

Conditional Use Approval Application #006-2019
OWNER(S): Deep Cove Holdings, LLC
AGENT: Greg Johnston of G.F. Johnston & Associates
LOCATION: Off Indian Point Road, Mount Desert
TAX MAP: 012 **LOT:** 007 **ZONE(S):** Rural Woodland 3 (RW3)
PURPOSE: Section 6B.8 Fences and walls, exceeding CEO Authority.
SITE INSPECTION: 5:00PM

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	<input type="checkbox"/> See Application	X N/A
6A.3	Highway Safety	<input type="checkbox"/> See notes below	X See Application	<input type="checkbox"/> 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	<input type="checkbox"/> See Application	X N/A
6A.7	Stormwater	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6A.8	Vegetation	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X 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/Loftus Keller) 5-0

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

VOTE: Conclusion of Law (Eaton/Loftus Keller) 5-0

Notes: _____

6B SPECIFIC PERFORMANCE STANDARDS FOR ACTIVITIES AND LAND USES

6B.1	Agriculture	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6B.2	Air Landing Sites	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6B.7	Excavation or filling	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6B.8	Fences and Walls	<input type="checkbox"/> See notes below	<input checked="" 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	X N/A
6B.15	Sign Regulations	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6B.17	Wireless Communication Facilities	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A
6B.18	Animal Husbandry II	<input type="checkbox"/> See notes below	<input type="checkbox"/> See Application	X N/A

XN/A (Except for Section(s): 6B. 8,)

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/Ashmore) 5-0

Conclusion of Law: Section 6B is not applicable, except for Sections(s):**6B.** 8, for which standard has been met.

VOTE: Conclusion of Law (Eaton/Ashmore) 5-0

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.

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

VOTE: Findings of Facts (Eaton/Ashmore) 5-0

Conclusion of Law: Section 6C is not applicable.

VOTE: Conclusion of Law (Eaton/Ashmore) 5-0

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

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

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 -

Notes:

FOR BOARD USE
CONDITIONAL USE PERMIT/APPROVAL

APPLICATION: _____ **006-2019** _____

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

(Eaton/Loftus Keller) 5-0

APPLICATION

APPROVED: _____
6/12/2019
(Date)

DENIED: _____
(Date)

NOTE: *The holder of a Conditional Use Permit/Approval must construct and operate the approved conditional use as applied for and as represented during the permitting process to the Planning Board.*

NOTE: *The Land Use Zoning Ordinance requires that a Conditional Use Permit/Approval must be undertaken within one year from the date of approval, or a new permit must be obtained.*

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

SIGNATURES OF ALL VOTING BOARD MEMBERS:

William Hanley
William Hanley, Chairman

Christie Anastasia
Christie Anastasia

David Ashmore
David Ashmore

Meredith Randolph

Joanne Eaton
Joanne Eaton

Tracy Loftus Keller
Tracy Loftus Keller

Beth Renault