

**Town of Mount Desert Planning Board
Regular Meeting Minutes
Meeting Room, Town Hall
6:00 PM, October 23, 2019**

Public Present:

Paul Douglass

Board Members Present:

Dave Ashmore, Joanne Eaton, Chair Bill Hanley, Meredith Randolph

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

Chair Hanley called the meeting to order at 6:00 PM.

Board Members were noted.

II. Approval of Minutes

September 25, 2019: MS. EATON MOVED, WITH MR. ASHMORE SECONDING, APPROVAL OF THE SEPTEMBER 25, 2019 MINUTES AS PRESENTED. MOTION APPROVED 4-0.

October 9, 2019: Minutes were tabled due to lack of a quorum.

III. Subdivision Approval Application(s):

Sketch Plan & Site Visit:

A. OWNER NAME(S): David J. Ashmore

Ann M. Ashmore

LOCATION: 16 Ashmore Way, Mount Desert

TAX MAP: 019 **LOT:** 014-004 **ZONE(S):** Rural Woodland 2 (RW2)

PURPOSE: Divide a lot, in a previously approved Subdivision (Phase II Sound View Estates File 42 No. 80)

SITE INSPECTION: 4:00PM

Ms. Eaton confirmed adequate Public Notice. Abutters were notified.

Mr. Ashmore stated he had a Conflict of Interest and requested recusal. He is the owner of the property in question.

MS. EATON MOVED, WITH MS. RANDOLPH SECONDING, ACCEPTANCE OF MR. ASHMORE'S RECUSAL. MOTION APPROVED 3-0.

Chair Hanley confirmed that three voting Members on the Planning Board constituted a quorum.

Chair Hanley reported on the Site Visit. He attended the Site Visit with Mr. Ashmore and five abutters. The group met at Lot 4B and walked the North property line of Lot 4B to where the lot opened up to the view of Somes Sound. Space is staked for a septic system

1 capable of accommodating a six-bedroom house on the East end of the lot. Numerous
2 roads are marked on the plan, many of which were included on the original subdivision plan
3 and never removed, despite the fact that they are no longer in existence. There are small
4 gravel and mulch tote-roads on the property. Towards the East end of lot 4B, stakes mark
5 the proposed lot division and the new East-West line. The group walked towards lot 4A,
6 behind the existing residence. The septic field for this residence was pointed out. Also on
7 lot 4A is a septic field capable of accommodating an eight-bedroom house. Mr. Ashmore
8 pointed out where the well was located for lot 4A. Mr. Ashmore presented an updated
9 survey with the well location noted on it.

10
11 Mr. Ashmore hopes to divide the existing lot 4 into two two-acre lots. Mr. Ashmore
12 explained the access points for the various lots. Mr. Ashmore received an email from the
13 owner of lot 3, stating there were no objections to the proposed subdivision. Lot 3 is the
14 only lot in the subdivision sold.

15
16 Chair Hanley read the Subdivision Ordinance, Section 5.1.3.2: *“if a revision involves the*
17 *creation of additional lots or units or extends the boundaries of the subdivision a Public*
18 *Hearing shall be required. Otherwise the Board shall determine if a Public Hearing is*
19 *required.”*

20
21 Chair Hanley asked about the many roads. The roads on the survey were all there at the
22 time the subdivision was created in the late 1980s. The Planning Board at that time
23 requested all existing roads be included on the survey.

24
25 CEO Keene stated most of the roads on the survey were no longer in existence or in use.
26 She encouraged taking roads that are not in use off the survey. The Ordinance states roads
27 can't be counted toward lot area. Any actual roads would have to be subtracted from lot
28 size. Mr. Ashmore agreed to remove roads no longer in use.

29
30 Chair Hanley noted there are tote-roads and pathways on the site that are not on the survey.
31 Mr. Ashmore agreed there's a path with woodchips down the middle of lot 5 that's not on the
32 survey.

33
34 The driveway used to access the barn on the property should remain on the survey.

35
36 The consensus of the Board was there are things on the survey that need to be removed,
37 and things not on the survey that need to be added. Mr. Ashmore agreed to remove
38 everything not used for access.

39
40 Chair Hanley explained the three-step subdivision review process. He asked for public
41 comment.

42
43 Abutter Paul Douglass inquired about Mr. Ashmore's purpose for dividing the lot. It was Mr.
44 Ashmore's intention to divide the lot, in case he decides to sell at a later date. Selling the lot
45 will not occur imminently.

46

1 Mr. Douglass asked about the inclusion of the leachfields and their ability to support large
2 houses. Is the Planning Board potentially approving the leachfields?

3
4 CEO Keene affirmed the leachfields would also be approved should the Planning Board
5 approve the lot division.

6
7 Mr. Douglass inquired why the leachfields were so large.

8
9 Mr. Ashmore noted the leachfields' optimum capacity was retained, not knowing what size
10 building might be built in the future. There are no specific plans to build such large buildings
11 attached to each leachfield. All these sites were part of the original subdivision and had
12 been approved at that time. Mr. Ashmore is proposing a building on lot 4B and plans to
13 build a six-bedroom leachfield there. He may build a four-bedroom house, but a leachfield
14 of this size will allow for expansion of the home built.

15
16 On lot 4A the existing system supports the barn there. The leachfield capacity there is for
17 an eight-bedroom house, however there are no plans to build one. Currently Mr. Ashmore
18 has no plans to build a leachfield on lot 4A. Chair Hanley felt maintaining land appropriate
19 for the septic system at full capacity helps with marketing as well. Mr. Ashmore agreed. He
20 wanted to maintain the possibility. Mr. Ashmore noted multi-family dwellings are permitted.
21 It is unfeasible to do so at this time.

22
23 Chair Hanley noted that the views from lot 4B are beautiful. He wondered if such a
24 viewshed gives Acadia National Park the right to offer their opinion. Mr. Ashmore was
25 unaware of any right the Park had to offer an opinion.

26
27 Mr. Douglass asked if multi-family was permitted. CEO Keene affirmed it was.

28
29 The Board agreed the excess roads on the survey needed to be removed and labeling for
30 access roads and driveways should be added. 50-foot right of ways should be included on
31 the survey as well.

32
33 Ms. Randolph inquired about existing leachfield 2, which Mr. Ashmore is currently using.
34 There is also a proposed leachfield on the opposite side of the house. Mr. Ashmore
35 confirmed he was merely noting the leachfield areas that could be used, and not
36 abandoning his existing leachfield for a new one. The other staked out septic locations on
37 the survey were created at the time of the original subdivision. Since the subdivision was
38 approved leachfields have been designed for lot 4, in order to be aware of the boundaries
39 for those leachfields. Mr. Ashmore pointed out the fields for lots 1 and 2. The Board agreed
40 those fields and wells should be identified on the survey.

41
42 Ms. Randolph inquired about the triangle on the survey at the west side of 4B. It appeared
43 to be the surveyor's mark for determining the radius of the curve.

44
45 Mr. Ashmore pointed out the wetland delineation for lot 4. A wetland area on the survey
46 was noted as having an easement for all the lots. Mr. Ashmore stated it was forested
47 wetland. There were trails available to residents in that area.

1
2 Chair Hanley pointed out a quarry area on lot 3 that is on the updated plan Mr. Ashmore
3 presented at the meeting, but not on earlier surveys.
4

5 Additionally, it was pointed out that some surveys had notes on them that were difficult to
6 read. Other surveys were noted as being more clearly legible.
7

8 It was determined 10 large surveys with the changes noted were required by Friday,
9 October 25th.
10

11 MS. EATON MOVED, WITH MS. RANDOLPH SECONDING, THAT THIS SUBDIVISION
12 APPROVAL APPLICATION INVOLVES CREATING AN ADDITIONAL LOT, AND
13 THEREFORE REQUIRES A PUBLIC HEARING IN ACCORDANCE WITH SUBDIVISION
14 ORDINANCE SECTION 5.1.3.2. MOTION APPROVED 3-0.
15

16 **IV. Other**

17 There was no other business.
18

19 **V. Adjournment**

20 MS. RANDOLPH MOVED, WITH MS. EATON SECONDING, ADJOURNMENT. MOTION
21 APPROVED 3-0.
22

23 The meeting adjourned at 6:50PM.
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