

**TOWN OF MOUNT DESERT
Planning Board Minutes
October 26, 2022**

Board Members Present: Chair William Hanley, Meredith Randolph, Tracy Loftus Keller, Christie Anastasia, David Ashmore

Others Present: Roger St. Amand, Terri Scott, Gregg Scott, Jerry Suminsby

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

Chair Hanley called the meeting to order at 6:00PM. Board Members were identified.

II. Approval of Minutes

August 10, 2022:

MS. RANDOLPH MOVED, WITH MS. LOFTUS KELLER SECONDING AMENDMENT OF THE SEPTEMBER 14, 2022 APPROVAL OF AUGUST 14, 2022 MINUTES TO READ AUGUST 10, 2022.

VOTE:

MEREDITH RANDOLPH: AYE
TRACY LOFTUS KELLER: AYE
CHRISTIE ANASTASIA: AYE
DAVID ASHMORE: AYE
CHAIR WILLIAM HANLEY: AYE
MOTION APPROVED 5-0.

September 14, 2022:

It was noted Ms. Randolph was not in attendance at this meeting.

MS. LOFTUS KELLER MOVED, WITH MS. ANASTASIA SECONDING, APPROVAL OF THE SEPTEMBER 14, 2022 MINUTES AS PRESENTED.

VOTE:

TRACY LOFTUS KELLER: AYE
CHRISTIE ANASTASIA: AYE
DAVID ASHMORE: AYE
CHAIR WILLIAM HANLEY: AYE
MOTION APPROVED 4-0.

October 12, 2022:

It was noted Chair Hanley and Mr. Ashmore were not in attendance at this meeting.

MS. LOFTUS KELLER MOVED, WITH MS. RANDOLPH SECONDING, APPROVAL OF THE OCTOBER 12, 2022 MINUTES AND DECISIONS AS PRESENTED.

VOTE:

TRACY LOFTUS KELLER: AYE

MEREDITH RANDOLPH: AYE
CHRISTIE ANASTASIA: AYE
MOTION APPROVED 3-0.

III. Conditional Use Approval Application(s):

A. Conditional Use Approval Application #014-2022
NAME: Wasgatt Cove, Inc. Jerome Suminsby, President
AGENT: Gregory J. Scott and Terri E. Scott
LOCATION: 13 Sinclair Road, Northeast Harbor
TAX MAP: 027 **LOT:** 013 **ZONE(S):** Residential Two (R2)
PURPOSE: Section 6B.8 Fences and Walls, exceeding CEO authority.
SITE INSPECTION: 4:00PM
CEO Keene confirmed adequate Public Notice. Abutters were notified.

No Conflict of Interest was found among the Board.

Ms. Loftus Keller reported on the Site Visit. The path the fence will take was shown. The fence will be installed in a series of panels, each six feet tall. They will rise with the land. There are places where the fence panels will be set higher to keep the fence level. The fence is between two amicable neighbors.

Agent Gregg Scott noted the fence is six feet; caps and posts make the height higher. This fence has a three-foot grade change, pushing the fence in and out of compliance.

Chair Hanley opened the discussion for Public Comment. There was none.

Chair Hanley closed the Public Comment.

MS. RANDOLPH MOVED, WITH MS. ANASTASIA SECONDDING, TO FIND THE APPLICATION COMPLETE.

VOTE:

MEREDITH RANDOLPH: AYE
CHRISTIE ANASTASIA: AYE
TRACY LOFTUS KELLER: AYE
DAVID ASHMORE: AYE
CHAIR WILLIAM HANLEY: AYE
MOTION APPROVED 5-0.

MS. LOFTUS KELLER MOVED, WITH MS. ANASTASIA SECONDDING, TO USE THE SHORT FORM.

VOTE:

TRACY LOFTUS KELLER: AYE
CHRISTIE ANASTASIA: AYE
MEREDITH RANDOLPH: AYE
DAVID ASHMORE: AYE

CHAIR WILLIAM HANLEY: AYE
MOTION APPROVED 5-0.

MS. RANDOLPH MOVED, WITH MS. LOFTUS KELLER SECONDING, TO APPROVE THE APPLICATION.

A review of the Section 6 Checklist was made and is attached to these Minutes.

VOTE:
MEREDITH RANDOLPH: AYE
TRACY LOFTUS KELLER: AYE
CHRISTIE ANASTASIA: AYE
DAVID ASHMORE: AYE
CHAIR WILLIAM HANLEY: AYE
MOTION APPROVED 5-0.

B. Conditional Use Approval Application #015-2022

NAME: The Harbor Club

AGENT: Roger St. Amand, Atlantic Resources Co, LLC

LOCATION: 11 Dodge Point Road, Seal Harbor

TAX MAP: 003 **LOT:** 012 **ZONE(S):** Shoreland Residential Two (SR2)

PURPOSE: Sections 3.4 & 6B.7 Excavation or Filling > 150 cubic Yards
Shoreland Stabilization

SITE INSPECTION: 3:30PM

CEO Keene confirmed adequate Public Notice. Abutters were notified.

No Conflict of Interest was found among the Board.

Ms. Randolph reported on the Site Visit. Some stones along the parking area will be moved to access the worksite on the shore. There is a gentle slope to the shore. Water lines and erosion are visible. Stones will be set higher along the shoreline to curtail erosion, and vegetation will be added on top of the stone. Some vegetation will have to be removed, but it will be replaced.

Ms. Loftus Keller noted that all restoration work is being done above the shoreline.

Agent Roger St. Amand reported the project will require approximately 550 cubic yards of fill in front of the Harbor Club for shoreline stabilization. There's low shrub vegetation along the immediate shore. On the Northern end as it extends toward the pier there are taller shrubs and trees.

The plan is to install a low row of large boulders to prevent further erosion. Above the line of boulders vegetation will be installed to blend the area back into the existing grade. The shoreline is slightly over 300 linear feet. There is a stormdrain at one end that will be left in place. The boulder wall will be above the highest annual tide line and therefore will not directly impact the coastal wetlands. Mr. St. Amand has a permit from the Maine DEP. Permitting from the Army Corps of Engineers is not required.

Chair Hanley opened the discussion for Public Comment. There was none.

Chair Hanley closed Public Comment.

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

VOTE:

MEREDITH RANDOLPH: AYE
CHRISTIE ANASTASIA: AYE
TRACY LOFTUS KELLER: AYE
DAVID ASHMORE: AYE
CHAIR WILLIAM HANLEY: AYE
MOTION APPROVED 5-0.

MS. RANDOLPH MOVED, WITH MS. LOFTUS KELLER SECONDING, TO USE THE SHORT FORM.

VOTE:

MEREDITH RANDOLPH: AYE
TRACY LOFTUS KELLER: AYE
CHRISTIE ANASTASIA: AYE
DAVID ASHMORE: AYE
CHAIR WILLIAM HANLEY: AYE
MOTION APPROVED 5-0.

MS. RANDOLPH MOVED, WITH MS. LOFTUS KELLER SECONDING, TO APPROVE THE APPLICATION.

A review of the Section 6 Checklist was made and is attached to these Minutes.

Ms. Randolph pointed out that the rock wall section appears to show the base of the area being reinforced is vertically below the Highest Annual Tide (HAT) Line. Mr. St. Amand explained the HAT line lies further down the shore. Mr. St. Amand will excavate on higher ground to below that line in the event the beach shifts or further erodes. The beach is a sandy, gravel beach. It's wise to anchor the reinforcement below the HAT line.

VOTE:

MEREDITH RANDOLPH: AYE
TRACY LOFTUS KELLER: AYE
CHRISTIE ANASTASIA: AYE
DAVID ASHMORE: AYE
CHAIR WILLIAM HANLEY: AYE
MOTION APPROVED 5-0.

IV. Other

Ms. Anastasia announced her resignation as an Active Planning Board Member.

She was willing to move to an Alternate Status. Ms. Anastasia has been a wise and valued member of the Board and will be missed.

Chair Hanley agreed to email the Town Manager to advise the Selectboard of the status change.

The position of Vice-Chair was discussed.

V. Adjournment

MS. ANASTASIA MOVED, WITH MS. RANDOLPH SECONDING, TO ADJOURN.

VOTE:

CHRISTIE ANASTASIA: AYE

MEREDITH RANDOLPH: AYE

TRACY LOFTUS KELLER: AYE

DAVID ASHMORE: AYE

CHAIR WILLIAM HANLEY: AYE

MOTION APPROVED 5-0.

The Meeting adjourned at 6:43PM.