

**Town of Mount Desert Planning Board  
Meeting Minutes  
6:00 PM, March 17, 2021**

THIS MEETING IS A CONTINUATION OF THE MARCH 10, 2021 MEETING.

This meeting was held virtually and was recorded.

**Public Present:** Greg Johnston, Millard Dority, Tom James, Stephanie Reece, Kathy Miller, Dick Broom

**Board Members Present:** Chair Bill Hanley, Joanne Eaton, Meredith Randolph, Christie Anastasia, Tracy Loftus Keller

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

Chair Hanley called the meeting to order at 6:02PM.

This Meeting is Continued from March 10, 2021.

Board Members were identified.

Tracy Loftus Keller is an Alternate, non-voting member of the Planning Board. At the March 10, 2021 Meeting she was voted on as a voting member for Discussion. It was deemed that due to the Continuation, the Vote still stands, and Ms. Loftus Keller will continue her role as a voting member for this meeting.

**II. Approval of Minutes**

None Presented.

**III. Nonconformity:** – Sections - 4.3.6, 4.3.5 & 4.3.2 *Non-conforming Structures – Reconstruction or Replacement, Relocation and Expansions.*

**A. APPLICATION: #001-2021**

**OWNER(S) NAME(S):** Kevin M. Royer & Andrea L. Spalla

**AGENT(S):** Greg Johnston, G.F. Johnston & Associates

**LOCATION:** 130 Northern Neck Road, Mount Desert

**TAX MAP:** 015 **LOT(S):** 010 **ZONE(S):** Shoreland Residential Two (SR2)

**PURPOSE:** Reconstruction or Replacement, Relocation and Expansion of a Non-conforming Structure. An existing Camp/Residential Dwelling Unit.

**SITE INSPECTION:** 5:00PM **Masks Required During Site Inspection.**

THIS ITEM WAS ADDRESSED ON MARCH 10, 2021. ALL DISCUSSION FOR THIS ITEM IS RECORDED ON THE MARCH 10, 2021 MINUTES.



1  
2 The 50-foot demarcation line was pointed out on a property plan.

3  
4 Chair Hanley asked for questions or comments from the public. There were  
5 none.

6  
7 Ms. Randolph asked for further clarification on the pillars to be installed. Mr.  
8 James reported two stone pillars will be installed. They will replace the current  
9 posts used to hold the gates. The current posts are steel posts in concrete  
10 encased sonotubes, with wood facing. The deer fencing connects to the fencing  
11 via metal tubing set in the ground. Additionally, a four-foot access is planned for  
12 the area, in case of mechanical malfunction of the gate. The side panel heights  
13 align with the gate.

14  
15 There were no further questions.

16  
17 MS. ANASTASIA MOVED, WITH MS. EATON SECONDING, TO FIND THE  
18 APPLICATION COMPLETE.

19 VOTE:

20 CHRISTIE ANASTASIA: AYE  
21 JOANNE EATON: AYE  
22 MEREDITH RANDOLPH: AYE  
23 TRACY LOFTUS KELLER: AYE  
24 CHAIR BILL HANLEY: AYE  
25 MOTION APPROVED 5-0.

26  
27 MS. EATON MOVED, WITH MS. ANASTASIA SECONDING, TO USE THE  
28 SHORT FORM.

29 VOTE:

30 JOANNE EATON: AYE  
31 CHRISTIE ANASTASIA: AYE  
32 MEREDITH RANDOLPH: AYE  
33 TRACY LOFTUS KELLER: AYE  
34 CHAIR BILL HANLEY: AYE  
35 MOTION APPROVED 5-0.

36  
37 MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, TO  
38 APPROVE THE APPLICATION.

39  
40 A review was made of the Section 6 Checklist and is attached to these Minutes.

41  
42 The setback of the gate was discussed. The addition of the side panels mean  
43 the structure can be deemed a fence and setback is required to be 6 feet from  
44 the edge of the road's Right of Way. CEO Keene determined the required  
45 setback from the edge of the road to be 30.75 feet. The fence is proposed to be  
46 25 feet from the edge of the road. The Planning Board has the authority to

1 override the requirement.  
2

3 Ms. Anastasia inquired whether the Applicant had a compelling reason for  
4 keeping the fence at 5.75 feet shorter than the setback requires. Mr. James  
5 noted the Applicant was intending to use the same holes from which the posts  
6 being replaced are. Due to the larger granite pillars, a bit more room is needed  
7 than what is currently there. The deer fencing currently in place would no longer  
8 be in line with the gate if the gate is moved.  
9

10 VOTE:

11 CHRISTIE ANASTASIA: AYE

12 MEREDITH RANDOLPH: AYE

13 JOANNE EATON: AYE

14 TRACY LOFTUS KELLER: AYE

15 CHAIR BILL HANLEY: AYE

16 MOTION APPROVED 5-0.  
17

18 **B. Conditional Use Approval Application #004-2021**

19 **OWNER NAME(S):** Mount Desert 365

20 **APPLICANT(S):** College of the Atlantic

21 **AGENT(S):** Gregory Johnston, G.F. Johnston & Associates

22 **LOCATION:** 141 Main Street, Northeast Harbor

23 **TAX MAP:** 024 Lot: 078 **ZONING DISTRICT:** Village Commercial (VC)

24 **PURPOSE:** Section 3.4 Dwelling, Multiple. A structure or a portion of a  
25 structure designed for human habitation that includes facilities  
26 for cooking, eating, and sleeping for three or more families. The  
27 units may or may not have an internal connection to another unit  
28 or units. (3) 5-Bedroom and (1) 2-Bedroom Residential  
29 Dwelling Units in a single structure.

30 **SITE INSPECTION:** 3:45PM **Masks Required During Site Inspection.**  
31

32 CEO Keene confirmed adequate Public Notice. Abutters were notified.  
33

34 No Conflict of Interest was found among the Board.  
35

36 Ms. Eaton reported on the Site Visit. Mr. Johnston showed the Board some of  
37 the areas where drainage issues would be addressed. This was the primary  
38 discussion at the Site Visit.  
39

40 Chair Hanley added that the project has been discussed extensively during the  
41 Planning Board Subdivision Review process. Therefore, Board Members are  
42 already well informed regarding the project proposed.  
43

44 Agent for the project Greg Johnston reported that per the Ordinance more than  
45 two dwelling units categorizes a building as a multiple-dwelling unit and requires  
46 a Conditional Use Approval by the Planning Board. The project has not changed

1 from what has been previously discussed during the Subdivision Review. The  
2 building will consist of a family dwelling above retail space on the Main Street  
3 end of the building, and three five-person apartments on the West end of the  
4 building. New stormdrain pipe will be routed through the Tracy Road end of the  
5 building.

6  
7 Chair Hanley asked for public comment or questions.

8  
9 Abutter Stephanie Reece inquired if proceeding to Conditional Use Approval  
10 meant adequate offstreet parking has been found for the building.

11  
12 Mr. Johnston clarified that the condition set for the subdivision approval requires  
13 parking must be found prior to the certificate of occupancy being issued for the  
14 building. That certificate cannot be obtained without the Conditional Use  
15 Hearing. The search for adequate parking is ongoing.

16  
17 COA Representative Millard Dority added that the Certificate of Occupancy will  
18 not be granted until the Applicant can prove they have obtained adequate  
19 parking as conditioned in the Subdivision Approval. Mr. Dority hoped  
20 construction could begin in May.

21  
22 There were no further questions or comments. Chair Hanley closed the public  
23 comment discussion.

24  
25 MS. EATON MOVED, WITH MS. ANASTASIA SECONDING, TO FIND THE  
26 APPLICATION COMPLETE.

27 VOTE:

28 JOANNE EATON: AYE

29 CHRISTIE ANASTASIA: AYE

30 MEREDITH RANDOLPH: AYE

31 TRACY LOFTUS KELLER: AYE

32 CHAIR BILL HANLEY: AYE

33 MOTION APPROVED 5-0.

34  
35 MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, TO USE THE  
36 SHORT FORM.

37 VOTE:

38 MEREDITH RANDOLPH: AYE

39 CHRISTIE ANASTASIA: AYE

40 JOANNE EATON: AYE

41 TRACY LOFTUS KELLER: AYE

42 CHAIR BILL HANLEY: AYE

43 MOTION APPROVED 5-0.

44  
45 MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, TO  
46 APPROVE THE APPLICATION.

1  
2 A review of the Section 6 Checklist was made and is attached to these Minutes.

3  
4 Regarding signage, Mr. Dority reported that the College of the Atlantic logo will  
5 be on the building, to be offset against the allowable signage. No words will be  
6 added to the logo. Mr. Johnston pointed out the sign would not be over 32sf, and  
7 thus is not necessarily part of the conditional use discussion. The Applicant will  
8 follow the regular Land Use Ordinance regulations for signage relative to  
9 signage. CEO Keene stated that a sign over 32sf, would require conditional use  
10 approve from the Planning Board. It was estimated the logo would be  
11 approximately 7.5 square feet.

12  
13 VOTE:

14 MEREDITH RANDOLPH: AYE  
15 CHRISTIE ANASTASIA: AYE  
16 JOANNE EATON: AYE  
17 TRACY LOFTUS KELLER: AYE  
18 CHAIR BILL HANLEY: AYE  
19 MOTION APPROVED 5-0.

20  
21 CEO Keene recommended including a condition regarding the parking required  
22 in the Subdivision Approval.

23  
24 AMENDED MOTION:

25 MS. RANDOLPH MOVED, WITH MS. EATON SECONDING, TO APPROVE  
26 THE APPLICATION WITH THE CONDITION THAT SEVEN ADDITIONAL  
27 PARKING SPACES ARE SECURED FOR RESIDENTIAL USE PRIOR TO  
28 ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

29  
30 VOTE:

31 MEREDITH RANDOLPH: AYE  
32 JOANNE EATON: AYE  
33 CHRISTIE ANASTASIA: AYE  
34 TRACY LOFTUS KELLER: AYE  
35 CHAIR BILL HANLEY: AYE  
36 MOTION APPROVED 5-0.

37  
38 **V. Adjournment**

39 MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, TO  
40 ADJOURN.

41 VOTE:

42 MEREDITH RANDOLPH: AYE  
43 CHRISTIE ANASTASIA: AYE  
44 TRACY LOFTUS KELLER: AYE  
45 JOANNE EATON: AYE  
46 CHAIR BILL HANLEY: AYE

1            MOTION APPROVED 5-0.

2

3            The meeting adjourned at 7:09PM.

4