

Town of Mount Desert Planning Board  
Planning Board Meeting Minutes  
Meeting Room, Town Hall  
6:00 pm, September 28, 2016

**Public Present**

Sam Shaw, Leanne H. Greene, Story Litchfield, Chuck Bucklin

**Board Members Present**

Beth Renault, Meredith Randolph, Joanne Eaton, Dave Ashmore

Also present was CEO Kimberly Keene, and Recording Secretary Heidi Smallidge

**I. Call to Order**

Ms. Randolph called the meeting to order at 6:04 pm. Voting members were noted.

MS. EATON MOVED, WITH MR. ASHMORE SECONDING, MS. RANDOLPH AS ACTING CHAIR FOR THE MEETING. MOTION APPROVED 4-0. Ms. Reneault was confirmed as a voting member.

**II. Approval of Minutes**

September 14, 2016: MS. EATON MOVED, WITH MR. ASHMORE SECONDING, TO APPROVE THE MINUTES AS PRESENTED. MOTION APPROVED 4-0.

Ms. Eaton confirmed abutters had been notified. Public Notice was not necessary to the Completeness Review. No conflict of interest was found.

**III. Subdivision Application(s) – Completeness Review:**

**Subdivision (#002-2016)**

**OWNER(S):** NEH Marketplace, LLC

**LOCATION:** 131 Main Street, Northeast Harbor

**TAX MAP:** 024    **LOT(S):** 081-001    **ZONE(S):** Village Commercial (VC)

**PURPOSE:** A division accomplished by sale, lease, **development, buildings** or otherwise. The term “subdivision” also includes the division of a new structure or structures on a tract or parcel of land into 3 or more dwelling units within a 5-year period, **the construction or placement of 3 or more dwelling units on a single tract or parcel of land** and the division of an existing structure or structures previously used for commercial or industrial use into 3 or more dwelling units **within a 5-year period.**

A review of the application was made.

**4.2.1.1 – Name of applicant** – The information included was deemed acceptable

**4.2.1.2 – Name of Agent** - The information included was deemed acceptable

- 1                   **4.2.1.3 – Corporation Status** - The information included was deemed acceptable  
2  
3                   **4.2.1.4 – Authorized Representative** - The information included was deemed  
4 acceptable  
5  
6                   **4.2.1.5 – Engineer, Land Surveyor, or Planner** - The information included was  
7 deemed acceptable  
8  
9                   **4.2.1.6 – Address** - The information included was deemed acceptable  
10  
11                   **4.2.1.7 – Applicant Interest** - The information included was deemed acceptable  
12  
13                   **4.2.1.8 – Interest in Abutting Parcel** - The information included was deemed  
14 acceptable  
15  
16                   **4.2.1.9 – Plat Plan** - The information included was deemed acceptable  
17  
18                   **4.2.2.1 – Location of Property** - The information included was deemed acceptable  
19  
20                   **4.2.2.2 – Survey maps** - The information included was deemed acceptable  
21  
22                   **4.2.2.3 – Current Zoning** - The information included was deemed acceptable  
23  
24                   **4.2.2.4 – Acreage** - The information included was deemed acceptable  
25  
26                   **4.2.2.5 – SSWD** – It was noted the proposed site is on Town sewer. The information  
27 included was deemed acceptable  
28  
29                   **4.2.2.6 – Property Owners within 1000 feet** - The information included was deemed  
30 acceptable  
31  
32                   **4.2.2.7 – Restrictive Covenants** - The information included was deemed acceptable  
33  
34                   **4.2.2.8 – Soil Erosion and Sedimentation Control** - The information included was  
35 deemed acceptable  
36  
37                   **4.2.2.9 – Water Supply** – It was noted the application will have to be revised to read  
38 “Mount Desert Water District”. The information included was deemed acceptable  
39  
40                   **4.2.3.1 – Name of Subdivision** - The information included was deemed acceptable  
41  
42                   **4.2.3.2 – Number of Lots** - The information included was deemed acceptable  
43  
44                   **4.2.3.3 – Information on Plat** - The information included was deemed acceptable  
45  
46                   **4.2.3.4 – Proposed Lot Lines** – There were no proposed Lot Lines. The Item was

1 deemed Not Applicable.  
2

3 **4.2.3.5 – Location of Temporary Markers** - The information included was deemed  
4 acceptable

5  
6 **4.2.3.6 – Public Use Parcels** - The information included was deemed acceptable  
7

8 **4.2.3.7 – Location Map** - The information included was deemed acceptable  
9

10 **4.2.3.8 – Location of Existing Buildings** – Ms. Randolph noted various pieces of the  
11 application are shown on different maps and surveys. CEO Keene clarified that a final  
12 plan showing all the pertinent information on one survey would be required at the Public  
13 Hearing. The information included was deemed acceptable  
14

15 **4.2.3.9 – Location of Wetlands** - The information included was deemed acceptable  
16

17 **4.2.3.10 – Location of Drains** – Grading to allow water to flow to the drains was  
18 discussed. Mr. Shaw agreed he had to research the issue further, but his plan was to  
19 grade the area so the water flowed to the drains. It was agreed a better stormdrain plan  
20 was required.  
21

22 **4.2.3.11 – Location of Sewers and Water Mains** – It was noted the sewers and water  
23 mains would have to be on the plan.  
24

25 **4.2.3.12 – Locations of Streets, Highways, Etc.** - The information included was  
26 deemed acceptable  
27

28 **4.2.3.13 – Names of Abutters** - The information included was deemed acceptable  
29

30 **4.2.3.14 – Flood Prone Determination** – This item was determined to be Not  
31 Applicable.  
32

33 **4.2.3.15 – Other Information Specified by the Board** – There was no additional  
34 information.  
35

36 **5.1 – Buffer Strip** – Fencing was discussed. CEO Keene warned Mr. Shaw that  
37 fencing over the sewer line may not be allowed. Public Works Director Tony Smith  
38 would have to make a determination. Mr. Shaw agreed to discuss the matter with  
39 Public Works. Mr. Shaw stated he would have a small fenced area for a dumpster, and  
40 propane tanks. CEO Keene informed Mr. Shaw that a fence taller than 6 feet would  
41 have to be approved by the Planning Board.  
42

43 **5.2 – Conformance with other Laws, Regulations** - The information included was  
44 deemed acceptable  
45

46 **5.3 – Construction Prohibited** - The information included was deemed acceptable

1  
2 **5.4 – Ditches, Catch Basins** – This item was discussed earlier.

3  
4 **5.5 – Easements** - The information included was deemed acceptable

5  
6 **5.6 – Dedication for Year-Round Housing** – Mr. Shaw noted the apartments over the  
7 proposed restaurant would be for year-round housing. The restaurant would also be  
8 year-round. The information included was deemed acceptable

9  
10 **5.7 – Lots and Density** – Mr. Shaw noted that as of this time, none of the proposed  
11 housing would be dedicated workforce housing. The information included was deemed  
12 acceptable

13  
14 **5.8 – Sewage Disposal** - The information included was deemed acceptable

15  
16 **5.9 – Land not Suitable for Development** - The information included was deemed  
17 acceptable

18  
19 **5.10 – Open Space Provisions** – Mr. Shaw pointed out the open space proposed.  
20 The information included was deemed acceptable

21  
22 **5.11 – Wells** – This item was deemed Not Applicable.

23  
24 **5.12 – Performance Bond** – It was deemed necessary for Mr. Shaw to obtain a letter  
25 from the bank verifying resources available to complete the work.

26  
27 **5.13 – Plan Revisions after Approval** - The information included was deemed  
28 acceptable

29  
30 **5.14 – Street Design and Construction** – This item was deemed Not Applicable

31  
32 **5.15 – Access to Direct Sunlight** - The information included was deemed acceptable

33  
34 **5.16 – Cluster and Workforce Subdivision** – This item was previously discussed.

35  
36 **6A.1 – Compatibility** - The information included was deemed acceptable

37  
38 **6A.2 – Erosion and Sedimentation Control** – This item was previously discussed.

39  
40 **6A.3 – Highway Safety** - The information included was deemed acceptable

41  
42 **6A.4 – Impact on Town Services** - The information included was deemed acceptable

43  
44 **6A.5 – Land Suitability** - The information included was deemed acceptable

45  
46 **6A.6 – Lighting – Outdoor** – It was noted there would be no parking lot lighting. The

1 information included was deemed acceptable

2  
3 **6A.7 – Stormwater** – This item was previously discussed.

4  
5 **6A.8 – Vegetation** – Mr. Shaw stated the vegetation to be used would be ferns and  
6 mosses between stone pavers. While the various phases occurred, some of the area  
7 would be kept grass. The information included was deemed acceptable

8  
9 **6A.9 – Dust, Fumes, Vapors, Odors, Gases** - The information included was deemed  
10 acceptable

11  
12 **6B.1 – Agriculture** – This item was deemed Not Applicable.

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14 **6B.2 – Air Landing Sites** – This item was deemed Not Applicable.

15  
16 **6B.3 – Excavation or Filling** – This item was deemed Not Applicable

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18 **6B.8 – Fences and Walls** – This item was previous discussed. It was noted there are  
19 no scenic vistas.

20  
21 **6B.10 – Lots** – This item was previously discussed.

22  
23 **6B.11 – Manufactured Homes** - This item was deemed Not Applicable

24  
25 **6B.12 – Mineral Exploration and Extraction** – This item was deemed Not Applicable.

26  
27 **6B.13 – Mobile Homes, Campers, Trailers** - This item was deemed Not Applicable.

28  
29 **6B.14 – Sanitary Standards** - This item was deemed Not Applicable.

30  
31 **6B.15 – Sign Regulations** – This item was deemed Not Applicable at this time. Signs  
32 would eventually be planned, and the item would have to be revisited then.

33  
34 **6B.16 – Vehicles, Unregistered** - This item was deemed Not Applicable.

35  
36 **6B.17 – Wireless Communication Facilities** – This item was deemed Not Applicable

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38 **6B.18 – Animal Husbandry** – This item was deemed Not Applicable.

39  
40 **6C – Shoreland Zone** – This item was deemed Not Applicable.

41  
42 In summary, the Planning Board has requested from Mr. Shaw:

- 43 - A stormwater management plan  
44 - A bank letter verifying financial suitability for the project  
45 - A diagrams of the various phases, or a timeline clarified  
46 - Check with Public Works Director Tony Smith with regard to the fence proposed for

- 1 over the sewer line
- 2 - Clarification with regard to vegetation
- 3 - Clarification with regard to exterior lighting
- 4 - An engineered plan for stormwater

5  
6 MS. EATON MOVED, WITH MR. RENAULT SECONDING, TO FIND THE APPLICATION  
7 INCOMPLETE. MOTION APPROVED 4-0.

8  
9 **VI. OTHER**

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11 **V. Adjournment**

12  
13 MS. EATON MOVED, WITH MS. RENAULT SECONDING, TO ADJOURN THE MEETING.  
14 MOTION APPROVED 4-0.

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16 Meeting was adjourned at 7:30 pm.  
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