

**Town of Mount Desert Planning Board
Regular Meeting Minutes
6:00 PM, May 27, 2020**

This meeting was held virtually. Site Inspections were videotaped prior to the meeting.

Public Present:

Todd Stanley, Julie Taylor, Jennifer Kelley, Scott Bowen, Katrina Carter

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

Ms. Loftus Keller is a non-voting member.

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

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

II. Approval of Minutes

CHAIR HANLEY MOVED, WITH MS. EATON SECONDING, TO TABLE THE MINUTES UNTIL THE NEXT MEETING.

VOTE:

Chair Bill Hanley – Aye

Meredith Randolph – Aye

David Ashmore – Aye

Joanne Eaton – Aye

Christie Anastasia - Aye

MOTION APPROVED 5-0.

III. Conditional Use Approval Application(s):

A. Conditional Use Approval Application #003-2020

OWNER(S) NAME(S): Norris M. Reddish

APPLICANTS: Julianne & Rustin Taylor

LOCATION: 1127 Main Street, Somesville

TAX MAP: 021 **LOT(S):** 004-002 **ZONE(S):** Village Residential 2 &
Stream Protection

PURPOSE: Section 3.4 – Animal Husbandry 2 (Non-Commercial care and Keeping of Poultry - 6 Chickens and a Chicken Coop.

SITE INSPECTION: See above.

Adequate Public Notice was confirmed. Abutters were notified.

No Conflict of Interest was found.

The Site Inspection was recorded on video for the Board Members' review. Ms. Anastasia, Mr. Ashmore, and Ms. Randolph confirmed they had seen the video. Ms. Eaton drove past the property and saw where the proposed work would occur.

1 Ms. Randolph reported on the Site Visit. A small A-frame structure was against the fence
2 bordering the neighbor's property. The structure was hidden from view by rhododendron
3 bushes. The entire yard was fenced.
4

5 Applicant Rustin Taylor reported there was a wire fence behind the setback from the stream;
6 this would keep the chickens from the water.
7

8 Chair Hanley asked for questions from the Board. There were none.
9

10 Chair Hanley requested questions from the public. There were none. The Public Hearing was
11 closed.
12

13 CHAIR HANLEY MOVED, WITH MS. RANDOLPH SECONDING, TO USE THE SHORT FORM.

14 VOTE:

15 Chair Bill Hanley: Aye

16 Meredith Randolph: Aye

17 David Ashmore: Aye

18 Joanne Eaton: Aye

19 Christie Anastasia: Aye

20 MOTION APPROVED 5-0.
21

22 MS. RANDOLPH MOVED, WITH MS. EATON SECONDING, TO FIND THE APPLICATION COMPLETE.

23 VOTE:

24 Chair Bill Hanley: Aye

25 Meredith Randolph: Aye

26 David Ashmore: Aye

27 Joanne Eaton: Aye

28 Christie Anastasia: Aye

29 MOTION APPROVED 5-0.
30

31 MS. RANDOLPH MOVED, WITH MS. EATON SECONDING TO APPROVE THE APPLICATION AS
32 PRESENTED.
33

34 A review of the Checklists was made and is attached to these Minutes.
35

36 VOTE:

37 Chair Bill Hanley: Aye

38 Meredith Randolph: Aye

39 David Ashmore: Aye

40 Joanne Eaton: Aye

41 Christie Anastasia: Aye

42 MOTION APPROVED 5-0.
43

44 **B. Conditional Use Approval Application #004-2020**

45 **OWNER(S) NAME(S):** Erin S. & Brian E. Pastuszynski, Trustees

46 **AGENT:** Todd Stanley

47 **LOCATION:** 1092 Main Street, Somesville

48 **TAX MAP:** 021 **LOT(S):** 030 **ZONE(S):** Shoreland Residential Two

1 **PURPOSE:** Section 3.4 – Non-Commercial Indoor Recreational Facility –
2 38’ X 24’ Gym/Fitness Building.
3 **SITE INSPECTION:** See above.
4 Adequate Public Notice was confirmed. Abutters were notified.
5
6 No Conflict of Interest was found.
7
8 The video of the Site Visit was shared. Ms. Randolph reported on the Site Visit.
9
10 There was a large field next to the house. Minimal effort will be required to level the ground.
11
12 Agent Todd Stanley added that the rectangular building proposed will be made to look similar to
13 the home on the property. The proposed site is diagonally across from the house, and further
14 back than the home from the water. The building is planned for use as a gym, however a
15 bathroom and murphy bed will be included, for use with guests.
16
17 Chair Hanley requested questions from the Board. There were none.
18
19 Chair Hanley requested questions from the Public. There were none. The Public Hearing was
20 closed.
21
22 MS. EATON MOVED, WITH MS. RANDOLPH SECONDING, TO FIND THE APPLICATION COMPLETE.
23 VOTE:
24 Chair Bill Hanley: Aye
25 Meredith Randolph: Aye
26 David Ashmore: Aye
27 Joanne Eaton: Aye
28 Christie Anastasia: Aye
29 MOTION APPROVED 5-0.
30
31 MS. RANDOLPH MOVED, WITH MS. EATON SECONDING, APPROVAL OF THE APPLICATION AS
32 PRESENTED.
33
34 CHAIR HANLEY MOVED, WITH MS. RANDOLPH SECONDING, TO USE THE SHORT FORM.
35 VOTE:
36 Chair Bill Hanley: Aye
37 Meredith Randolph: Aye
38 David Ashmore: Aye
39 Joanne Eaton: Aye
40 Christie Anastasia: Aye
41 MOTION APPROVED 5-0.
42
43 A review was made of the Checklists and are attached to these Minutes.
44
45 VOTE:
46 Chair Bill Hanley: Aye
47 Meredith Randolph: Aye
48 David Ashmore: Aye

1 Joanne Eaton: Aye
2 Christie Anastasia: Aye
3 MOTION APPROVED 5-0.

4
5 **IV. Other**

6
7 **COVID-19 Temporary Accommodation Discussion.**

8 CEO Keene reported that the Seaside Deli, a small restaurant on Sea Street, was small and had a
9 small number of indoor seating. The Covid-19 restrictions made seating customers in the
10 building impossible. Owner Jennifer Kelley would like to put picnic tables in the driveway next
11 to the building to accommodate people wanting to stay and eat, or people waiting for their
12 order.

13
14 As businesses try to open under the restrictions, this was likely not the last request of this
15 nature to come before the Board.

16
17 Chair Hanley felt outside seating could not be considered an expansion if the inside seating had
18 been removed.

19
20 Ms. Kelly asserted she would likely not open for full schedule until August. Any outdoor seating
21 would not be permanent – only as long as the restrictions were in place. Colder Fall weather
22 would end outdoor seating. She has no waitstaff. Ms. Kelly would have a trashcan near the
23 tables that would be emptied daily. The restaurant’s operating schedule was 9am to 2pm,
24 Wednesday through Friday, and open seven days a week July and August. Ms. Kelly has no
25 liquor license.

26
27 Ms. Randolph voiced support to allow this accommodation, starting immediately, and
28 requesting Ms. Kelly bring a drawing of the plan to the next meeting for public comment.

29
30 Discussion ensued regarding logistics, such as whether abutter notice was required.

31
32 Ms. Eaton noted the building was in the commercial area of town. The residence next to the
33 building is a residence in the commercial district.

34
35 Ms. Anastasia wondered if a formal plan, such as those being submitted to the State due to the
36 CDC restrictions should be requested. Additionally, aspects that should be taken into account
37 with such a request include ADA accessibility, and space constraints. Perhaps a checklist would
38 be wise.

39
40 Ms. Randolph hoped Ms. Kelly could begin outdoor seating now, as the seating problem was
41 due to extraordinary circumstances. Further discussion and a plan could be discussed at the
42 next meeting.

43
44 Mr. Ashmore suggested defining “temporary” as being just this year. Ms. Eaton agreed.

45
46 CEO Keene summarized that at the next meeting a site plan showing the inside setup and what
47 would change with the outdoor seating would be required. Time would be made for public
48 comment, and the Board would set conditions on the temporary use.

1
2 Resident Katrina Carter felt the neighbor, who was not currently in the area, would be
3 supportive of such a temporary change.

4
5 Ms. Kelly added that she would set up a removable fence between the area and the
6 construction zone nearby.

7
8 The issue would be placed on the June 24 Agenda.

9
10 The Planning Board was in agreement that Ms. Kelly could proceed with temporary outdoor
11 seating in the meantime.

12
13 Chair Hanley suggested advertising the meeting and the discussion – there were almost certainly
14 business owners in Town with similar questions.

15
16 **V. Adjournment**

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

18 VOTE:

19 Chair Bill Hanley: Aye

20 Meredith Randolph: Aye

21 David Ashmore: Aye

22 Joanne Eaton: Aye

23 Christie Anastasia: Aye

24 MOTION APPROVED 5-0.

25
26 The Meeting adjourned at 7:35PM.