

**Town of Mount Desert Planning Board  
Meeting Minutes  
6:00 PM, May 26, 2021**

**Public Present:** Jerry Miller, Walter Foulke, Wendy Foulke, Jay Haberman, Phil Moriarty, Jonathan, Chuck Bucklin, Sheryl Gilmore, Susanne Paul, Christopher Austen, Katrina Carter, Eliza Gowen, Temple Grassi, Martha Bucklin, Fritz Van Der Grift, Louisa Newlin, Kathy Miller, Willie Granston, Charlene, Bonnie Olson, William Smith, Mary Reath, Bill and Louise Newlin, Noel Musson, Barbara Rierson, JTW, Kelly Brown, Lincoln Millstein, James Gowan

**Board Members Present:** Chair William Hanley, Tracy Loftus Keller, Christie Anastasia, David Ashmore, Meredith Randolph

**I. Call to order 6:00 p.m.**

Chair Hanley called the Meeting to order at 6:01PM. Board Members were identified.

**II. Approval of Minutes**

**May 3, 2021:**

MS. ANASTASIA MOVED, WITH MS. RANDOLPH SECONDING, APPROVAL OF THE MAY 3, 2021 MINUTES AS PRESENTED.

VOTE:

CHRISTIE ANASTASIA: AYE

MEREDITH RANDOLPH: AYE

DAVID ASHMORE: AYE

TRACY LOFTUS KELLER: AYE

CHAIR WILLIAM HANLEY: AYE

MOTION APPROVED 5-0.

**III. Ann Ratcliff – DBA The Claremont Hotel, Southwest Harbor - MDOT signage request in the Town of Mount Desert. One replacement sign and one new one.**

**6B.15 Sign Regulations**

- 5. Signs Permitted: Permanent Signs: Directional.** Directional signs at intersections of two or more state roads within the Town of Mount Desert are permitted with the approval of the Board of Selectmen and the prior recommendation of the Planning Board, which shall be forwarded to the Selectmen by the applicant with their application for a directional sign.

Applicant Ann Ratcliff was not in attendance. Ms. Ratcliff was requested to provide photos. CEO Keene thought one of the signs was intended for the approach towards the traffic light on Route 102. The other may be at the traffic light, approaching Somesville.

The Planning Board agreed that without the Applicant or pictures, the Item should be tabled.

**IV. Conditional Use Approval Application(s):**

1  
2       **A.       Conditional Use Approval Application #013-2021**  
3       **OWNER(S) NAME(S):** Sheryl C. & H. James Gilmore  
4       **AGENT:** Grace Gilmore  
5       **LOCATION:** 9 Lower Dunbar Road, Seal Harbor  
6       **TAX MAP:** 031 **LOT:** 091-002 **ZONE(S):** Village Residential One  
7       **PURPOSE:** Section 3.4 - Public - School. Erect/Install (4) 30' X 10' tents to allow outdoor  
8       seating/eating for students. Erect/Install a 20' X 10' tent/canopy for outdoor recreational  
9       use. All tents will be temporary for the 2021 school season.  
10       **SITE INSPECTION:** 4:30PM **Masks Required During Site Inspection.**

11  
12       CEO Keene confirmed adequate Public Notice. Abutters were notified.

13  
14       No Conflict of Interest was found among the Board.

15  
16       Ms. Loftus Keller reported on the Site Visit. Toward the back of the school building is a grassy  
17       recreational area. Tent sites are staked out. Tents will have side panels that can be removed as  
18       appropriate. Picnic tables will be in the tents and all meals will be held there. The  
19       accommodations are necessary due to Covid restrictions.

20  
21       Owner Sheryl Gilmore noted that eating outside as frequently as possible is a CDC  
22       recommendation. The intent is to keep the tent sides up as much as possible. The maximum  
23       number of tents has been requested, but how many will prove necessary is currently unknown.

24  
25       Chair Hanley asked for public comment. There was none. Chair Hanley closed public comment.

26  
27       MS. ANASTASIA MOVED, WITH MS. RANDOLPH SECONDING, TO FIND THE APPLICATION  
28       COMPLETE.

29       VOTE:

30       CHRISTIE ANASTASIA: AYE

31       MEREDITH RANDOLPH: AYE

32       TRACY LOFTUS KELLER: AYE

33       DAVID ASHMORE: AYE

34       CHAIR WILLIAM HANLEY: AYE

35       MOTION APPROVED 5-0.

36  
37       MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, TO USE THE SHORT FORM.

38       VOTE:

39       MEREDITH RANDOLPH: AYE

40       CHRISTIE ANASTASIA: AYE

41       TRACY LOFTUS KELLER: AYE

42       DAVID ASHMORE: AYE

43       CHAIR WILLIAM HANLEY: AYE

44       MOTION APPROVED 5-0.

45  
46       MS. ANASTASIA MOVED, WITH MS. RANDOLPH SECONDING, TO APPROVE THE APPLICATION.

47  
48       A review of the Section 6 Checklist was made and is attached to these Minutes.

VOTE:

MEREDITH RANDOLPH: AYE

CHRISTIE ANASTASIA: AYE

DAVID ASHMORE: AYE

TRACY LOFTUS KELLER: AYE

CHAIR WILLIAM HANLEY: AYE

MOTION APPROVED 5-0.

V. **Subdivision Approval Application(s):**

**Section 4.1 Pre-Application Procedures for Subdivisions:**

**Sketch Plan:**

**Subdivision #003-2021**

A. **OWNER NAME(S):** Mount Desert 365

**LOCATION:** 5 Manchester Road, Northeast Harbor

**TAX MAP:** 023 **LOT:** 025 **ZONING DISTRICT:** Village Residential One

**PURPOSE:** Subdivision as defined is the construction or placement of 3 or more dwelling units on a single tract or parcel of land within a 5-year period.

The proposal is the construction or placement of 6 dwelling units on a single tract or parcel of land within a 5-year period. Workforce Housing.

**SITE VISIT:** 5:00PM **Masks Required During Site Visit.**

CEO Keene confirmed adequate Public Notice. A Sketch Plan meeting does not require abutter notification.

Ms. Loftus Keller and Chair Hanley reported on the Site Visit. The property currently has one residence which will remain on the site. Four more buildings are proposed. A duplex is proposed for the corner of Manchester Road and Neighborhood Road. Three additional single-family structures are proposed for the eastern end of the lot. The new buildings will share a common driveway off Neighborhood Road. Another driveway used by the house already on the lot will remain. The subdivision is proposed to be workforce housing. There is a wooded area that will be deconstructed to make room for three of the homes. Once the homes are constructed vegetation will be added back to the area. Parking for all housing will be off the central driveway. Covenants will be set for living in the subdivision, and for reselling. This will maintain the subdivision as affordable workforce housing.

MD365 Director Kathy Miller shared a Powerpoint presentation on the proposed subdivision. The property is on the corner of Neighborhood Road and Manchester Road. It is .79 acres in size; 34,410 sf. Normally such a lot can be divided into three buildable lots. Workforce housing rules allow for the development of six residences on the lot.

The house on the site was built in 1929 and needs some updating. Areas of the lot are wooded. The Neighborhood Road driveway will enter through the wooded area. To minimize visual impact in the neighborhood, the existing home and driveway will remain. The garage currently onsite will be replaced with a home. The duplex proposed will be placed on the open area. Three homes

1 will be constructed in the back wooded area and a single driveway will be constructed on  
2 Neighborhood Road to access the five new homes. Each residence will have parking for two  
3 vehicles. Driving North on Manchester Road the existing building and the duplex will be visible.  
4 The duplex will be the largest house on the lot. It is intended to be of a size and scale consistent  
5 with other houses on the street.

6  
7 The houses are intended as primary residences for year-round residents. Residents will be  
8 required to meet an income cap of no more than 160% of the State Median Income as defined by  
9 the Department of Housing and Urban Development. The State Median Income for a family of  
10 four currently stands at slightly over \$121,000.00. Homeowners must be pre-approved by a  
11 lender, and they must intend to make the home their primary residence and live in it year-round.  
12 The intent is to find homeowners that fit the size of the home, meaning one to two people per  
13 bedroom. Homeowners must agree to abide by affordability covenants. If the house is sold, the  
14 purchaser must fit the same criteria. The intent is to review applications for the homes to ensure  
15 purchasers are qualified. Priority will be given to those in public safety or public service.

16  
17 Chair Hanley explained the process of a subdivision review. This meeting is a sketch plan review,  
18 where the concept plan is presented for initial feedback. Chair Hanley asked for Public Comment.

19  
20 Neighbor Wendy Foulke inquired about extra equipment such as lawn mowers, trucks, and guest  
21 vehicles, and where such things would go. She worried such extras would be parked on  
22 Manchester and Neighborhood Road. These are small roads, with pedestrian traffic and bicycles.  
23 She inquired about how lawn care and maintenance would be handled among the subdivision  
24 residents. Ms. Miller anticipates the subdivision will have a homeowner's association consisting  
25 of the homeowners and MD365. MD365 will contribute to maintenance including lawn care, tree  
26 care, and road care. Ms. Foulke worried the subdivision would make the corner very crowded.

27  
28 Neighbor Jay Haberman agreed with Ms. Foulke. Vehicles on the road move quite quickly. He  
29 believed density and safety would be problems.

30  
31 Neighbor Walter Foulke worried about the construction time and noise. Ms. Miller noted that  
32 Planning Board approval is required first, and then infrastructure must be built before house  
33 construction starts. Modular housing has been considered and may mitigate some of the  
34 concerns related to construction. Planning Board approval can be a four- to six-month process.

35  
36 Ms. Foulke wondered about visitors to the residences. Where would additional cars park? Ms.  
37 Miller felt some could use the driveway. People may park on grass when necessary.

38  
39 Resident Barbara Rierson reported she was at the site visit with other residents and a number of  
40 questions came up then. She promised to share what she had learned with neighbors. She  
41 suggested that MD365 host more meetings with neighbors. Ms. Miller agreed, and noted she was  
42 happy to have individual conversations with neighbors as well.

43  
44 Ms. Miller promised to make the PowerPoint she presented available to those interested.

45  
46 Neighbor William Smith worried about housing density on Manchester Road. The Village  
47 Residential 1 Zone requires 10,000 square feet for an individual lot. Workforce housing allows  
48 lots to be 6,800 sf. The zoning in town was set at 10,000sf per lot for a reason.

1  
2 Neighbor James Gowan pointed out that the number of people in the subdivision could be over  
3 24, depending on the number of bedrooms per residence. Ms. Miller agreed. She noted it has  
4 not been decided whether the houses would be three or four bedroom. She believed the  
5 subdivision would be a mix of two- and three-bedroom houses.

6  
7 Mr. Gowan asked what the capacity was for water and sewer. Planner for the project Noel  
8 Musson noted the subdivision will be connected to Town water and sewer. Discussions are  
9 ensuing with the Public Works Department and the Water Department. Mr. Musson believed the  
10 capacity was available.

11  
12 Ms. Rierson hoped a traffic analysis would be done for the area. The subdivision would add at  
13 least 12 cars to the area. Ms. Miller reiterated on-site parking for two vehicles per residence is  
14 planned.

15  
16 Resident Katrina Carter inquired whether property owners would be paying taxes on the property  
17 at the same rate as other taxpayers based on the assessed value of the property, or do subdivision  
18 covenants affect how taxes are assessed? Ms. Miller confirmed the properties would all be  
19 taxable and paid for by the property owners. The land would remain one lot with the  
20 homeowner's association designating the land on which a house sat and area surrounding it as  
21 land for private use by the homeowner, along with areas designated as shared space. MD365 will  
22 work with the Town Assessor to figure the taxes of such a use. Land covenanted for limited or no  
23 use will have an impact on assessed use.

24  
25 CEO Keene noted the Town has workforce housing in Somesville. Ms. Anastasia reported there  
26 were nine houses in that subdivision, and all homeowners abide by subdivision covenants and pay  
27 taxes on their property. There is a grassy area overflow parking can go when needed. Eight of  
28 the nine homes have children, and all residents are cognizant of traffic and safety.

29  
30 Mr. Musson explained the Town has a provision in the Subdivision Ordinance that allows for  
31 workforce housing, perhaps to encourage different housing options to attract and keep year-  
32 round residents. Workforce housing allows for more density. This subdivision is intended to be  
33 dedicated to 100% workforce housing. There are other housing projects in Mount Desert of a  
34 similar type.

35  
36 Standard minimum lot size in the Village Residential 1 district is 10,000 square feet. There are  
37 road setbacks, property line setbacks, and lot coverage requirements that must be met. If this  
38 were a standard subdivision, three lots could be created with the land available. Dedicating all  
39 the housing in the subdivision to workforce housing allows for a 75% density bonus on the  
40 property and allows for six units.

41  
42 CEO Keene noted the project can divide the lot into three lots and have one single family dwelling  
43 on each lot. They can also have an accessory residential dwelling unit that would meet the  
44 ordinance requirements. Either option results in six dwelling units. Mr. Musson agreed. He felt  
45 the benefit of workforce housing was that affordability covenants are being put in the deeds.

46  
47 Mr. Musson reiterated that this was a sketch plan review. It's a good opportunity to offer  
48 feedback from both neighbors and Planning Board Members. Feedback provides MD365 with the

1 opportunity to take those suggestions and incorporate them into the plan to make it better.

2  
3 Chair Hanley noted that density parking and traffic have been voiced as concerns. Regarding the  
4 driveway, Chair Hanley asked if thought been given to placing the driveway directly across from  
5 another driveway and thus aligning traffic corridors?

6  
7 Mr. Musson confirmed that aligning the driveways was considered. MD365 wants to be mindful  
8 of issues like light from traffic shining into other residences. Because of that they shifted the  
9 driveway further from the intersection to avoid such a disruption.

10  
11 Chair Hanley pointed out that the residence currently on the property is a small house. He  
12 wondered why the duplex – the largest structure planned – is placed adjacent to it. He hoped the  
13 home would not look overshadowed or outdated by the newer, larger building. Ms. Miller took  
14 into context the other houses on Manchester Road. The house currently on site is modest in  
15 comparison to some of the others on the road. The duplex will mimic other structures further  
16 down the street. It may make the current house on site look small, however that house will be  
17 larger than the houses planned for behind it.

18  
19 Construction generally occurs in the better-weather months. The modular housing previously  
20 suggested might help expedite the construction length.

21  
22 Ms. Miller noted design of the duplex has not been finalized. The structure shown on plans is a  
23 placemaker for size and position. The final design would be shared.

24  
25 Mr. Ashmore was in favor of modular construction.

26  
27 Ms. Anastasia is in favor of workforce housing. It's important to have a variety of people doing a  
28 variety of jobs able to live and raise their families on the island. There is high demand for housing.

29  
30 Ms. Randolph did not approve of the modular homes. While it's an affordability issue, she hoped  
31 panelizing the buildings could be looked at. Modular homes are not designed to last for lengthy  
32 periods of time.

33  
34 Ms. Loftus Keller concurred with Ms. Anastasia. As the project evolves, it will develop positively.

35  
36 Mr. Musson inquired whether there were any portions of the proposed subdivision that are  
37 concerning when looking over the subdivision ordinance. Are there any portions of the ordinance  
38 the Board does not feel are being addressed? Chair Hanley believed a more careful review of the  
39 subdivision ordinance would occur as the process moves forward.

40  
41 Ms. Anastasia pointed out that workforce housing such as this has positive aspects as well. The  
42 Somesville development is a close-knit community, a neighborhood similar to those of decades  
43 past. There can be positives to density as well.

44  
45 Resident Chuck Bucklin asked about the LUZO and whether there is a definition in the ordinance  
46 for "workforce housing".

47  
48 Mr. Musson did not believe there was a formal definition of "workforce housing" in the

subdivision ordinance. The term used is “qualified workforce housing”. The Applicant is required to prove to the Planning Board they have qualified workforce housing provisions. The Applicant will be modeling their provisions after already-approved workforce housing standards and management. The keys are identifying and defining the workforce and how the provisions will be managed in the long term. Provisions will be in place to maintain affordability over the long term. Details of affordability and workforce housing provisions will be provided to the Planning Board as the process moves forward.

Mr. Bucklin’s idea of “workforce housing” is for people such as carpenters or electricians or other tradespeople and not professionals. These are people he felt were needed in Town. He wondered if these were people who might qualify for workforce housing.

Mr. Musson noted there will be a salary cap set for the housing. Anyone under that cap may apply. They will still be required to get financing.

CEO Keene stated there is a definition of Workforce Housing in the LUZO. The definition states it as “housing that is economically viable for the year-round working community”. She inquired about the part MD365 will play when transfer of ownership occurs. Ms. Miller confirmed that MD365 intends to remain engaged with whomever lives in the subdivision. One of the restrictions will be a maximum amount a house can be sold for, tied to median income. A new buyer will have to meet the income qualifications and restrictions and they will also agree to live there year-round as a primary residence. The intent is to create a stable, perpetual arrangement, and MD365 would remain involved and oversee property transfers.

Ms. Miller noted the income qualifications are for when a home is first purchased. If a homeowner’s income rises above those qualifications during their time living in the home, they will not be penalized or kicked out. These are intended to be a family’s primary residence. They will not be allowed to rent out their home, or list it as an Air BnB. Other than vacation, the owners are expected to live in the homes.

Ms. Foulke asked about homeowners reaching retirement age, and no longer part of the workforce. Ms. Miller noted their status at time of purchase must meet the provisions set. There is no penalty if someone retires while living in the subdivision.

It was suggested that the Tax Assessor be consulted regarding the potential property value scenarios. Mr. Musson reported discussions with the Assessor regarding the possible different forms of ownership. Potential property values can also be discussed.

Chair Hanley asked for further comment.

There was no further comment.

Chair Hanley informed those in attendance there would be several rounds of discussion and review as part of the subdivision process.

**VI. Other**

Changing Covid rules were discussed.

**VII. Adjournment**

MS. ANASTASIA MOVED, WITH MS. RANDOLPH SECONDING, ADJOURNMENT.

VOTE:

CHRISTIE ANASTASIA: AYE

MEREDITH RANDOLPH: AYE

TRACY LOFTUS KELLER: AYE

DAVID ASHMORE: AYE

CHAIR WILLIAM HANLEY: AYE

MOTION APPROVED 5-0.

The Meeting adjourned at 7:58PM.