

**Town of Mount Desert Planning Board  
Meeting Minutes  
6:00 PM, October 28, 2020**

This meeting was held virtually and was recorded.

**Public Present:**

Public Works Director Tony Smith, Tom Brown

**Board Members Present:**

Chair Bill Hanley, Meredith Randolph, Christie Anastasia, Tracy Loftus Keller, Joanne Eaton

Tracy Loftus Keller is an Alternate, non-voting Member.

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

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

MS. EATON MOVED, WITH MS. RANDOLPH SECONDING, TO MAKE TRACY LOFTUS KELLER A VOTING MEMBER FOR THE MEETING.

VOTE:

JOANNE EATON: AYE

CHRISTIE ANASTASIA: AYE

MEREDITH RANDOLPH: AYE

CHAIR BILL HANLEY: AYE

MOTION APPROVED 4-0.

**II. Approval of Minutes**

**September 23, 2020 –**

MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, APPROVAL OF THE SEPTEMBER 23, 2020 MINUTES, AS PRESENTED.

VOTE:

MEREDITH RANDOLPH: AYE

CHRISTIE ANASTASIA: AYE

JOANNE EATON: AYE

TRACY LOFTUS KELLER: AYE

CHAIR BILL HANLEY: AYE

MOTION APPROVED 5-0.

**III. Nonconformity – Sections - 4.3.6 & 4.3.5 Non-conforming Structures –  
Reconstruction or Replacement.**

**A. OWNER(S) of the Building/Structure:** Town of Mount Desert

**AGENT:** Tony Smith, Public Works Director

**LOCATION:** 26 Dodge Point Road, Seal Harbor

**TAX MAP:** 001 **LOT(S):** 015 **ZONE(S):** Shoreland Residential Two

1                   **PURPOSE:** Reconstruction or Replacement of a Non-Conforming Structure. Seal  
2 Harbor Bait House renovation project. Project details are available at the Town  
3 Office.

4                   **SITE INSPECTION:** 3:00PM

5 CEO Keene confirmed adequate Public Notice. Abutters were notified. CEO Keene  
6 received no comments from the Public.

7  
8 No Conflict of Interest was found.

9  
10 Ms. Eaton reported on the Site Visit. She and Chair Hanley met with Public Works  
11 Director Tony Smith. The public building is on private land. The base of the building  
12 and its foundation structure is deteriorating. The building is in the floodplain, so full  
13 reconstruction is not practical. Therefore, the work proposed is to raise the building  
14 which in turn requires the roof's pitch to be changed and reconstructing the building's  
15 base. An additional window will be installed. Steps entering the building will be  
16 replaced.

17  
18 Director Smith reported that the work proposed is what is necessary to bring it into  
19 compliance with the Building Code. The building is currently 1.78 feet below floodplain  
20 elevation, requiring the building to be raised. Due to the floodplain, as well as Town and  
21 FEMA requirements, the building must be raised by 3.78 feet. The roofline must remain  
22 at the same height, necessitating flattening the roof. It is impossible to move the building  
23 out of the floodplain. The Dodge Point Road is in close proximity to the back of the  
24 building, and the other side of the Dodge Point Road is private property. The property is  
25 not large enough to move the building to either side and moving the building to either  
26 side would not bring the property out of the floodplain.

27  
28 The building is a wood-frame structure, 22'x30'. Work proposed includes building a set  
29 of wooden double doors, replacing a window, replacing a ladder that allows access to  
30 the mudflats below the building, replacing the tow board around the railing system,  
31 replacing two missing hatches on the interior of the building, and lifting the building off its  
32 current wooden piers, moved, the wooden piers will be replaced with new wooden  
33 columns and bracing, on which the building will be set. There will be some  
34 miscellaneous scraping and painting. Debris from any work will be collected and  
35 removed from the site. No changes to the electrical system are planned. A Permit by  
36 Rule is in hand from the DEP.

37  
38 Ms. Randolph inquired about the plans for the roof. Director Smith noted asphalt  
39 shingles are planned. Ms. Randolph pointed out that asphalt shingles are not warrantied  
40 at such a low pitch. Director Smith felt they would work and Engineer Company  
41 Hedefine approved the plans.

42  
43 There were no questions from the public.

44  
45 Chair Hanley closed the Public Comment.

46  
47 CEO Keene advised the Board that they would be reviewing Sections 4.3.6 and 4.3.5 for  
48 a reconstruction.

49  
50 Director Smith reported that the land, owned by the Rockefeller Family, is valued at  
51 approximately \$488,000.00. The building, which the Town owns, is assessed at

1           \$3,000.00. The low value is due to the idiosyncrasies of the building and the fact that it  
2           is on private property. The estimate for the proposed improvements is \$242,530.00.

3  
4           A review of the Sections was made and they are attached to these Minutes.

5  
6   IV.    **Conditional Use Approval Application(s):**

7  
8    A.    **Conditional Use Approval Application #018-2020**

9           **NAME:** Thomas T. & Kelly F. Brown

10          **LOCATION:** 83 Summit Road, Northeast Harbor

11          **TAX MAP:** 025 **LOT:** 041-001 **ZONE(S):** Village Residential One

12          **PURPOSE:** Section 3.4 – Animal Husbandry 2 (Non-Commercial). The care and  
13          keeping of Livestock/Poultry – Chickens and Construct a Chicken Coop.

14          **SITE INSPECTION:** 3:45PM

15          CEO Keene confirmed Adequate Public Notice. Abutters were notified. CEO Keene  
16          received no comments from the public.

17  
18          No Conflict of Interest was found.

19  
20          Ms. Eaton reported on the Site Visit. The photo of the chicken coop submitted was  
21          accurate. There are currently six chickens there. The coop is on the West side of the  
22          lot. In looking at the aerial photo submitted, the coop is to the left of the barn in the back  
23          of the property, between the barn and the lot line. CEO Keene confirmed the coop was  
24          ten feet, and at one point eleven feet, from the side property line and nineteen feet from  
25          the back-property line. The setbacks in the Village Residential Zone are ten feet from  
26          the boundary lines.

27  
28          The Site Plan was provided. CEO Keene explained the drawing, and where the coop is  
29          in relation to other buildings. Chair Hanley pointed out a sketch on Page 2 of the  
30          Application. Ms. Eaton noted there is a fence with shrubs on the side property line.

31  
32          Owner Tom Brown confirmed the coop was approximately six feet from the barn. The  
33          area is mulched. The coop is 19 feet from the back-property line. The coop is angled,  
34          making the Northern corner 10 feet from the side property line and the Southern corner  
35          11 feet from the side property line.

36  
37          There was no public comment. Chair Hanley closed the Public Hearing.

38  
39          MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, TO FIND THE  
40          APPLICATION COMPLETE.

41          VOTE:

42          MEREDITH RANDOLPH: AYE

43          CHRISTIE ANASTASIA: AYE

44          TRACY LOFTUS KELLER: AYE

45          JOANNE EATON: AYE

46          CHAIR BILL HANLEY: AYE

47          MOTION APPROVED 5-0.

48  
49          MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDING, TO USE THE  
50          SHORT FORM.

51          VOTE:

1 MEREDITH RANDOLPH: AYE  
2 CHRISTIE ANASTASIA: AYE  
3 TRACY LOFTUS KELLER: AYE  
4 JOANNE EATON: AYE  
5 CHAIR BILL HANLEY: AYE  
6 MOTION APPROVED 5-0.

7

8 A review of the Checklist was made and is attached to these Minutes.

9

10 MS. ANASTASIA MOVED, WITH MS. RANDOLPH SECONDING, TO APPROVE THE  
11 APPLICATION.

12 VOTE:

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

19

20 CEO Keene apprised the Board of their next meeting. The meeting would be held  
21 November 18, 2020.

22

23 V. **Adjournment**

24 MS. EATON MOVED, WITH MS. RANDOLPH SECONDING, TO ADJOURN THE MEETING.

25 VOTE:

26 JOANNE EATON: AYE  
27 MEREDITH RANDOLPH: AYE  
28 CHRISTIE ANASTASIA: AYE  
29 TRACY LOFTUS KELLER: AYE  
30 CHAIR BILL HANLEY: AYE  
31 MOTION APPROVED 5-0.

32

33 The Meeting adjourned at 7:14PM.