



**Town of Southwest Harbor**  
**Planning Board Minutes August 15<sup>th</sup>, 2024**  
**Town Office and via Zoom 6:00 PM**

**I. Call to Order:**

Eric Davis called the August 15, 2024, Planning Board meeting to order at 6:01pm.

**II. Roll Call:**

Eric Davis, Lee Worcester, Michael Levesque, John Williams, Joel Wolak.

Others attending: Applicant Lionel Madore, George Swetz, Madilynn Michaud, Becky Gatcomb. Deputy CEO Katie Parsons, J. Cummings, Daniel Sanchez, Marc Fisichella via Zoom.

Excused absence: Priscilla Ksionzyk.

Eric Davis motioned to accept Priscilla Ksionzyk absence.  
Seconded by Lee Worcester. Motioned passed 5 | 0 | 0

**III. Adoption of the Agenda:**

Michael Levesque motioned to adopt the agenda as presented.  
Seconded by Eric Davis. Motion passed 5 | 0 | 0

**IV. Approval of Minutes: July 3, 2024, July 18, 2024, and July 25, 2024**

Eric Davis motioned to approve July 3, 2024, July 18, 2024, and July 25, 2024 minutes.  
Seconded by Lee Worcester. Motion passed 5 | 0 | 0

**V. Public Hearing: None.**

**VI. Old Business:**

PRELIMINARY PLAN  
Lionel Madore  
"Acadia Getaways" Subdivision  
96 Seawall Road  
Map 001 Lot 032

## TOWN OF SOUTHWEST HARBOR

### Preliminary Plan for Subdivision Approval – Completeness

Applicant: Lionel Madore

Subdivision Name: "Acadia Getaways"

Zone: B Zone

Map: 001

Lot: 032

Date: 8/11/2024

	STANDARD	MET	NOT MET	N/A
1.	<p><b>LOCATION MAP: THE PRELIMINARY PLAN SHALL BE ACCOMPANIED BY A LOCATION MAP ADEQUATE TO SHOW THE RELATIONSHIP OF THE PROPOSED SUBDIVISION TO THE ADJACENT PROPERTIES. THIS MAP SHALL SHOW:</b></p>			
a.	<p>Any existing subdivisions in the proximity of the proposed subdivision.</p> <p><b>COMMENT: No subdivisions in proximity of the proposed "Acadia Getaways" subdivision.</b></p>	x		
b.	<p>Location and names of any existing and proposed streets.</p> <p><b>COMMENT: See boundary &amp; topographic survey for existing road, no proposed roads.</b></p>	x		
c.	<p>Any boundaries and designations of zoning districts.</p> <p><b>COMMENT: See boundary &amp; topographic survey, property located in the B Zone.</b></p>	x		
d.	<p>An outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.</p> <p><b>COMMENT: See boundary &amp; topographic survey.</b></p>	x		
2.	<p><b>Other Required Permits:</b> The preliminary plan application shall contain an advisory opinion from the appropriate Federal, State, and Local agencies as to the application of their rules to this subdivision application.</p> <p><b>COMMENT: No State or Federal permits required. Letter from Water/Sewer Department provided by CEO.</b></p>	x		
3.	<p><b>Preliminary Plan:</b> The preliminary plan shall be submitted in two copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The preliminary plan shall be drawn to scale of not more than 100' to the inch. The Board reserves the right to request such scale as deems appropriate to the application. In addition, eight copies of the plan(s) reduced to a size of 8 ½ by 11 or 11 by 17 inches shall be submitted to the Board.</p>			

	<b>COMMENT: 24"x36" plan not provided; applicant will bring them to the meeting.</b>			
4.	THE FOLLOWING INFORMATION SHALL EITHER BE SHOWN ON THE PRELIMINARY PLAN OR ACCOMPANY THE APPLICATION FOR THE PRELIMINARY APPROVAL:			
a.	Proposed name of the subdivision or identifying title; the name of the Town; and the Assessor's Map and Lot numbers.  <b>COMMENT: See boundary &amp; topographic survey for map/lot and town, proposed name not on survey.</b>		x	
b.	Verification of right, title, or interest in the property.  <b>COMMENT: Deed made part of application.</b>	x		
c.	A standard boundary survey of the tract, giving complete descriptive data by bearings and distances, made and certified by a registered land surveyor. (The corners of the tract shall be located on the ground and marked by monuments.)  <b>COMMENT: See boundary &amp; topographic survey.</b>			
d.	A copy of the most recently recorded deed for the parcel. A copy of all covenants or deed restrictions, easements, rights-of-way, or other encumbrances currently affecting the property.  <b>COMMENT: Deed made part of application.</b>			
e.	A copy of any covenants or deed restrictions intended to cover all or part of the lots in the subdivision.  <b>COMMENT: None proposed.</b>	x		
f.	The date the plan was prepared, north arrow, graphic map scale, names and addresses of the owner(s) of record, subdivider, and individual or company who prepared the plan, and names of adjoining property owners.  <b>COMMENT: See boundary &amp; topographic survey. Survey dated April 14<sup>th</sup>, 2001. Abutters names across Seawall Road not provided. No abutter addresses provided.</b>			
g.	The number of acres within the proposed subdivision, location of property lines, existing building, water courses, vegetative cover type, and other essential physical features.  <b>COMMENT: See boundary &amp; topographic survey</b>	x		
h.	The proposed lot lines with approximate dimensions and lot areas.	x		

	<b>COMMENT: No proposed division of land, only structures.</b>			
i.	The locations, names and present width of existing and proposed streets, easements, parks and other open spaces on or adjacent to the subdivision.  <b>COMMENT: No new roads proposed. Existing road shown on boundary &amp; topographic survey no dimensions provided. Deed provided mentions right of way and refers to previous deed, previous deed not provided.</b>	x		
j.	The plan shall show lines or dots in the center of proposed roads every fifty (50) feet, for E-911 purposes, to aid in the assignment of numbers to the structures subsequently constructed.  <b>COMMENT: No proposed roads.</b>	x		
k.	The width and location of any roads or public improvements shown upon the official map and the Comprehensive Plan, if any within the subdivision.  <b>COMMENT: No proposed roads. No proposed public improvements.</b>			
l.	The parcels of land proposed to be dedicated to public use and the conditions of such dedication.  <b>COMMENT: None proposed.</b>			x
m.	The location of any open space to be preserved and a description of proposed ownership, improvements and its management.  <b>COMMENT: None proposed.</b>			x
n.	The names and addresses of the record owner, sub-divider, and individual or company who prepared the plan and owners of record of adjacent property, including and directly across an existing public street from the subdivision.  <b>COMMENT: See boundary &amp; topographic survey. Survey dated April 14<sup>th</sup>, 2001. Abutters names across Seawall Road not provided. No abutter addresses provided.</b>		x	
o.	The zone in which the proposed subdivision is located and the location of any zoning boundaries affecting the subdivision, noting particularly any Shoreland Zoning boundaries.  <b>COMMENT: See boundary &amp; topographic survey, property located entirely in B Zone.</b>		x	

p.	The boundaries of any flood hazard areas in the 100-year flood elevation delineated on the plan if any portion of the subdivision is in the flood-hazard area.  <b>COMMENT: No information provided. The CEO verified the property is not in the flood plain, flood map panel 23009C1214D.</b>	x		
q.	Contour lines at the interval specified by the Board showing elevations in relation to the Mean Sea Level (NGVD) shall be required for subdivisions near bodies of water.  <b>COMMENT: Contour lines only on portion of boundary &amp; topographic survey.</b>	x		
r.	Indication of the type of sewage disposal to be used within the subdivision:		x	
i)	Connection to the public sewer: A letter shall be submitted from the Town indicating that there is adequate capacity within the Town's system to transport and treat the sewage.  <b>COMMENT: Letter provided by CEO. See parking plan for existing lines to existing structure and proposed lines to proposed structure. Pipe size and type not shown.</b>			x
ii)	Subsurface Wastewater Disposal: Test pit analysis, prepared by a Licensed Site Evaluator, shall be provided for each proposed lot in the subdivision. The analysis shall include: lot number, test pit number, soil profile/condition (from Table 6-1 of the Plumbing Code), depth of pit, depth to seasonal high groundwater table, depth to restrictive layer, and depth to bedrock. A map showing the location of all test pits dug on site shall be submitted.  <b>COMMENT: Property served by public sewer.</b>			x
iii)	Centralized or shared subsurface sewage disposal system: prepared by a Licensed Site Evaluator for design flow less than 2000 gallons/day and prepared by a professional engineer if the design flow is greater than 2000/day. The Board may require that the applicant seek approval from the Department of Human Services. A map showing the necessary easements or covenants shall be submitted.  <b>COMMENT: Property served by public sewer.</b>			x
s.	Indication of the type of water supply to be used within the subdivision:			
i)	Public water supply: A letter shall be submitted from the Southwest Harbor Water Department indicating that there is adequate supply and pressure for the subdivision and approving the plans for extensions where necessary.	x		

	<b>COMMENT: Letter provided by CEO. See parking plan for existing lines to existing structure and proposed lines to proposed structure. Pipe size and type not shown.</b>			
ii)	Evidence of adequate ground water supply and quality may be requested by the Board and shall be submitted by a well driller of a hydro-geologist familiar with the area (this may include the request for a phosphate concentration impact analysis; if the proposed subdivision is within the watershed of a lake, stream, or coastal wetland, the phosphate concentration impact in the ground water must be determined.)  <b>COMMENT: Property served by public water supply.</b>			x
t.	A copy of that portion of the State soil survey covering the subdivision including a legend and the soil interpretation sheet for the soils involved. (When the survey shows soils which are generally unsuitable for the uses proposed, the Board may require the submittal of a highly intensity soils survey by a registered soil scientist indicating the suitability of soil conditions for those uses.)  <b>COMMENT: The portion of State soil survey supplied is illegible.</b>	x		
u.	A stormwater management plan shall be provided that is designed for maximum lot coverage allowed in the zone or to some lesser lot coverage percentage that the applicant stipulates will not be exceeded plus the additional impervious areas created for roads.  <b>COMMENT: See stormwater management plan prepared by applicant.</b>	x		
v.	The location and size of existing and proposed sewers, subsurface sewage systems, water mains, wells, culverts, utilities, and drainage ways on or adjacent to the property to be subdivided.  <b>COMMENT: See parking plan for existing lines to existing structure and proposed lines to proposed structure. Pipe size and type not shown.</b>	x		
w.	A determination must be made whenever a subdivision is situated, in whole or in part, within 250' of any wetland, great pond or river, or within their watershed, that the proposed subdivision will not adversely affect the quality or unreasonably affect the shoreline of any body of water.  <b>COMMENT: Property not with in 250' of any wetland, great pond or river, or within their watershed.</b>	x		

x.	<p>A map identifying all freshwater wetlands regardless of size, rivers, streams, and/or brooks within or abutting the proposed subdivision (reference may be made to the Southwest Harbor Wetlands and Soil Maps.)</p> <p><b>COMMENT: No wetlands depicted on plan.</b></p>			x
y.	<p>An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours; (for subdivisions involving 40 or more parking spaces or projected to generate more than 400 vehicle trips per day, a traffic impact analysis, prepared by a registered professional engineer with experience in traffic engineering, shall be submitted. The analysis shall indicate the expected average daily vehicular trips, peak hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the street giving access to the site and to maintain the desired level of service on the affected streets. Trip generation rates shall be the mean value reported in Table 3 of "Development and Application of Trip Generation Rates", Kellerc, Inc., published by the Federal Highway Administration, January 1989.)</p> <p><b>COMMENT: None provided.</b></p>			x
z.	<p>A statement of adequate financial capacity demonstrating the financial ability of the sub-divder to complete the project.</p> <p><b>COMMENT: See letter from the First National bank, made part of application.</b></p>	x		

The board went through Lionel Madore's Preliminary Plan of Subdivision Approval – Completeness: All standards were determined to be either Met or N/A contingent upon the following:

- *Needs to provide a 24"x36" site plan before approval (3)*
- *Site plan needs to be titled "Acadia Getaways" (3a.)*
- *Needs to provide abutters names and addresses adjoining Seawall Road (3f.)*
- *Needs to provide abutters names and addresses adjacent to Seawall Road (3n.)*
- *Indication of the type of sewage disposal needs to be provided on site plan (3r.)*

Michael Levesque motioned that the Preliminary Plan has met all standards contingent upon the items discussed still outstanding

Seconded by Eric Davis. Motion passed 5 | 0 | 0

Eric Davis motioned that the property is not within 250' of any wetland, great pond or river, or within their watershed

Seconded by Michael Levesque. Motion passed 5 | 0 | 0

VII. **New Business:** None.

VIII. **CEO Issues: Food Truck**

Katie Parsons mentioned that she has received multiple inquiries about the requirements to have a food truck here in Southwest Harbor. In the Southwest Harbor Land Use Ordinance there are currently no standards regarding food truck regulations. The board asked if Katie could gather more information from surrounding towns who have food trucks seeing what kind of permits they require.

IX. **Next Meeting Date:**

Eric Davis motioned to schedule September 5, 2024.

Seconded by Michael Levesque. Motion passed 5 | 0 | 0

Lionel Madore will provide the board with the necessary requirements to meet completeness on his preliminary plan for "Acadia Getaways" Subdivision.


Katie Parsons will update the board with the information she has gathered from the surrounding towns who have food trucks

X. **Adjourn Meeting:**

Michael Levesque motioned to adjourn at 8:02pm.

Seconded by Eric Davis. Motion passed 5 | 0 | 0

APPROVED



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Planning Board, Chair

Date: 11/7/24