

Planning Board Minutes
Southwest Harbor Meeting Room
Thursday, October 26, 2017

- I Call to Order/Roll Call: Lee Worcester opened the meeting at 6:00 P.M. In attendance include Jesse Dunbar, Mike Magnani, Eric Davis, Lee Worcester Chris Rawls, Jessica Williams.
- II Visitors: none
- III Application from William Patten and 291 Main Street LLC for a preliminary review for the construction of 15 attached townhomes spaced throughout (4) residential buildings located at 291 Main Street on 2.83 acre parcel, and more fully referenced as Map 6, Lot 83 on the Southwest Harbor Tax Maps. This application is considered complete and has been advertised in the paper, the abutters have been notified for this preliminary hearing.

Lee Worcester opened up the public hearing for the William Patten and 291 Main Street LLC. at 6:03 PM. There is a letter from Howard Goldfine 116 Sycamore Ave. Marion Station PA. October 23, 2017 who has a home located at 16 Herrick Rd. There is concern that this new construction that abuts their property needs to have a buffer planted due to vehicular and other movement to reduce visual and noise nuisance to them. They are requesting that the Planning Board make it mandatory that the buffer be planted and that the vegetation planted should act as an efficient buffer immediately rather than after years of sufficient growth.

Lee Worcester came out of public hearing at 6:07 PM and began review of preliminary application for this subdivision.

- 1: Pollution – Moved by Eric Davis, seconded by Chris Rawls that we find the applicant is in compliance with section Pollution voted in favor 6/0/0.
- 2: Water - Moved by Eric Davis, seconded by Jessica Williams we found that the application is in compliance with Water voted in favor 6/0/0.
- 3: Ground Water – Moved by Eric Davis, seconded by Chris Rawls that ground water meets the standard of the Town. Voted in favor 6/0/0.
- 4: Erosion – Moved by Eric Davis, seconded by Mike Magnani that the proposed erosion control plan meets the Town specs. Voted in favor 6/0/0.
- 5: Storm Water – Moved by Mike Magnani, seconded by Eric Davis that storm water meets the standard of the Town. Voted in favor 6/0/0.
- 6: Sewerage Disposal – Moved by Eric Davis, seconded by Mike Magnani that the sewerage disposal meets the criteria of the Town. Voted 6/6/0.
- 7: Solid Waste Disposal – Moved by Eric Davis, seconded by Jesse Dunbar that the proposed plan adequately deals with solid waste disposal. Voted 6/6/0.
- 8: Traffic – Moved by Mike Magnani, seconded by Eric Davis that the plan will not cause unreasonable public road congestion. Voted 6/0/0.

9: Aesthetic Cultural and Natural Values: Moved by Eric Davis, seconded by Jessica Williams that this project will not cause undue adverse effect on the scenic and natural beauty of the area. Voted 6/6/0.

10: Surface Waters will not adversely affect the quality of that body of water or unreasonably effect the shoreline of that body of water whenever the proposed subdivision is situated in whole or In part within the watershed of any pond or lake or within 250ft of any wetland or great pond or river: Moved by Mike Magnani, seconded by Jesse Dunbar to consider surface water non applicable. Voted 6/0/0.

11: Conformity with local ordinances and plans: Moved by Eric Davis, seconded by Jesse Dunbar that the applicant has met the conformity with local ordinances and plans. Voted 6/6/0.

12: Flood Waters: Moved by Eric Davis, seconded by Mike Magnani to consider flood waters not applicable because it is not in the flood zone. Voted 6/6/0.

13: Fresh water wetlands rivers streams or brooks: Moved by Eric Davis, seconded by Chris Rawls that the applicant has identified them and showed them on the plan. Voted 6/0/0.

14: Financial and technical capacity: Moved by Lee Worcester, seconded by Eric Davis to consider this not applicable for this application. Voted 6/0/0.

15: Monumentation: Moved by Eric Davis, seconded by Mike Magnani that the applicant has provided sufficient information regarding permanent monumentation. Voted 6/0/0.

Moved by Eric Davis, seconded by Jessica Williams to approve the preliminary plan submitted by William Patten and 291 Main Street LLC for approval. Voted 6/0/0. Moved by Chris Rawls, seconded by Eric Davis that all requirements for the final application have been met and we agree with its approval. Voted 6/0/0.

- IV. Application from Jean and William Owen to replace garage foundation with frost wall and slab and convert structure into residential dwelling, located at 245 Main Street, Zone B and more thoroughly on Southwest Harbor tax maps and Map 7, Lot 8. Moved by Eric Davis, seconded by Jessica Williams that we consider this application complete in regards to items 1 through 16 as noted. Voted 6/0/0.

Performance Standards: Moved by Mike Magnani that we approve the performance standards, ABCEFGHIJKLMNOPQRST and U are not applicable for the foundation of the existing non-conforming structure at 245 Main Street Tax Map 7 Lot 8, seconded by Eric Davis to agree with the above performance standards. Voted 6/0/0.

Moved by Eric Davis, seconded by Jesse Dunbar that the following Performance Standard D erosion and sediment control shall be in conformance with the best practices of the State of Maine and to the satisfaction of the Southwest Harbor Code Enforcement Officer. Voted 6/0/0.

Nonconforming Structure: Moved by Eric Davis that this applicant has demonstrated that the current and future position of this project is to the greatest possible extent meeting the standards of this town and is surrounded on all sides by competing non- conforming elements seconded by Jessica Williams. Voted 6/0/0.

Moved by Eric Davis, seconded by Chris Rawls that this application is complete and met the performance standards of the Town of Southwest Harbor.

- V. Other Business: Application that was submitted for a preliminary application for the tower. There were a few things that we needed for them to submit for the preliminary review. Lee is going to contact them by phone and let them know that they need to provide us with something that demonstrates their standing, be it a lease or a purchase sale agreement.
- VI. Adjourn: Meeting adjourned at 7:31 PM. 6/0/0.