

OWNER(S): NN Cove, LLC
AGENT(S): Greg Johnston, G.F. Johnston & Associates
LOCATION: 7 Evergreen Way, Mount Desert
TAX MAP: 015 **LOT(S):** 004 **ZONE(S):** Shoreland Residential Two (SR2)
PURPOSE: Reconstruction or Replacement of a Non-conforming structure. Existing Camp/Residential Dwelling Unit.
SITE INSPECTION: 3:00PM

STANDARDS OF SECTION 4.3.5 ~ RELOCATION OF NON-CONFORMING STRUCTURE

The site of relocation conforms to all setback requirements to the greatest practical extent as determined by the Planning Board, and provided that the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of state law and the State of Maine Subsurface Wastewater Disposal Rules (rules), or that a new system can be installed in compliance with the law and said rules. In no case shall a structure be relocated in a manner that causes the structure to be more nonconforming. In determining whether the building relocation meets the set back to the greatest practical extent, the Planning Board shall consider:

Size of the Lot: *The Board finds:*

Findings of Fact: _____ The Lot is 3.13 acres and is not a constraint to building on the lot. _____

Conclusion of Law:

_____ See Application _____

Topography/Slope of the Land: *The Board finds:*

Findings of Fact: _____ Steep slope on most of the land limits building potential. _____

Conclusion of Law:

_____ The slope is a constraining factor. _____

Potential for soil erosion: *The Board finds:*

Findings of Fact: _____ Piers installed will mitigate soil erosion. The basement is behind the setback line. Moving the building site would require cutting of trees, increasing the possibility of soil erosion. _____

Conclusion of Law:

_____ Potential for soil erosion is minimized. See Application _____

Location of other structures on the property and on adjacent properties: *The Board*

finds:

Findings of Fact: _____ There are property owners on the other side of the lake. A buffer of growth is to the south. No changes are planned that will impact neighbors. _____

Conclusion of Law:

_____ No change in impact. See Application. _____

Location of the septic system and other on-site soils suitable for septic systems: *The*

Board finds:

Findings of Fact: _____ Design of current system submitted. A second potential leach field site identified. Septic is dependent on soil conditions. Existing septic is designed for a 4-bedroom structure. The proposed building is a 3-bedroom structure. _____

Conclusion of Law:

_____ Moving the building would be impractical with regard to septic location. _____

Vegetation to be removed to accomplish the relocation: *The Board finds:*

Findings of Fact: _____ Vegetation would have to be removed to move the building. Access and parking can be maintained without removing vegetation. _____

Conclusion of Law:

_____ Removing vegetation would create a detrimental impact to the neighbors' views. _____

_____ See Application. _____

APPROVAL CONDITIONS: *In addition to all applicable federal, state, and town permits be in place prior to any construction, the following conditions apply:*

_____ None. _____

_____ (Eaton/Anastasia) 5-0 _____

APPLICATION APPROVED 06/10/2020 **DENIED** _____
(Date) (Date)

MINUTES OF THIS PUBLIC HEARING CONSTITUTE A PART OF THE RECORD FOR THIS MATTER.

SIGNATURES OF ALL VOTING BOARD MEMBERS:

William Hanley, Chair

Joanne Eaton

Meredith Randolph

David Ashmore

Tracy Loftus Keller

Christie Anastasia