Conditional Use Approval Application #005-2019

OWNER(S): Deep Cove Holdings II, LLC

AGENT: Greg Johnston of G.F. Johnston & Associates LOCATION: 685 Indian Point Road, Mount Desert

TAX MAP: 012 LOT: 005 ZONE(S): Shoreland Residential 3 (SR3) PURPOSE: Section 6B.8 Fences and walls, exceeding CEO

Authority.

SITE INSPECTION: 4:45PM

CHECKLIST

Land Use Zoning Ordinance of the Town of Mount Desert

** <u>Note:</u>

6**A**

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

GENERAL PERFORMANCE STANDARDS

| 6A.1 | Compatibility | ☐ See notes below | X See Application | \square N/A |
|--------|--|-------------------|------------------------|---------------|
| 6A.2 | Erosion and Sedimentation Control | ☐ See notes below | ☐ See Application | X N/A |
| 6A.3 | Highway Safety | ☐ See notes below | X See Application | $\square N/A$ |
| 6A.4 | Impact on Town Services | ☐ See notes below | ☐ See Application | X N/A |
| 6A.5 | Land Suitability | ☐ See notes below | X See Application | $\square N/I$ |
| 6A.6 | Lighting - Outdoor | ☐ See notes below | ☐ See Application | X N/A |
| | Stormwater | | | |
| 6A.7 | | ☐ See notes below | ☐ See Application | XN/A |
| 6A.8 | Vegetation | ☐ See notes below | ☐ See Application | XN/A |
| 6A.9 | Dust, Fumes, Vapors, Odors and | ☐ See notes below | ☐ See Application | XN/A |
| | Gases | | | |
| | Conclusion of Law: The pro- Section 6A. VOTE: Conclu | | npliance with all stan | dards of |
| Notes: | | | | |
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| <u>6B</u> | SPECIFIC PERFORMANCE STA | NDARDS FOR ACT | <u> FIVITIES AND LA</u> | ND USES |
|-----------|------------------------------------|-------------------------|-------------------------|------------|
| | | | | |
| 6B.1 | Agriculture | ☐ See notes below | ☐ See Application | X N/A |
| 6B.2 | Air Landing Sites | ☐ See notes below | ☐ See Application | X N/A |
| 6B.7 | Excavation or filling | ☐ See notes below | ☐ See Application | X N/A |
| 6B.8 | Fences and Walls | ☐ See notes below | X See Application | □ N/A |
| 6B.12 | Mineral Exploration and Extraction | ☐ See notes below | ☐ See Application | X N/A |
| 6B.15 | Sign Regulations | ☐ See notes below | ☐ See Application | X N/A |
| 6B.17 | Wireless Communication Facilities | ☐ See notes below | ☐ See Application | X N/A |
| 02.11 | , 12160 Sommon 1 Woman | _ cee notes sero w | | 111,711 |
| | X N/A (Except for Section(s): | 6B <u>. 8</u> | |) |
| | Findings of Fact(s): The pro | posed use will include | e none of the specific | activities |
| | or land uses described in section | | | |
| | VOTE : Findin | ngs of Facts (Eat | con/Ashmore) 5-0 | |
| | Conclusion of Law: Section (| 6B is not applicable, e | xcent for | |
| | | 8, for which stan | | |
| | WOMEN C | | / A . 1 | |
| | VOIE: Conc | lusion of Law (Eat | con/Ashmore) 5-0 | |
| Notes: | | | | |
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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.

| | \square N/A: Findings of Fact: The prop | posed lot is entirely ou | itside the Shoreland Z | Lone. | |
|--------------|--|---|---|----------------|--|
| | VOTE : Findings of Facts | | | _ | |
| | Conclusion of Law: Section | n 6C is not applicable. | | | |
| | VOTE : Conclusion of Law | | | | |
| (C 1 | A | | | V NI / A | |
| 6C.1 6C.2 | Agriculture and Animal Husbandry | ☐ See notes below☐ See notes below | ☐ See Application | X N/A X N/A | |
| 6C.5 | Archeological sites Essential Services | ☐ See notes below | ☐ See Application☐ See Application | X N/A X N/A | |
| 6C.6 | Parking Areas | ☐ See notes below | ☐ See Application | X N/A | |
| 6C.7 | Marine and Freshwater Structure Standards | ☐ See notes below | ☐ See Application | X N/A | |
| 6C.9 | Roads and Driveways | ☐ See notes below | ☐ See Application | X N/A | |
| 6C.11 | Timber Harvesting | ☐ See notes below | ☐ See Application | X N/A | |
| 6C.12 | Water Quality | ☐ See notes below | ☐ See Application | X N/A | |
| | 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. VOTE: Findings of Facts and Conclusion of Law (Eaton/Loftus Keller) 5-0 | | | | |
| Notes: | | | | | |
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FOR BOARD USE CONDITIONAL USE PERMIT/APPROVAL

| APPLICATI | ON: | 005-2019 |
|--|----------------------|--|
| PERMIT CONDITIONS prior to any construction, the following | | all applicable federal, state, and town permits be in place |
| (Eaton/Loftus Kell | er) 5-0 | |
| | <u>APPLI</u> | <u>CATION</u> |
| APPROVED: | 06/12/2019 (Date) | DENIED : (Date) |
| | | Permit/Approval must construct and operate the approved to the permitting process to the Planning Board. |
| NOTE: The Land Undertaken within one year from | | equires that a Conditional Use Permit/Approval must be a new permit must be obtained. |
| THE MINUTES OF | | CARING CONSTITUTE A PART OF THE R THIS MATTER |
| SIGNATURES OF ALL | VOTING BOARD | MEMBERS: |
| William Hanley, Chairman | | Christie Anastasia Christie Anastasia |
| David Ashmore David Ashmore | | Meredith Randolph |
| Joanne Eaton | | <u> 7racy Loftus Keller</u> Tracy Loftus Keller |
| Beth Renault | _ | |

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