1	Town of Mount Desert Planning Board
2 3	Meeting Minutes 6:00 PM, March 17, 2021
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5 6	THIS MEETING IS A CONTINUATION OF THE MARCH 10, 2021 MEETING.
7 8	This meeting was held virtually and was recorded.
9	Public Present: Greg Johnston, Millard Dority, Tom James, Stephanie Reece, Kathy Miller, Dick
10	Broom
11	
12	Board Members Present: Chair Bill Hanley, Joanne Eaton, Meredith Randolph, Christie
13	Anastasia, Tracy Loftus Keller
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15	I. Call to order 6:00 p.m.
16	Chair Hanley called the meeting to order at 6:02PM.
17	This Mastin n is Osstinus d from Manch 40, 0004
18 19	This Meeting is Continued from March 10, 2021.
20	Board Members were identified.
20	
22	Tracy Loftus Keller is an Alternate, non-voting member of the Planning Board. At
23	the March 10, 2021 Meeting she was voted on as a voting member for Discussion.
24	It was deemed that due to the Continuation, the Vote still stands, and Ms. Loftus
25	Keller will continue her role as a voting member for this meeting.
26	
27	II. Approval of Minutes
28 29	None Presented.
29 30	III. Nonconformity: – Sections - 4.3.6, 4.3.5 & 4.3.2 Non-conforming Structures –
31	Reconstruction or Replacement, Relocation and Expansions.
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33	A. APPLICATION: #001-2021
34	OWNER(S) NAME(S): Kevin M. Royer & Andrea L. Spalla
35	AGENT(S): Greg Johnston, G.F. Johnston & Associates
36	LOCATION: 130 Northern Neck Road, Mount Desert
37	TAX MAP: 015 LOT(S): 010 ZONE(S): Shoreland Residential Two (SR2)
38 39	PURPOSE: Reconstruction or Replacement, Relocation and Expansion of a Non-conforming Structure. An existing Camp/Residential
40	Dwelling Unit.
40	SITE INSPECTION: 5:00PM Masks Required During Site Inspection.
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43	THIS ITEM WAS ADDRESSED ON MARCH 10, 2021. ALL DISCUSSION FOR THIS
44	ITEM IS RECORDED ON THE MARCH 10, 2021 MINUTES.
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1 2 3	Nonconformity: – Sections - 4.3.6 & 4.3.5 Non-conforming Structures – Reconstruction or Replacement and Relocation.
3 4 5 6 7 8 9 10	 B. APPLICATION: #002-2021 OWNER(S) NAME(S): NN Cove, LLC AGENT(S): Winkelman Architecture LOCATION: 7 Evergreen Way, Mount Desert TAX MAP: 015 LOT(S): 004 ZONE(S): Shoreland Residential Two (SR2) PURPOSE: Reconstruction or Replacement and Relocation of a Non- Conforming Structure. An existing Camp/Residential Dwelling
11	Unit.
12	SITE INSPECTION: 4:35PM Masks Required During Site Inspection.
13 14 15 16	THIS ITEM WAS ADDRESSED ON MARCH 10, 2021. ALL DISCUSSION FOR THIS ITEM IS RECORDED ON THE MARCH 10, 2021 MINUTES.
10	IV. Conditional Use Approval Application(s):
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19	A. Conditional Use Approval Application #003-2021
20	OWNER(S) NAME(S): Stewart Family Waters Edge, LLC.
21	AGENT: Thomas James
22	LOCATION: 28 Sargeant Drive, Northeast Harbor
23	TAX MAP: 005 LOT: 047 ZONE(S): Shoreland Residential 2 (SR2)
24	PURPOSE: Section 6B.6 Fences and Walls, exceeding CEO Authority.
25	SITE INSPECTION: 4:05PM Masks Required During Site Inspection.
26	CEO Keene confirmed adequate Public Notice. Abutters were notified.
27	No Conflict of Internet was found among the Decard
28	No Conflict of Interest was found among the Board.
29 30	Ms. Anastasia reported on the Site Visit. There is a gate at the site that opens in
30 31	the middle and swings in. The gate is anchored into the ground. The Applicant
32	proposes to change the gate to one that opens automatically instead of manually.
33	proposes to change the gate to one that opens automationly instead of manually.
34	Chair Hanley asked about the additional extension on the sides. CEO Keene
35	explained the gate posts are being replaced with granite pillars. The pillars alone
36	are deemed structures which require meeting the 50-foot setback requirement.
37	Tying the pillars to fencing panels on both sides renders the structure a fence
38	and requires a lesser setback. The deer fencing already in place would be tied
39	into the fence panels. The panels will be 83 inches in height. This height
40	requires Planning Board approval. The deer fencing is anywhere between 7 and
41	8 feet in height.
42	
43	Mr. James inquired whether the height of the fence panels could be lower than
44	six feet in height. CEO Keene allowed that the height of the panels could be
45	lower than six feet in height. The height of the pillars is what has triggered the
46	requirement for a Planning Board review.

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2	The 50-foot demarcation line was pointed out on a property plan.
	The 50-100t demarcation line was pointed out on a property plan.
3	Chair Hanlow asked for questions or commonts from the public. There were
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.
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20	MS. EATON MOVED, WITH MS. ANASTASIA SECONDING, TO USE THE
28	SHORT FORM.
28	VOTE:
30	JOANNE EATON: AYE
30	CHRISTIE ANASTASIA: AYE
	MEREDITH RANDOLPH: AYE
32	TRACY LOFTUS KELLER: AYE
33	
34	
35	MOTION APPROVED 5-0.
36	
37	MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, TO
38	APPROVE THE APPLICATION.
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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 2	override the requirement.
2 3 4	Ms. Anastasia inquired whether the Applicant had a compelling reason for 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.
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11	CHRISTIE ANASTASIA: AYE
12	MEREDITH RANDOLPH: AYE
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14	
15	CHAIR BILL HANLEY: AYE
16	MOTION APPROVED 5-0.
17 18	B. Conditional Use Approval Application #004-2021
18	OWNER NAME(S): Mount Desert 365
20	APPLICANT(S): College of the Atlantic
20	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.
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32	CEO Keene confirmed adequate Public Notice. Abutters were notified.
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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.
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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	Amount from the many is at One or table of the state of the Utility of the Only of the
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 2 3 4 5	from what has been previously discussed during the Subdivision Review. The building will consist of a family dwelling above retail space on the Main Street end of the building, and three five-person apartments on the West end of the building. New stormdrain pipe will be routed through the Tracy Road end of the building.
6 7 8	Chair Hanley asked for public comment or questions.
9 10 11	Abutter Stephanie Reece inquired if proceeding to Conditional Use Approval meant adequate offstreet parking has been found for the building.
11 12 13 14 15 16	Mr. Johnston clarified that the condition set for the subdivision approval requires parking must be found prior to the certificate of occupancy being issued for the building. That certificate cannot be obtained without the Conditional Use Hearing. The search for adequate parking is ongoing.
17 18 19 20 21	COA Representative Millard Dority added that the Certificate of Occupancy will not be granted until the Applicant can prove they have obtained adequate parking as conditioned in the Subdivision Approval. Mr. Dority hoped construction could begin in May.
22 23	There were no further questions or comments. Chair Hanley closed the public comment discussion.
24 25 26 27 28 29 30 31 32	MS. EATON MOVED, WITH MS. ANASTASIA SECONDING, TO FIND THE APPLICATION COMPLETE. VOTE: JOANNE EATON: AYE CHRISTIE ANASTASIA: AYE MEREDITH RANDOLPH: AYE TRACY LOFTUS KELLER: AYE CHAIR BILL HANLEY: AYE
33 34 35 36 37 28	MOTION APPROVED 5-0. MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, TO USE THE SHORT FORM. VOTE: MEREDITH RANDOLPH: AXE
38 39 40 41 42 43	MEREDITH RANDOLPH: AYE CHRISTIE ANASTASIA: AYE JOANNE EATON: AYE TRACY LOFTUS KELLER: AYE CHAIR BILL HANLEY: AYE MOTION APPROVED 5-0.
44 45 46	MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, TO APPROVE THE APPLICATION.

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1		A review of the Section 6 Checklist was made and is attached to these Minutes.
2		A review of the Section o Checklist was made and is attached to these Minutes.
3		Pagarding signage Mr. Derity reported that the College of the Atlantic lage will
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		N/OTE
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.
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21		CEO Keene recommended including a condition regarding the parking required
22		in the Subdivision Approval.
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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.
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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	۷.	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.
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3	The meeting adjourned at 7:09PM.
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