

7. Public engagement

Liz Kelly provided an overview of the outreach activities that have been completed to date and some ongoing efforts as identified in the meeting memo. This included an update on the 127 Polco responses received so far, and other touch points related to outreach activities.

Kyle Shank is coordinating a tabling effort and is hoping other committee members will assist with staffing the table. An online sign-up sheet has been created for these five tabling events.

8. Existing Conditions

Steve Whitman provided an overview of the draft Existing Conditions Report that has been circulated. This document is intended to be a working document for the committee and consulting team. It will be used to identify key facts and questions that should be used to engage a broader audience during the outreach phase of this project. Eventually, this report will become an appendix to the Comprehensive Plan. This will allow the plan to be organized by major themes and be more graphically engaging and readable for the general public. Misha Mytar then asked the Committee members to provide their feedback and questions related to the draft report.

Cali Martinez asked why 2020 Census data or 2016-2020 American Community Survey (ACS) data was not used. Eric Halvorsen explained that these sections of the report were written prior to the release of the 2016-2020 ACS data, and that the decennial census does not have enough data released yet. There were also questions with the accuracy of the available census data given it was gathered during the pandemic, and the loss in population it shows. This led to a discussion about the difference between these sources of data. Mr. Halvorsen noted that in theory, the census data represents a 100% count (every household gets a paper form) and the ACS data is a survey sample representing the population. The ACS data is a rolling five-year average.

Elissa Chesler noted that some areas of the report had limited perspectives reflected for multifaceted issues, and other areas communicated the tension or balance that exists. Ms. Chesler recommends that we need consistency with presenting balanced issues so we do not create a misleading sense of priority. For example, on page 6 the top issue of tourism economy needs to be balanced with non-tourism as well. The workforce in Bar Harbor also needs to reflect trainees that have different housing needs than college students or permanent residents (e.g. JAX, MDIBL).

Val Peacock commented on the seasonality of workers, and the season is extending. This means the overall demographics are changing, and this seasonal worker population is not talked about as much. There may have been some loss of population during 2020, and it is likely that there is some nuance between the available datasets.

Michele Gagnon asked about the margin of error for the various datasets (Census vs ACS). Eric Halvorsen explained that it varies by datapoint, but the census data would have less of a margin of error if it was fully available. She then explained her concern of public perception if 2015-2019 data is used, but wants to be sure the best data available is used. She explained that there is a big difference in the messaging if the population is shown to be stable/growing vs. declining. In either case a disclaimer should be added to address any limitations related to the data used. We also need to use the data available for the Census Designated Place which is primarily the downtown area. Michele Gagnon also noted in response to Ms. Chesler's comment that "Tourism Economy" should read "Tourism Capacity."

Kevin DesVeaux explained that when he was responding to the census questions he had three properties that were occupied for seven months per year, and these are now used eight months; however, they are reported as seasonal units. Neighbors are only using their unit for six months but may be considered permanent/full-time/year-round residents. Eric Halvorsen explained that the additional housing assessment that will be completed will look at some additional data and add more detail on seasonality. One of the focus areas of that piece of work is to try to better define (using survey tools for employers and employees) who is actually working in Bar Harbor — whether they are a visa worker (which can fluctuate year to year because it is an annual lottery) or employees working in Bar Harbor who live elsewhere.

Misha Mytar summarized the conversation with two questions for the committee: (1) Does it matter that we aren't using the most up-to-date data? (Hearing that yes, it does matter.) and (2) Could we be losing population? (Yes, depending on how you count it, it is possible.)

Jim Mahoney asked if the year-round population could be mapped using a variety of datasets. This might help show where people are living year-round and areas that are less populated at certain times of the year. He also noted that the identified housing issues mentions as solution the potential for increasing density and decreasing setbacks. He added that it might not be that simple, and that this may need to be addressed differently in different areas. Maybe a table could be created in the report that shows the planning areas/zones and their density and setbacks. Mr. Mahoney also asked if the State of Maine and the United States could be used as benchmarks in addition to or instead of Hancock County. He noted that there have been some

very recent significant changes to the Land Use Ordinance and he does not know how these will change existing conditions.

Mike McKernan presented three questions: (1) We have Existing Conditions, is the next section of the plan going to distill this into a “call for action”; (2) Was it intentional to show population growth over time but not show how that population growth was divided? He suggested showing year-round and seasonal population changes to address the fact that the school is shrinking in population; (3) Major employers have projections on anticipated employee needs in the years to come and should be consulted.

Elissa Chesler mentioned that many setback requirements are related to resource protection. Also, the Open Space Plan was not adopted and that should be noted [since then the Open Space Plan was accepted by the Town Council].

John Kelly noted that page 48 lists the largest employers, but is lacking detail. The Chamber of Commerce data used is not good enough because it does not cover all businesses. He also mentioned the need to capture both year-round and seasonal employee data. Lastly, he noted the visitation data for the park is inaccurate because they do not count visitors, only visits. This is done using a traffic counter and through estimation. This means that 4 million people did not visit, and the number of people is likely much lower. Mr. Kelly also noted that the methodology for counting “visits” was adopted in 1990. He added that the huge spike experienced in 1988, and subsequent drop in 1990, does not represent a change in visitation but a change in methodology. He suggested only looking at data from 1990 forward.

Val Peacock mentioned that the way the residential population is discussed should be reconsidered. The current language of year-round population and seasonal population portrays some ‘othering.’ She asked if there were new ways to consider the diversity of the community, or ways to highlight this data and language differently? If not, it should be a goal for the future.

Michele Gagnon pointed to page 11 and asked if we need to know how many people are spending the night in town during the summer as well. If this is calculated, how will it be used? Maybe trip data is more important? Elissa Chesler responded and offered that different data sources might be needed to fully capture the impact of tourism and the capacity the Town has to accommodate these visitors.

Cherie Galyean commented that the document is factual for the most part, but some sections such as the public works section had too much guidance and recommendations. She sees the Existing Conditions as only factual with no guidance or recommendations. There was some inconsistency between introduction sections on each topic. Some had data points, some priorities, and not all were approached the same. Cherie suggested creating a shorter standalone executive summary.

Mike McKernan agreed with Cherie Galyean that this report should not include guidance and recommendations. However, he notes that we want to honor work in progress by other committees and organizations. Where possible, we should recognize this work as “existing conditions” without including specific recommendations. He noted that this could perhaps be

its own section in the beginning of each section. Mike McKernan suggested that the document state how diversity is being considered and the lenses used. He noted that diversity information is there and includes race/ethnicity, socio-economic background, housing, and education.

Misha Mytar mentioned that another strategy would be to call out where items have been addressed beyond facts.

Michele Gagnon said that she will summarize LD 2003 so it can be referenced in this document.

John Kelly identified photos on pages 5 and 56 as not being from Bar Harbor. The images on page 141 also appeared to be switched and need to be corrected.

9. Next Steps

Edits identified by committee members need to be submitted to the consulting team by the end of the day on May 31st.

The June 8 meeting will be used for additional discussion related to resolving questions on suggested edits, and for planning for the September forum.

An updated version of the Existing Conditions Report will be provided to the committee ahead of the July meeting.

September 12 was identified as the preferred date for the forum so the school will be contacted to secure this date.

A sub-committee will be needed to work on refining the forum materials and questions over the coming months.

10. Public Comment Period.

Marie Yarborough asked if there is a mechanism for upholding the school as the future of Bar Harbor. Maybe a value statement focused on the school could be written?

12. Adjourn

The meeting was adjourned at 7:50 PM on a motion by Mike McKernan, seconded by Greg Cox on a roll call (17-0).

Minutes approved by the Comprehensive Planning Committee on June 8, 2022:



Kyle Shank
Chair, Comprehensive Planning Committee

7/15/22

Date