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**TOWN OF MOUNT DESERT
PLANNING BOARD MINUTES
February 22, 2023**

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

Alternate Member Gloria Kunje was not in attendance.

Public Present: Katrina Carter, Noel Musson, Andrew McCullough

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

Chair Hanley called to order 6pm.

Board Members were noted.

II. Approval of Minutes

February 8, 2023:

MS. RANDOLPH MOVED, WITH MS. LOFTUS KELLER SECONDING, APPROVAL OF THE FEBRUARY 8, 2023 MINUTES AS PRESENTED.

VOTE:

MEREDITH RANDOLPH: AYE

TRACY LOFTUS KELLER: AYE

DAVID ASHMORE: AYE

CHAIR WILLIAM HANLEY: AYE

MOTION APPROVED 4-0.

III. Public Hearing – 6:05PM

Land Use Zoning Ordinance and Land Use Map Amendments for the 2023 Annual Town Meeting on May 2, 2023.

Chair Hanley opened the Public Hearing.

Noel Musson reported a change to an amendment previously approved:

Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use Zoning Ordinance to add Residential Storage Building/Shed as permitted uses in Section 3.4” be enacted as set forth below?

This change removes the term barns/stable from the proposed amendment previously voted on.

CEO Keene reported the wording change was at the suggestion of the Town Attorney.

Mr. Randolph moved, with Ms. Loftus Keller seconding, recommendation for passage the Land Use Ordinance amendment titled “Amendments to the Land Use Zoning

1 Ordinance to add Residential Storage Building/Shed as permitted uses in Section 3.4”
2 As presented.

3 VOTE:

4 Meredith Randolph: Aye

5 Tracy Loftus Keller: Aye

6 David Ashmore: Aye

7 Chair William Hanley: Aye

8 Motion approved 4-0.

9

10 **Shall an ordinance dated May 2, 2023 and entitled “Amendments to the Land Use**
11 **Zoning Ordinance to allow exceptions to the height limitations consistent with**
12 **State Shoreland Zoning Laws” be enacted as set forth below?**

13

14 Mr. Musson reported that this amendment is only recently posted, so it likely requires
15 another meeting for formal recommendation. The amendment will modify the way
16 height can be measured for buildings within both shoreland zoning and floodplain. This
17 will provide direction on the occasions when the flood plain and shoreland zone
18 restrictions are in conflict. The amendment will allow floodplain to overrule shoreland
19 zone restrictions. This is based on new state standards and would not apply to a new
20 structure, unless it’s outside the setback. The amendment has been adopted by the
21 DEP. Including it in the ordinance gives the Town the ability to better enforce it.

22

23 Chair Hanley asked for Public Comment. There was none. Chair Hanley closed the
24 Public Hearing.

25

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

27 **A. Conditional Use Approval Application #002-2023**

28 **OWNER(S) NAME(S):** Maria E. Paumgarten 36%, Int., John Parker 36%,
29 Int. & Harald P. Parker 28%, Int.

30 **AGENT(S):** Andrew McCullough, PE

31 **LOCATION:** 560 Sargeant Point Road, Mount Desert

32 **TAX MAP:** 008 **LOT:** 010-005 **ZONE(S):** Shoreland Residential 3 (SR3)

33 **PURPOSE:** Section 3.4 - Piers, Docks, Wharves, Bridges, and other
34 Structures and Uses Extending over or below the Normal
35 High-Water line or within a wetland & Section 6C.7 -
36 Marine and Freshwater Structure Performance Standards.
37 Concrete abutment, aluminum ramp & float.

38 **SITE INSPECTION:** 4:00PM

39 CEO Keene confirmed adequate Public Notice. Abutters were notified.

40

41 No conflict of interest was found among the Board.

42

43 Chair Hanley reported on the Site Visit. The shore is the site of the old Quarry Landing,
44 the shoreline is old stone. They walked to the location of the concrete abutment. The
45 abutment will be the only permanent fixture. The ramp will be seasonal with a minimal
46 footprint on the shore. There are three moorings in front of the area. The area is sandy

1 and tidal.

2

3 Agent Andrew McCullough reported the area is a slippery, irregular surface, and not
4 safe. The goal is to install as minimal a structure as possible and will allow the property
5 owners to walk across an aluminum gangway to access a dory to reach their boats. At
6 high water they might use their powerboat to come in. Other than the concrete
7 abutment the structure will be seasonal.

8

9 It was clarified this was across from the area where a previous application was filed.

10

11 Chair Hanley asked for public comment. There was none. Chair Hanley closed public
12 comment.

13

14 MS. LOFTUS KELLER MOVED WITH MS. RANDOLPH SECONDING TO FIND THE
15 APPLICATION COMPLETE.

16 VOTE:

17 TRACY LOFTUS KELLER: AYE

18 MEREDITH RANDOLPH: AYE

19 DAVID ASHMORE: AYE

20 CHAIR WILLIAM HANLEY: AYE

21 MOTION APPROVED 4-0.

22

23 It was confirmed that no abutter notifications were returned, there were no abutter
24 responses to the notification, and no one attended the Site Visit

25

26 MS. RANDOLPH MOVED, WITH MR. ASHMORE SECONDING, TO USE THE SHORT
27 FORM.

28 VOTE:

29 MEREDITH RANDOLPH: AYE

30 DAVID ASHMORE: AYE

31 TRACY LOFTUS KELLER: AYE

32 CHAIR WILLIAM HANLEY: AYE

33 MOTION APPROVED 4-0.

34

35 MS. LOFTUS KELLER MOVED, WITH MS. RANDOLPH SECONDING, TO APPROVE
36 THE APPLICATION.

37

38 A review of the checklist was made and is attached to these Minutes.

39

40 VOTE:

41 TRACY LOFTUS KELLER: AYE

42 MEREDITH RANDOLPH: AYE

43 DAVID ASHMORE: AYE

44 CHAIR WILLIAM HANLEY: AYE

45 MOTION APPROVED 4-0.

46

1 **V. Other**

2 A brief overview was given of the next meeting.

3

4 **VI. Adjournment**

5 MS. RANDOLPH MOVED, WITH MS. LOFTUS KELLER SECONDING, TO ADJOURN.

6 VOTE:

7 MEREDITH RANDOLPH: AYE

8 TRACY LOFTUS KELLER: AYE

9 DAVID ASHMORE: AYE

10 CHAIR WILLIAM HANLEY: AYE

11 MOTION APPROVED 4-0.

12

13 The Meeting adjourned at 6:48PM.

14

15