

**Town of Mount Desert Planning Board  
Planning Board Meeting Minutes  
Meeting Room, Town Hall  
6:00 pm, January 13, 2016**

**Public Present**

Daniel Dunbar, Kathryn Milair, Rebecca Woods, Abigail Curless, Daniel McKay, Greg Johnston

**Board Members Present**

Chairman Bill Hanley, Lili Andrews, Meredith Randolph

Also present were CEO Kimberly Keene and Recording Secretary Heidi Smallidge.

**I. Call to Order**

Chairman Hanley called the meeting to order at 6:00 pm. Voting members were noted.

Secretary David Ashmore was not in attendance. CHAIRMAN HANLEY MOVED, WITH MS. RANDOLPH SECONDDING, TO APPOINT LILI ANDREWS AS SECRETARY PRO TEM. MOTION APPROVED 3-0.

MS. ANDREWS MOVED, WITH MS. RANDOLPH SECONDDING, TO ADDRESS ITEM VI ON THE AGENDA FIRST. MOTION APPROVED 3-0.

**II. Approval of Minutes**

**October 28, 2015:** Minutes were tabled for lack of a quorum.

**December 1, 2015:** MS. RANDOLPH MOVED, WITH MS. ANDREWS SECONDDING, TO APPROVE THE MINUTES AS PRESENTED. MOTION APPROVED 3-0.

**December 9, 2015:** Minutes were tabled for lack of a quorum.

**III. 6B.15 Sign Regulations**

**5. Signs Permitted: Permanent Signs: Directional.** *Directional signs at intersections of two or more state roads within the Town of Mount Desert are permitted with the approval of the Board of Selectmen and the prior recommendation of the Planning Board, which shall be forwarded to the Selectmen by the applicant with their application for a directional sign.*

Abigail Curless presented to the Board pictures of where she would like to put directional signs up for Beech Hill Farm. The locations were at the intersection of Route 102 and the Pretty Marsh Road, and at the intersection of the Pretty Marsh Road and Beech Hill Road. It was noted the DOT would make the final determination, but a recommendation from the Planning Board and approval of the Board of Selectmen was required first.

CEO Keene stated the Town can only approve signs at the intersection of two or more state roads, therefore they could not approve signage at the intersection of Pretty Marsh Road and Beech Hill Road. After some discussion, Ms. Curless agreed to the

1 locations of the intersection of Route 102 and Route 198, and the intersection of Route  
2 102 and Pretty Marsh Road. CEO Keene noted Ms. Curlless would have to modify her  
3 application before presenting it to the Board of Selectmen.  
4

5 MS. ANDREWS MOVED, WITH MS. RANDOLPH SECONDING, TO RECOMMEND  
6 FOR APPROVAL THE PLACEMENT OF THE SIGNS AT THE INTERSECTION OF  
7 ROUTE 198 AND ROUTE 102, AND THE INTERSECTION OF ROUTE 102 AND  
8 PRETTY MARSH ROAD. MOTION APPROVED 3-0.  
9

10 **IV. Section – 4.3.4 – Non-conforming Structures – Foundation Replacement**

- 11  
12 **A. OWNER(S) NAME:** Kathryn Milair  
13 **AGENT(S):** Danny Dunbar, Dunbar & Sons Excavating  
14 **LOCATION:** 223 Kimball Camp Road, Mount Desert  
15 **TAX MAP:** 018 **LOT:** 006 **ZONE(S):** Shoreland Residential Two (SR2)  
16 **PURPOSE:** Non-Conforming Structure – Foundation Replacement  
17 **SITE VISIT:** 3:00 PM  
18

19 Ms. Andrews confirmed adequate public notice. Abutters had been notified. No conflict of  
20 interest was found.  
21

22 Ms. Randolph reported on the site visit. The house is currently on posts. One corner of  
23 the house is within the 75-foot setback. The applicant hopes to pour a foundation making  
24 no changes to the original location of the house. The property is flat with wetlands behind  
25 it. There is tree growth surrounding the house.  
26

27 Danny Dunbar described the work involved. He reported that moving the house would  
28 result in tree removal. The well and septic also would have to be moved. Blasting for a  
29 new well may be necessary. Mr. Dunbar was concerned regarding maintaining the  
30 property line if the house had to be moved. He noted if the house was moved to an area  
31 with ledge, it may raise the height of the house.  
32

33 Chairman Hanley made note of a letter from John Cullen of the DEP recommending  
34 avoidance of the wetlands.  
35

36 A review of the 4.3 checklist was made and is attached to these Minutes.  
37

38 MS. RANDOLPH MOVED, WITH MS. ANDREWS SECONDING, THAT BASED ON THE  
39 FINDINGS OF FACT, RELOCATION OF THE HOUSE FOR THE PURPOSES OF  
40 REPLACING THE FOUNDATION WOULD BE IMPRACTICAL. MOTION APPROVED 3-  
41 0.  
42

43 **V. Conditional Use Approval Application(s):**

44 **A. Conditional Use Approval Application # 030-2015**

45 **OWNER(S) NAME:** Sargent Maine LLC

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

1                   **LOCATION:** 18 Sargent Drive, Mount Desert  
2                   **TAX MAP:** 005     **LOT(S):** 045 **ZONE(S):** Shoreland Residential Two (SR2)  
3                   **PURPOSE:** Section 6B.8 – Fences and Walls – Exceeding CEO’s Authority  
4                   **SITE INSPECTION:** 4:00 PM  
5

6                   Ms. Andrews confirmed that adequate public notice was given, and abutters were notified.  
7                   No conflict of interest was found.  
8

9                   Ms. Andrews reported on the site visit. She described the fence line’s layout. The fence  
10                  has been laid out to avoid cutting the trees. The fence does not go all the way to the water  
11                  line. Mr. Johnston added that high shrubs near the water obscure the view of the fence.  
12

13                  CEO Keene pointed out the caps on the fence put the height at 7’4”. She requested the  
14                  application be changed to reflect this. Mr. Johnston noted the drawing shows this. He  
15                  clarified on the application.  
16

17                  CHAIRMAN HANLEY MOVED, WITH MS. ANDREWS SECONDING, TO FIND THE  
18                  APPLICATION COMPLETE. MOTION APPROVED 3-0.  
19

20                  MS. ANDREWS MOVED, WITH CHAIRMAN HANLEY SECONDING, TO USE THE  
21                  SHORT FORM. MOTION APPROVED 3-0.  
22

23                  CHAIRMAN HANLEY MOVED, WITH MS. ANDREWS SECONDING, TO APPROVE THE  
24                  APPLICATION.  
25

26                  A review of the checklist is made and is attached to these Minutes.  
27

28                  MOTION TO APPROVE THE APPLICATION WAS APPROVED 3-0.  
29

30                  **VI. Subdivision Application(s) – Completeness Review**

31                  A. **OWNER(S):** Daniel G. & Nancy G. McKay  
32                  **LOCATION(S):** 4 Farm Lane, Northeast Harbor  
33                  **TAX MAP:** 024     **LOT(S):** 126-008 **ZONE(S):** Village Residential 2 (VR2)  
34                  **PURPOSE:** Section 5.13 of the Subdivision Ordinance – Plan Revisions After  
35                  Approval – Kimball Farm Subdivision  
36

37                  B. **OWNER(S):** Eliot Hewlett Kent  
38                  **LOCATION(S):** 8 Farm Lane, Northeast Harbor  
39                  **TAX MAP(S):** 024 **LOT(S):** 126-007 **ZONE(S):** Village Residential 2 (VR2)  
40                  **PURPOSE:** Section 5.13 of the Subdivision Ordinance – Plan Revisions After  
41                  Approval – Kimball Farm Subdivision  
42

43                  It was agreed to discuss both projects concurrently.  
44

45                  Ms. Randolph mentioned Daniel McKay has been a past client of hers. They have  
46                  no current projects and no continued working relationship. It was deemed there

1 was no conflict of interest.  
2

3 Mr. McKay summarized that both he and Mr. Kent own lots within the subdivision.  
4 A large meadow is behind the houses. Each homeowner wants to buy a parcel  
5 from the large meadow area to add to their lot size, leaving some of the meadow.  
6 Neither plans to build on the parcel, however adding to their lots will increase the  
7 size of the subdivision. Mr. McKay presented the plans to the Planning Board.  
8

9 The Board reviewed the applications for completeness. CEO Keene requested  
10 they review Section 4.2.4, sections 5 and 6 as well.  
11

12 It was noted that a USGS topo is required for the application.  
13

14 MS. RANDOLPH MOVED, WITH MS. ANDREWS SECONDING, THAT THE  
15 APPLICATION WAS COMPLETE PENDING THE ADDITION OF THE USGS  
16 TOPO. MOTION APPROVED 3-0.  
17

18 **VII. Other:**

19 CEO Keene informed the Board that there was no January 27<sup>th</sup> meeting. There was a  
20 quarry meeting on January 26 at 5pm.  
21

22 **VIII. Adjournment**

23  
24 MS. RANDOLPH MOVED, WITH CHAIRMAN HANLEY SECONDING, TO ADJOURN  
25 THE MEETING. MOTION APPROVED 3-0.  
26

27 Meeting was adjourned at 7:49 pm.  
28  
29  
30  
31  
32  
33  
34  
35