

Southwest Harbor Planning Board Minutes  
June 15, 2017

- I. Roll Call/Call to Order: Mike Mansollili called the meeting to order at 6:00 PM. In attendance was Lee Worcester, Ryan Donahue, Eric Davis, Chris Rawls, Mike Magnani, Jesse Dunbar and CEO Don Lagrange.
- II. Ryan Donahue moved to approve minutes of February 23, 2017, seconded by Jesse Dunbar and voted in favor 4/0/3.  
Mike Magnani moved to approve the minutes of May 18, 2017, seconded by Mike Mansollili and voted in favor 5/0/2.
- III. Visitors not on the agenda: None
- IV. Application from Michael Forbes to rebuild and relocate a non-conforming structure located at 157 Seawall Road and further identified at Tax Map 1, Lot 57 on the Towns tax maps.  
Lee Worcester question the authority of the Board to review the application due to the language in Section III C 3 (a) which states in no case shall a structure be reconstructed or replaced so as to increase its non-conformity. The replacement structure would be 6' longer along the non-conforming set back. Ryan Donahue suggested the ordinance which allows a 8 x 10 shed with no permit requirements and only three foot setback be allowed to be added to the existing structure.  
Chairman Mansollili moved to table until next meeting to review further, seconded by Chris Rawls and voted in favor 7/0/0.
- V. Application from Rosecliff, LLC to reconstruct and relocate a non-conforming structure to the greatest practical extent located on 114 Shore Road and further described as tax map 17, lot 107 on the Town tax maps.  
In a similar request to Forbes and prior to discussion of application, Lee Worcester moved the building as presented meets the criteria of Section III to the greatest practical extent possible, seconded by Mike Magnani and voted in favor 7/0/0.
- ~ This is a request to demolish existing non-conforming structure and reconstruct a new structure to provide setbacks to the greatest practical extent by moving the structure back from the existing 1' road setback to 26'; increase setback from the west line from 1' to 4'; decrease setback from the east property line from 6' to 3', and decrease rear line setback from 42' to 16'. The building height is currently 21'+/- which will be increased to 25' as allowed in the zone. The Planning Board has authority per Section III, (C) (3) of the Land Use Ordinance to allow reconstruction of a non-conforming structure. See attached.  
Completeness: Section VIII (C) (4) (c) of the LUO requires each application to include 16 site plan requirements, if applicable:
- ~ Scale, north arrow and names of abutting property owners. (OK). North direction and list of abutting properties are represented on 2017 survey.
- ~ Dimension and area of each lot to be built upon or otherwise used: (OK) Noted on 2017 site plan.
- ~ Location of any wells on the lot or within 100' of property lines: (OK) there are no wells on the property or abutting properties. Public water service is provided.
- ~ Name and location of any abutting water body, streams, brooks and wetlands: (N/A) No abutting water bodies.
- ~ Areas to be cleared and areas of any cut, fill, grading or other earthmoving activity: (N/A) No clearing or earthwork
- ~ Size, shape and location of existing and proposed buildings and/or structures including dumpsters, piers, docks. Include setbacks from lots lines, rights of way, and water bodies: (OK) Depicted on survey. House and shed pre-exist zoning.
- ~ Outdoor lighting, signs: Existing and proposed locations (N/A) Residential Property

~ Sewer and water facilities: Existing and proposed (OK). Public water and sewer services are noted on plan.

~ Layout and location of parking areas with existing and proposed parking spaces (including commercial vehicle parking). Legal non-conforming parking spaces to be noted: (N/A)

#### Residential Property

~ Location of existing and proposed roads/driveways with setback from nearest lot line: (O/K). Noted on plan

~ Name/location of existing or proposed right of way and easements on the site or abutting the property: (O/K) Right of way over Spar Lane, a private way.

~ Existing grades and any proposed changes in grades. (OK) There are no changes in grades.

~ Soil Erosion and Sedimentation control plan: (O/K) Noted on plan

~ Freshwater wetlands or hydric soils: (NA) Not applicable

~ Plans for proposed structures must include access and dimensions, elevation plan showing height of the building and all floor plans: (N/A) This application for purposes of real estate purchase. Building plans will be submitted to Code Enforcement subject to sale of property.

~ Buffering/Landscape plan as described in Section VI. (N/A) Non-commercial use for private boat storage and maintenance.

Lee Worcester moved the application for Rosecliff, LLC is complete as presented, seconded by Jesse Dunbar and voted in favor 7/0/0.

#### Compliance Review:

Ryan Donahue moved the following performance standards are not applicable to the application of Rosecliff, LLC for the reasons herein stated, seconded by Mike Magnani and voted in favor 7/0/0.

~ Landscaping/Buffering: Buffering is not required due to non-commercial use of property.

~ Clearing of vegetation: Clearing of vegetation is required for review in shore land zones. This parcel is located in both the Maritimes Activity Zone and Zone B. There is no vegetation on the property to be cleared.

~ Driveway and Driveway opening: No changes in the location of the entrance or the size of the opening. This is not applicable.

~ Erosion/Sedimentation Controls: Erosion control measures noted on plan.

~ Exterior Lighting: No lighting has been proposed; lighting to be reviewed by CEO with building application.

~ Fill and Excavation: None required.

~ Fire Protection: None is required by the standards of the LUO.

~ Flood Hazard Permit: Location of proposed structure is in the Flood Zone as indicated on the FEMA maps and a permit will be required with submission of building application.

~ Handicap Access: ADA compliance not required for private boat storage.

~ Heavy Commercial or Industrial Pollutants: Boat storage only, no commercial or industrial pollutants.

~ Noise: Not applicable to boat storage.

~ Parking and Loading Standards. : Greater setback from Shore Road will offer parking availability.

~ Road Standards: Not applicable.

~ Sewerage Disposal Standards: Existing public service.

~ Sign Regulations: Sign applications to be submitted to CEO for approval.

~ Soil Standards: Not applicable

~ Storm Water Runoff Standards: No changes or expansions of structures

- ~ Stream Standards: No stream on parcel
- ~ Vibration Standards: No vibration activity on site during construction or post construction.
- ~ Water Quality Standards: No activities require water quality monitoring or assessment.
- ~ Water Supply Standards: Water Supply Standard is not applicable.

The following LAND USE STANDARD is **applicable** to this application. The Planning Board must make a determination the proposed relocation of the new structure will be set back to the greatest practical extent from the property line:

- ~ Section III, (C) (3) (a), Greatest Practical Extent

Replacement structure will decrease the non-conforming set back from the road and the west property line; maintain a conforming setback from the rear property line.

- ~ Ryan Donahue moved the proposed reconstruction of the structure located at 114 Shore Road, Map 17, Lot 107 to provide a 26' setback from Shore Road; 4' setback from the west line; 3' setback from the easterly line, and 16' setback from the rear line meets the requirements of Section III, (C) (3) is located at the greatest practical extent, seconded by Lee Worcester and voted in favor 7/0/0.

- ~ As part of the approval, Chairman Mansollili stated the applicant must comply with all the requirements of the Town of Southwest Harbor Land Use Ordinances. In addition, in order to further promote the purposes of the Southwest Harbor Ordinances, the following conditions on the approval of this application:

- ~ The property may be developed and used only in accordance with the plans, documents, and materials submitted with the permit application.

- ~ This approval is based on information provided by the applicant/owner regarding the ownership of property and boundary location. The applicant has the burden of ensuring that he/she has a legal right to use the property and that he/she is measuring required setbacks from the legal boundary lines of the lot. The approval in no way does not relieve the applicant of this burden, nor does it constitute a resolution in favor of the applicant on any issues regarding the property boundaries, ownership, or similar title issues. The applicant/owner would be well advised to resolve any such title problems before expending money in reliance on the approval of this permit.

- ~ The applicant authorizes inspection of premises by the Code Enforcement Officer during the term of the permit for the purposes of permit compliance.

- ~ This permit does not relieve the applicant's responsibility of other applicable State and Federal permit requirements.

Chris Rawls moved for the approval of the application from Rosecliff, LLC as presented for the relocation of structure at 114 Shore Road, Map 17, Lot 107 and it represents the greatest practical extent as allowed by Section III (C) (3), seconded by Lee Worcester and voted in favor 7/0/0

Lee Worcester moved to take the application of Ellen Hartig out of order and review prior to other applications, seconded by Jesse Dunbar and voted in favor 7/0/0.

VII. The construction of a driveway in excess of 250' application from Ellen Hartig, located on 14 Long Pond Road, Tax map 8, Lot 27 on the Town tax maps.

This is a request to construct an eight (8') foot driveway approximately 400' in length in a 20' wide strip of land from Long Pond Road. According to Section VI (C) of the Land Use Ordinance, there is no minimum width for a driveway serving 1 – 2 dwelling units. The applicant is representing a 6' setback from both property lines as required.

The Planning Board has authority per Section VIII, (B) (2-f) of the Land Use Ordinance to review construction of driveways over 200' in length.

Completeness:

- ~ Scale, north arrow and names of abutting property owners. (OK) North direction on plan. Abutting properties are represented on Notice to abutters. Attached plan not to scale.
- ~ Dimension and area of each lot to be built upon or otherwise used: (OK) the width and length of the area for the driveway was determined according to the tax maps and buyers representation.
- ~ Location of any wells on the lot or within 100' of property lines: (OK) there are no wells on the property or abutting properties. Public water service is provided.
- ~ Name and location of any abutting water body, streams, brooks and wetlands: (N/A) No abutting water bodies.
- ~ Areas to be cleared and areas of any cut, fill, grading or other earthmoving activity: (OK) Clearing for driveway required; fill in excess of 100 yards is likely
- ~ Size, shape and location of existing and proposed buildings (N/A) No structures are proposed.
- ~ Outdoor lighting, signs: Existing and proposed locations (N/A) Residential Property
- ~ Sewer and water facilities: Existing and proposed (N/A) Not applicable to the installation of a driveway
- ~ Layout and location of parking areas with existing and proposed parking spaces (including commercial vehicle parking). Legal non-conforming parking spaces to be noted: (N/A) Residential Property
- ~ Location of existing and proposed roads/driveways with setback from nearest lot line: (O/K) Proposed driveway depicted on plan.
- ~ Name/location of existing or proposed right of way and easements on the site or abutting the property: (N/A) No right of ways or easements proposed
- ~ Existing grades and any proposed changes in grades. (OK) Changes in grades only from the construction of driveway.
- ~ Soil Erosion and Sedimentation control plan: (OK) An erosion control plan is depicted on plan.
- ~ Freshwater wetlands or hydric soils: (NA) Not applicable
- ~ Plans for proposed structures must include access and dimensions, elevation plan showing height of the building and all floor plans: (N/A) No structures are proposed.
- ~ Buffering/Landscape plan as described in Section VI. (N/A) Residential properties are not required to provide buffering

Mike Magnani moved the application for Ellen Hartig is complete as presented, seconded by Mike Mansollili and voted in favor 7/0/0.

Ryan Donahue moved the following performance standards are **not applicable** for reasons stated, seconded by Lee Worcester and voted in favor 7/0/0:

- ~ Landscaping/Buffering: Buffering is not required due to applicant is a residential use.
- ~ Clearing of vegetation: Clearing of vegetation is required for review in shore land zones. This parcel is located inland in Zone B and review is not required.
- ~ Exterior Lighting: No lighting has been proposed.
- ~ Fire Protection: None is required by the standards of the LUO.
- ~ Flood Hazard Permit: Location of proposed structure is not in the Flood Zone as indicated on the FEMA maps and a permit is not required.
- ~ Handicap Access: ADA compliance not required for personal residence
- ~ Heavy Commercial or Industrial Pollutants: Residential use. No commercial or industrial pollutants.
- ~ Noise: Not applicable to residential use.
- ~ Parking and Loading Standards: Residential use. Existing parking predates LUO.
- ~ Road Standards: Not applicable.

- ~ Sewerage Disposal Standards: Existing public service.
  - ~ Sign Regulations: Sign applications to be submitted to CEO for approval.
  - ~ Soil Standards: Not applicable
  - ~ Stream Standards: No stream on parcel
  - ~ Vibration Standards: No vibration activity on site during construction or post construction.
  - ~ Water Quality Standards: No activities require water quality monitoring or assessment.
  - ~ Water Supply Standards: Water Supply Standard is not applicable.
- The following PERFORMANCE STANDARDS ARE **applicable**. These standards are required as conditions for the construction of a driveway as represented.
- ~ Driveway and Driveway opening:  
Ryan Donahue moved a road opening permit is required; a 20' width area for driveway shall be verified by a licensed surveyor, and property line for the length of driveway will be clearly defined with surveyor's pins, seconded by Lee Worcester and voted in favor 7/0/0.
  - ~ Erosion/Sedimentation Controls:  
Ryan Donahue moved that soil erosion control measures will be clearly defined on a plan for all areas of construction, seconded by Chris Rawls and voted in favor 7/0/0.
  - ~ Fill and Excavation: More than 100 yards fill associated with construction of driveway is not part of other permitted construction.  
To prevent erosion, shoulders on both sides shall be re-vegetated except for an approved drainage swale.
  - ~ Storm Water Runoff Standards  
Lee Worcester moved a 15" driveway culvert is required to channel runoff, that post runoff will not exceed existing conditions to abutting properties and a specific and detailed storm water and driveway plan is required, seconded by Mike Magnani and voted in favor 7/0/0.  
As part of the approval, Chairman Mansollili stated the applicant must comply with all the requirements of the Town of Southwest Harbor Land Use Ordinances. In addition, in order to further promote the purposes of the Southwest Harbor Ordinances, the following conditions on the approval of this application:
  - ~ The property may be developed and used only in accordance with the plans, documents, and materials submitted with the permit application.
  - ~ This approval is based on information provided by the applicant/owner regarding the ownership of property and boundary location. The applicant has the burden of ensuring that he/she has a legal right to use the property and that he/she is measuring required setbacks from the legal boundary lines of the lot. The approval in no way does not relieve the applicant of this burden, nor does it constitute a resolution in favor of the applicant on any issues regarding the property boundaries, ownership, or similar title issues. The applicant/owner would be well advised to resolve any such title problems before expending money in reliance on the approval of this permit.
  - ~ The applicant authorizes inspection of premises by the Code Enforcement Officer during the term of the permit for the purposes of permit compliance.
  - ~ This permit does not relieve the applicant's responsibility of other applicable State and Federal permit requirements.
- Mike Mansollili moved to approve the application of Ellen Hartig as presented for the construction of an 8' driveway subject to all representations, comments and documents as well as the conditions as stated in the performance standards, seconded by Lee Worcester and voted in favor 7/0/0.
- Lee Worcester moved to take the application of Inhabitants of Southwest Harbor out of order and review it prior to Seawall Boat Storage, seconded by Jesse Dunbar and voted in favor 7/0/0.

VIII. An application from the Town of Southwest Harbor to replace the current highway garage with a 64' x 112' six (6) bay facility located at 178 Seal Cove Road and further described as tax map 13, lot 26 of the Towns tax maps.

This is a request to demolish the existing municipal garage/shop, metal shed and 24' x 24' office and replace with a 64' x 112' three bay highway garage and maintenance building to also include three school bus bays and a police storage bay. Also, include a 12' x 20' utility building (potential)

Completeness:

- ~ Scale, north arrow and names of abutting property owners. (OK) North direction on plan. Abutting properties are represented on Notice to abutters; attached plan to scale.
- ~ Dimension and area of each lot to be built upon or otherwise used: (OK) Representation from file copy initially developed by Harris Hyman, surveyor, 1990.
- ~ Location of any wells on the lot or within 100' of property lines: (OK) Well is depicted on plan.
- ~ Name and location of any abutting water body, streams, brooks and wetlands: (OK) Abutting stream is Marshall Brook. Minimum setback is 75'.
- ~ Areas to be cleared and areas of any cut, fill, grading or other earthmoving activity: (OK) Clearing only with demo of existing structures. No existing vegetation to be cleared.
- ~ Size, shape and location of existing and proposed buildings (OK) Structure layout included on site plan.
- ~ Outdoor lighting, signs: Existing and proposed locations (OK) Outdoor lighting will be shielded LED fixtures located on each end of the structure, two on the front and two on the rear.
- ~ Sewer and water facilities: Existing and proposed (OK) Existing well will remain. A relocated septic system has been designed.
- ~ Layout and location of parking areas with existing and proposed parking spaces (OK) Other than the structures, all areas are considered parking due to the nature of use.
- ~ Location of existing and proposed roads/driveways with setback from nearest lot line: (O/K) Depicted on plan.
- ~ Name/location of existing or proposed right of way and easements on the site or abutting the property: (N/A) No right of ways or easements proposed
- ~ Existing grades and any proposed changes in grades. (OK) Changes in grades will result from the construction due to slope of land.
- ~ Soil Erosion and Sedimentation control plan: (OK) Sedimentation control fencing shall be installed and maintained during the course of construction.
- ~ Freshwater wetlands or hydric soils: (NA) Not applicable
- ~ Plans for proposed structures must include access and dimensions, elevation plan showing height of the building and all floor plans: (TBD) Plans for proposed structures not completed for review.

Buffering/Landscape plan as described in Section VI. (OK) At the location of the new structure, natural vegetation along Marshall Brook provides sufficient buffering to the abutting property owner.

Lee Worcester moved the application for Inhabitants of Southwest Harbor is complete as presented, seconded by Jesse Dunbar and voted in favor 7/0/0.

Compliance Review:

After a discussion of the following standards, Lee Worcester moved the following performance standards are not applicable to application for a replacement garage, seconded by Mike Magnani and voted in favor 7/0/0.

- ~ Clearing of vegetation:  
Clearing of vegetation is required for review in shore land zones. This parcel is located inland in Zone B and review is not required. The stream flows through the parcel but the project is not in the stream setback area.
- ~ Driveway and Driveway opening: Entrance from Seal Cove Road is existing and there will not be any changes.
- ~ Fill and Excavation: Fill with construction activity does not require review/permit
- ~ Fire Protection: None is required by the standards of the LUO.
- ~ Flood Hazard Permit: Location of proposed structure is not in the Flood Zone as indicated on the FEMA maps and a permit is not required.
- ~ Heavy Commercial or Industrial Pollutants: No commercial or industrial pollutants
- ~ Noise: Not applicable to residential use.
- ~ Parking and Loading Standards: The standards are not applicable due to nature of use being mostly parking.
- ~ Road Standards: Not applicable. .
- ~ Sign Regulations: No sign proposed at this time.
- ~ Soil Standards: Not applicable
- ~ Storm Water Runoff Standards: It is not expected that post storm water runoff will exceed pre-construction runoff, however all runoff makes its way to the storm drains and swales along Seal Cove Road.
- ~ Vibration Standards: No vibration activity on site during construction or post construction.
- ~ Water Quality Standards: No activities require water quality monitoring or assessment.
- ~ Water Supply Standards: Water Supply Standard is not applicable.

#### APPLICABLE PERFORMANCE STANDARDS

- ~ Landscaping/Buffering: Lee Worcester moved the classification of buffering should be medium level and the natural vegetation along the Marshall Brook provides sufficient buffering to the abutting residential property, seconded by Mike Magnani and voted in favor 7/0/0.
- ~ Erosion/Sedimentation Controls: Eric Davis moved the location of sedimentation control fencing as presented on the plan was a sufficient erosion control measure, seconded by Mike Magnani and voted in favor 7/0/0.
- ~ Exterior Lighting: Lee Worcester moved the outdoor lighting as depicted on the plan shall shielded LED fixtures, seconded by Chris Rawls and voted in favor 7/0/0.
- ~ Handicap Access: Lee Worcester moved to accept State Fire Marshall opinion plans are not required for review but any restroom facility will comply with ADA standards, seconded by Eric Davis and voted in favor 7/0/0.
- ~ Sewerage Disposal Standards: Lee Worcester moved to accept the relocation of the septic system leach field as depicted on the plans, seconded by Chris Rawls and voted in favor 7/0/0.
- ~ Stream Standards: Lee Worcester moved to accept the setback of the proposed structure to exceed 75' from HWL of Marshall Brook, seconded by Mike Magnani and voted in favor 7/0/0.

As part of the approval, Chairman Mansollili stated the applicant must comply with all the requirements of the Town of Southwest Harbor Land Use Ordinances. In addition, in order to further promote the purposes of the Southwest Harbor Ordinances, the following conditions on the approval of this application:

- ~ The property may be developed and used only in accordance with the plans, documents, and materials submitted with the permit application.
- ~ This approval is based on information provided by the applicant/owner regarding the ownership of property and boundary location. The applicant has the burden of ensuring that he/she has a legal right to use the property and that he/she is measuring required setbacks from

the legal boundary lines of the lot. The approval in no way does not relieve the applicant of this burden, nor does it constitute a resolution in favor of the applicant on any issues regarding the property boundaries, ownership, or similar title issues. The applicant/owner would be well advised to resolve any such title problems before expending money in reliance on the approval of this permit.

~ The applicant authorizes inspection of premises by the Code Enforcement Officer during the term of the permit for the purposes of permit compliance.

~ This permit does not relieve the applicant's responsibility of other applicable State and Federal permit requirements.

Lee Worcester moved to approve the application of the Inhabitants of Southwest Harbor as presented for the demo of three structures and the construction of a 64' x 112' replacement garage-maintenance building and a 12' x 20 Utility building (potential) subject to providing the building plans and septic system design, also, to authorize the Code Enforcement Officer to issue the necessary permits required by ordinance, seconded by Chris Rawls and voted in favor 7/0/0. Ryan Donahue requested to be excused from the Board to represent the next application. Mike Magnani moved to excuse Ryan, seconded by Jesse Dunbar and voted in favor 6/0/1.

VI. A two story office addition to existing commercial boat storage and maintenance facility dba Seawall Boat Storage, LLC located at 298 Seawall Road and further described as tax map 18, lot 1 on the Town tax maps.

Note: This is a request to construct a 24' x 28' two story office addition to existing boat storage and maintenance facility, Building 'B'. The Planning Board is required to review this application per Section VIII of the Land Use Ordinance for commercial additions greater than 250 square feet.

Completeness:

~ Scale, north arrow and names of abutting property owners. (OK) North direction and list of abutting properties are represented on notice to abutters

~ Dimension and area of each lot to be built upon or otherwise used: (OK) Noted

~ Location of any wells on the lot or within 100' of property lines: (OK) A well is indicated on the plan located inside the maintenance building.

~ Name and location of any abutting water body, streams, brooks and wetlands: (N/A) No abutting water bodies.

~ Areas to be cleared and areas of any cut, fill, grading or other earthmoving activity: (N/A) Construction area in a portion of the parking lot is free of any vegetation

~ Size, shape and location of existing and proposed buildings and/or structures. (OK) Depicted on plan.

~ Outdoor lighting, signs: Existing and proposed locations (TBD)

~ Sewer and water facilities: Existing and proposed (OK) Facilities currently service with a holding tank which is pumped out when necessary.

~ Layout and location of parking areas with existing and proposed parking spaces (including commercial vehicle parking). Legal non-conforming parking spaces to be noted: (N/A) Depiction of parking area not required since the yard area is all boat storage including the structures.

~ Location of existing and proposed roads/driveways with setback from nearest lot line: (O/K) Noted on plan

~ Name/location of existing or proposed right of way and easements on the site or abutting the property: (O/K) Right of way indicated on plan services rear parcels from Seawall Road.

~ Existing grades and any proposed changes in grades. (OK) There are no changes in grades

~ Soil Erosion and Sedimentation control plan: (O/K) Erosion control plan is not required due to construction in a flat area of the parking lot.

- ~ Freshwater wetlands or hydric soils: (NA) Not applicable
- ~ Plans for proposed structures must include access and dimensions, elevation plan showing height of the building and all floor plans: (OK) Building plan included with application.
- ~ Buffering/Landscape plan as described in Section VI. (N/A) The area for the addition is buffered on the south, east and west side with existing structures. Natural vegetation exists on the north side to buffer residential property.

Lee Worcester moved the application for Seawall Boat Storage, LLC is complete as presented, seconded by Chris Rawls and voted in favor 6/0/0.

Compliance Review:

After a discussion of the following, Eric Davis moved the performance standards are not applicable to application for a 24' x 28' two story office addition, seconded by Mike Magnani and voted in favor 6/0/0.

- ~ Landscaping/Buffering: This is an existing commercial business activity with buffering in place. The area for the addition is buffered on the south, east and west side with existing structures. Natural vegetation exists on the north side to buffer residential property
- ~ Clearing of vegetation: Clearing of vegetation is required only for review in shore land zones. This parcel is located in Zone B
- ~ Driveway and Driveway opening: No changes in the location of the entrance or the size of the opening. This is not applicable.
- ~ Erosion/Sedimentation Controls: Erosion control measures will not be required due to the location of the addition on an existing level gravel area.
- ~ Exterior Lighting: No lighting has been proposed; lighting to be reviewed by CEO with building application
- ~ Fill and Excavation: None required.
- ~ Fire Protection: None is required by the standards of the LUO.
- ~ Flood Hazard Permit: Not located in flood zone
- ~ Handicap Access: ADA compliance not required for private boat storage.
- ~ Heavy Commercial or Industrial Pollutants: Addition for office area only.
- ~ Noise: Not applicable to proposed office area.
- ~ Parking and Loading Standards: Since the majority of the land as well as buildings are dedicated to boat storage and parking, notation of parking should be considered moot for this application.
- ~ Road Standards: Not applicable.
- ~ Sewerage Disposal Standards: Employee bathroom only on site is serviced by a holding tank.
- ~ Sign Regulations: Sign applications to be submitted to CEO for approval.
- ~ Soil Standards: Not applicable
- ~ Storm Water Runoff Standards: No changes to the size of non-vegetative areas will not increase storm water runoff.
- ~ Stream Standards: No stream on parcel
- ~ Vibration Standards: None.
- ~ Water Quality Standards: No activities require water quality monitoring or assessment.
- ~ Water Supply Standards: Water Supply Standard is not applicable.

As part of the approval, Chairman Mansollili stated the applicant must comply with all the requirements of the Town of Southwest Harbor Land Use Ordinances. In addition, in order to further promote the purposes of the Southwest Harbor Ordinances, the following conditions on the approval of this application:

- ~ The property may be developed and used only in accordance with the plans, documents, and materials submitted with the permit application.
- ~ This approval is based on information provided by the applicant/owner regarding the ownership of property and boundary location. The applicant has the burden of ensuring that

he/she has a legal right to use the property and that he/she is measuring required setbacks from the legal boundary lines of the lot. The approval in no way does not relieve the applicant of this burden, nor does it constitute a resolution in favor of the applicant on any issues regarding the property boundaries, ownership, or similar title issues. The applicant/owner would be well advised to resolve any such title problems before expending money in reliance on the approval of this permit.

~ The applicant authorizes inspection of premises by the Code Enforcement Officer during the term of the permit for the purposes of permit compliance.

~ This permit does not relieve the applicant's responsibility of other applicable State and Federal permit requirements.

Chris Rawls moved for the approval of the application from Seawall Boat Storage, LLC as presented for the construction of a 24' x 28' two story office addition to existing structure at 298 Seawall Road, Map 18, Lot 1, seconded by Mike Mansollili and voted in favor 6/0/0..

The next meeting will be scheduled for July 20, 2017. There being no further other business, Lee Worcester moved to adjourn meeting at 7:45 PM, seconded by Chris Rawls and voted in favor 6/0/0.