

**Town of Mount Desert Planning Board  
Meeting Minutes  
July 21, 2021**

This meeting was held virtually and was recorded.

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

Public Present: Nick Jenei, Jasmine Smith

**I. Call to order 6:00pm**

Chair Hanley called the Meeting to order at 6:04PM.

Board Members in attendance were noted.

**Minutes:**

May 12, 2021: MS. ANASTASIA MOVED, WITH MS. RANDOLPH SECONDING, APPROVAL OF THE MAY 12, 2021 MINUTES AS PRESENTED.

VOTE:

CHRISTIE ANASTASIA: AYE

MEREDITH RANDOLPH: AYE

TRACY LOFTUS KELLER: AYE

DAVID ASHMORE: AYE

CHAIR WILLIAM HANLEY: AYE

MOTION APPROVED 5-0.

June 9, 2021: MS. RANDOLPH MOVED, WITH MR. ASHMORE SECONDING, APPROVAL OF THE JUNE 9, 2021 MINUTES AS PRESENTED.

VOTE:

MEREDITH RANDOLPH: AYE

DAVID ASHMORE: AYE

TRACY LOFTUS KELLER: AYE

CHAIR WILLIAM HANLEY: AYE

MOTION APPROVED 4-0.

**II. Other**

**A. Section 5.4 Review Procedures**

Pre-Application Procedures – Prior to submitting a Conditional Use Approval Application an applicant or authorized agent may request to appear at a regular meeting of the Planning Board to discuss the proposed project. The pre-application review shall not be construed as representing either the pendency or the commencement of the application process per se.

**OWNER(S) NAME(S):** The Community School of MDI

**AGENT(S):** Nick Jenei

**TAX MAP:** 010 **LOT(S):** 161

**LOCATION:** 585 Sound Drive, Mount Desert

**ZONE(S):** Shoreland Residential 3 (SR3), Resource Protection (RP) & Rural Woodland 3 (RW3)

**PROPOSED PROJECT:** To replace one of the existing canvas tents on an existing 24' X 24' wooden platform, with a Yurt. Construct an ADA Ramp.

Chair Hanley explained that this Meeting was an informal discussion to get consensus from the Planning Board regarding whether this change is considered to be an amendment to a previously approved application or whether it requires a new application.

Agent Nick Jenei summarized that the previously approved tents and platforms were installed and used this school year. The Community School realized they would prefer something with better four-season durability. The school is requesting permission to replace one of the tents onsite with a yurt. The previously approved platform will not be enlarged. The school is simply exchanging one canvas structure for another. The yurt will keep more weather out than the canvas tents and a mini heater will be installed to keep the structure warmer as well. The footprint of the proposed yurt will fit within the current footprint, and the height at the center of the yurt will be only slightly taller than the current tent. The question is whether such a change requires a new application.

Director Jasmine Smith reports the school is mindful of the view from the road. The other platforms will continue to support the tents currently in place. The new yurt will be green. A garden is planned for around the yurt.

Mr. Jenei reports no fire alarms or formal fire system is required by the fire marshal.

Chair Hanley noted a framing plan has been submitted. An ADA ramp is proposed as well. The original project presented indicated these structures were somewhat temporary; they now appear to be moving more towards permanency.

Mr. Jenei confirmed the size has not been exceeded, nor has student body number. A new tent on top of the permanent platform does not exceed the allowable size.

Ms. Smith reports the tent structures currently in place are white circular bell tents with a heavy rubber bottom, a three-foot wall surrounding them, and a canvas roof with a rain fly. There are two egresses and the windows and doors can be left open.

The proposed structure is green. It's circular, with wooden lattice work around the outside edge. There is a center pole. There will be no construction inside, other than for a mini splint pump. There are two means of egress that are doors. There are also two 5x5

windows considered by the fire marshal as points of egress. There will be a layer of felt between the two canvasses. There is a clear skylight in the center.

Ms. Anastasia noted her recollection was that a neighbor was interested in changes to the school. Do the neighbors know of this change? Mr. Jenei noted that the question stands as to whether this is considered actual change.

Ms. Smith confirmed there is an interested neighbor. She visits on a regular basis. She has not yet seen diagrams of the yurt and is unaware of the proposed changes, but she's pleasant and appreciative of the school.

Ms. Randolph noted tents don't last forever. Is changing the tent akin to reshingling a roof?

It was noted the yurt will be 1.25 feet taller at the center pole than the current tents. Ms. Smith noted the roofs on the tent are steeper.

Mr. Ashmore asked if the yurt is considered a tent. CEO Keene noted that both tents and yurts are considered structures. He felt this was a minor change.

CEO Keene noted the height was not close to the maximum height.

Ms. Loftus Keller felt it was essentially the same, except for the color.

Chair Hanley agreed; this was a minor change. He did not feel it required a full application to be heard before the Board.

CEO Keene noted a footprint change with regard to the ADA ramp. Chair Hanley noted the Planning Board does not regulate such things.

MS. RANDOLPH MOVED, WITH MR. ASHMORE SECONDING, THE PROPOSED TO BE CONSIDERED A MINOR CHANGE WITH REGARD TO THE ORIGINAL CONDITIONAL USE APPLICATION, AND THEREFORE DOES NOT REQUIRE FURTHER REVIEW FROM THE PLANNING BOARD; THE CHANGE WILL REMAIN UNDER THE JURISDICTION OF THE CEO, PER SECTION 5.6 OF THE LUZO.

VOTE:

MEREDITH RANDOLPH: AYE

DAVID ASHMORE: AYE

CHRISTIE ANASTASIA: AYE

TRACY LOFTUS KELLER: AYE

CHAIR WILLIAM HANLEY: AYE

MOTION APPROVED 5-0.

It was noted the fire marshal report has not been received yet. This is likely due to a backlog of work for the office.

**B. Discussion about transitioning back to in person meetings.**

Discussion regarding transitioning back to in-person meetings ensued.

Other Boards and Committees in Town have transitioned back. Residents have asked Chair Hanley about the Planning Board not offering in-person meeting options. Likely there would be a hybrid combination for future meetings.

Ms. Loftus Keller reported on a Maine Municipal Association webinar that stated permission to have remote meetings expires on July 30. Ms. Loftus Keller was unable to read the full report. She was unsure what future meetings will be allowed to do.

Ms. Anastasia noted there are a number of vaccinated people still cautious. Hybrid meetings might prove to be the most inclusive.

Ms. Randolph felt meeting via Zoom cannot be abandoned. Live meetings may leave those meeting via Zoom feeling left out. She suggested the Town Office Meeting Room be set up for those who want to meet remotely. Someone would be required to be on hand to assist. It may require one facilitator for remote attendees and one for in-person attendees. Ms. Randolph did not believe the Town should be encouraging group meetings.

CEO Keene reported the Selectboard is meeting via a hybrid venue and explained how the meetings work. Tax Assessor Kyle Avila is on hand at meetings to run the remote portion of the meeting.

Ms. Anastasia suggested a podium with a camera and audio would be a good idea for meeting remotely.

The next Planning Board meeting is August 11, 2021. There are several items for the agenda.

Chair Hanley felt facilitating as much public participation as possible, as well as accommodating those with a variety of concerns and needs means transitioning back to in-person meetings, or a hybrid of in-person and Zoom.

Ms. Randolph preferred meeting remotely. People with varying vaccination status could be in attendance. She'd prefer holding Zoom meetings with a public location option for those who have technical limitations.

CEO Keene believed a hybrid venue means no one is being denied.

Ms. Randolph preferred the meeting to be presented as a Zoom meeting with an in-person attendance option.

Ms. Anastasia noted that a hybrid meeting does not necessarily mean the entire Board is meeting in person. Different people will join in different ways. Perhaps the Board could make an effort to have at least some members attending in person. Chair Hanley felt he was obligated, as Chair, to be at a meeting in person. Other members however would likely have the option to choose the way they attend.

Ms. Randolph confirmed she would rather not attend meetings in person. She believed people will complain no matter what the venue is. Ms. Anastasia agreed.

Ms. Anastasia wondered how the situation will affect large meetings like the quarry meetings. She believed the Zoom option should be maintained.

Chair Hanley agreed. He believed meeting remotely via Zoom will likely remain moving forward. Zoom would be perfect for a situation like a snowstorm. Chair Hanley agreed to attend the next Selectboard meeting to see how the meeting works.

MS. RANDOLPH MOVED, WITH MS. LOFTUS KELLER SECONDING, TO HOLD THE AUGUST 11, 2021 PLANNING BOARD MEETING AS A ZOOM MEETING, WHILE THE BOARD ENDEAVORS TO GAIN A BETTER UNDERSTANDING OF CHANGING MEETING PROTOCOLS, AND DIRECT CHAIR HANLEY TO ATTEND THE AUGUST 2, 2021 SELECTBOARD MEETING FOR FURTHER GUIDANCE.

VOTE:

MEREDITH RANDOLPH: AYE

TRACY LOFTUS KELLER: AYE

CHRISTIE ANASTASIA: AYE

DAVID ASHMORE: AYE

CHAIR WILLIAM HANLEY: AYE

MOTION APPROVED 5-0.

### **III. Adjournment**

MS. ANASTASIA MOVED, WITH MS. RANDOLPH SECONDING, TO ADJOURN THE MEETING.

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 7:25PM.