

Conditional Use Approval Application # 002-2017

Owner(s): Harbor Watch Yacht Club, LLC

AGENT: Christopher Murray

LOCATION: 14 Harbor Watch Lane, Northeast Harbor

TAX MAP:024 LOT:130 ZONE(S): Shoreland Residential 2 (SR2)

PURPOSE: Section – 3.4 - Non-Commercial – Indoor Recreational Facility- 40' x 15' one story, Fitness/Gym Building

SITE INSPECTION: 4:30PM

CHECKLIST

Land Use Zoning Ordinance of the Town of Mount Desert

**** Note:** All Conclusions of Law are to be read as if they are prefaced by the words “Based upon said Findings of Fact ...”

SECTION 6 STANDARDS FOR USES, PERMITS AND APPROVALS FOR REVIEW BY PLANNING BOARD

6A GENERAL PERFORMANCE STANDARDS

6A.1	Compatibility	<input type="checkbox"/> See notes below	X See Application	<input type="checkbox"/> N/A
6A.2	Erosion and Sedimentation Control	<input type="checkbox"/> See notes below	X See Application	<input type="checkbox"/> N/A
6A.3	Highway Safety	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6A.4	Impact on Town Services	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6A.5	Land Suitability	<input type="checkbox"/> See notes below	X See Application	<input type="checkbox"/> N/A
6A.6	Lighting - Outdoor	<input type="checkbox"/> See notes below	X See Application	<input type="checkbox"/> N/A
6A.7	Stormwater	<input type="checkbox"/> See notes below	X See Application	<input type="checkbox"/> N/A
6A.8	Vegetation	<input type="checkbox"/> See notes below	X See Application	<input type="checkbox"/> N/A
6A.9	Dust, Fumes, Vapors, Odors and Gases	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A

Findings of Fact(s): The findings of fact are as presented by the applicant (see attached application and/or notes below).

VOTE: Findings of Facts (Eaton/Randolph) 5-0-1 (Renault in Abstention) _____

Conclusion of Law: The proposed use is in compliance with all standards of Section 6A.

VOTE: Conclusion of Law (Eaton/Randolph) 5-0-1 (Renault in Abstention) _____

Notes: _____

6B SPECIFIC PERFORMANCE STANDARDS FOR ACTIVITIES AND LAND USES

6B.1	Agriculture	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	<input type="checkbox"/> N/A
6B.2	Air Landing Sites	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	<input type="checkbox"/> N/A
6B.7	Excavation or filling	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	<input type="checkbox"/> N/A
6B.8	Fences and Walls	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	<input type="checkbox"/> N/A
6B.12	Mineral Exploration and Extraction	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	<input type="checkbox"/> N/A
6B.15	Sign Regulations	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	<input type="checkbox"/> N/A
6B.17	Wireless Communication Facilities	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	<input type="checkbox"/> N/A

X N/A (Except for Section(s): 6B._____)

Findings of Fact(s): The proposed use will include none of the specific activities or land uses described in section 6B, except for Applicable Sections(s) noted above.

VOTE: Findings of Facts (Eaton/Randolph) 5-0-1 (Renault in Abstention)_____

Conclusion of Law: Section 6B is not applicable, ~~except for~~ Sections(s):**6B.**_____

VOTE: Conclusion of Law (Eaton/Randolph) 5-0-1 (Renault in Abstention)_____

Notes: _____

6C SHORELAND ZONING STANDARDS FOR REVIEW BY PLANNING BOARD

Land Use Standards. All land use activities within the shoreland zone shall conform with the following provisions, if applicable.

N/A: Findings of Fact: The proposed lot is entirely outside the Shoreland Zone.

VOTE: Findings of Facts - _____

Conclusion of Law: Section 6C is not applicable.

VOTE: Conclusion of Law - _____

6C.1	Agriculture and Animal Husbandry	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6C.2	Archeological sites	<input type="checkbox"/> See notes below	X See Application	<input type="checkbox"/> N/A
6C.5	Essential Services	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6C.6	Parking Areas	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6C.7	Marine and Freshwater Structure Standards	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6C.9	Roads and Driveways	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6C.11	Timber Harvesting	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6C.12	Water Quality	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A

X N/A (Except for Section(s): 6C. 2, for which standard is met.)

Findings of Fact(s): The proposed use will include none of the specific activities or land uses described in section 6C, except for Applicable Sections(s) noted above.

Conclusion of Law: Section 6C is not applicable, except for Sections(s):**6C. 2**, for which standard is met.

VOTE: Findings of Facts and Conclusion of Law (Eaton/Ashmore) 5-0-1
(Renault in Abstention) _____

Notes:

5.6 Amendment

An amendment to a Conditional Use Approval may be issued by the Planning Board only:

- 1.) *finding that there have been significant changes of conditions or circumstances; and*

Findings of Fact(s): _____

Conclusion of Law:

- 2.) *in conformity with the procedural and substantive requirements set forth in Section 6A and the applicable standards of Section 6B and 6C.*

Findings of Fact(s): _____

Conclusion of Law:

- 3.) *when justified by a statement of findings of fact and reasons.*

Findings of Fact(s): _____

Conclusion of Law:
