

Town of Southwest Harbor
Planning Board Minutes October 1, 2020

Fire House and via Zoom

6:00 PM

Roll Call – Eric Davis, Lee Worcester, John Williams, Ken Salvatore, CEO John Larson and Deputy CEO Jesse Dunbar were present. Via Zoom were Jack Ksionzyk, Chris Blain Michael Levesque was absent.

I. Adoption of agenda for tonight’s meeting.

II. Approval of Minutes: September 3, 2020 and September 10, 2020

Motion: By Eric Davis, 2nd by Kenneth Salvatore to approve minutes of September 3, 2020 and September 10, 2020.

Vote: 6-0

III. Old Business:

None

Lee Worcester recused himself @ 6:07pm

IV. New Business:

E.M. R., INC.
Map 13 Lot 1-2 & 1-3 in the B Zone
Application for driveway over 200'

Completeness: Section VIII (C) (4) (c) of the LUO requires each application to include 16 site plan requirements, if applicable:

- 1) Scale, north arrow and names of abutting property owners. North direction shown on stormwater & erosion control plan and list of abutting property owners on attached abutter notice.
Noted on plan.
- 2) Dimension and area of each lot to be built upon or otherwise used:
Noted on plan.
- 3) Location of any wells on the lot or within 100’ of property lines:
Noted on plan.
- 4) Name and location of any abutting water body, streams, brooks and wetlands: (N/A)
No water body abuts property
- 5) Areas to be cleared and areas of any cut, fill, grading or other earthmoving activity:
Noted on plan

- 6) Size, shape and location of existing and proposed buildings and/or structures including dumpsters, piers, docks. (N/A)
No permanent structures proposed.
- 7) Outdoor lighting: Proposed locations (N/A)
No outdoor lighting proposed
- 8) Sewer and water facilities: Existing and proposed (N/A)
No water or sewer at site.
- 9) Layout and location of parking areas with existing and proposed parking spaces (including commercial vehicle parking). (N/A)
No parking proposed.
- 10) Location of existing and proposed roads/driveways with setback from nearest lot line:
Noted on plan.
- 11) Name/location of existing or proposed right of way and easements on the site or abutting the property:
Noted on plan.
- 12) Existing grades and any proposed changes in grades. (OK)
No substantial changes in grades.
- 13) Soil Erosion and Sedimentation control plan: (N/A)
- 14) Freshwater wetlands or hydric soils: (NA)
Not applicable
- 15) Plans for proposed structures must include access and dimensions, elevation plan showing height of the building and all floor plans: (N/A)
No structures proposed.
- 16) Buffering/Landscape plan as described in Section VI. (N/A)
No buffering or landscape proposed.

Motion: By Eric Davis, 2nd Kenneth Salvatore move the application for E.M.R. – Driveway greater than 200' is complete as presented.

Vote: 6-0

V. Open Public Hearing at 6:12pm

No one from public spoke on application

Public Hearing closed at 6:12pm

Compliance Review:

PERFORMANCE STANDARDS:

Following performance standards should **not be applicable** for reasons stated:

A. Landscaping/Buffering

None proposed, none required.

B Clearing of vegetation

E. Exterior Lighting

None proposed.

F. Fill and Excavation

Fill or excavation for approved construction projects do not need a separate permit.

G. Fire Protection

None is required by the standards of the LUO.

- H. Flood Hazard Permit
Location of proposed structure is not in the Flood Zone as indicated on the FEMA maps.
- I. Handicap Access
To be reviewed by the State Fire Marshall.
- J. Heavy Commercial or Industrial Pollutants
No commercial or industrial pollutants in driveway c
- K. Noise:
Not applicable.
- L. Parking and Loading Standards.
Not applicable.
- M. Road Standards
Not applicable.
- N. Sewerage Disposal Standards
Not applicable.
- O. Sign Regulations
Sign applications to be submitted to CEO for approval.
- P. Soil Standards
Not applicable
- R. Stream Standards
No stream on parcel
- S. Vibration Standards
No vibration activity on site during construction or post construction.
- T. Water Quality Standards
No activities require water quality monitoring or assessment.
- U. Water Supply Standards
No water proposed at site.

Motion: By Eric Davis, 2nd by Kenneth Salvatore, that performance standards A, B, E, F, G, H, I, J, K, L, M, N, O, P, R, S, T and U are not applicable for stated reasons in the application of E.M.R., Inc.

Vote: 6-0

Applicable Performance Standards:

- C. Driveway and Driveway opening
This application is for reconstruction of an existing driveway. The proposed width of driveway is 25' and proposed width of ROW is 50'.
Motion: By Eric Davis, 2nd by Kenneth Salvatore, that this standard has been met based on compliance with Section VI. C. of the Land Use Ordinance.
Vote: 6-0
- D. Erosion/Sedimentation Controls
Site internally drained and no runoff leaves the site. E.M.R. will use Maine Soil and Sedimentation Control BMP's.

Motion: By Eric Davis, 2nd by Kenneth Salvatore, that this standard has been met based on compliance with Section VI. D. of the Land Use Ordinance.

Vote: 6-0

Q. Storm Water Runoff Standards

Adequate provision shall be made so that surface waters shall not adversely affect neighboring properties, downstream water quality, potential for soil erosion, or the public storm drainage system.

Storm water should not affect abutters due to site internally drained. This standard has been met based on compliance with Section VI. Q. of the Land Use Ordinance

Motion: By Eric Davis, 2nd by Kenneth Salvatore, that is standard has been met based on compliance with Section VI. Q. of the Land Use Ordinance.

Vote: 6-0

Motion: By Eric Davis, 2nd by Kenneth Salvatore to approve application as presented.

Vote: 6-0

LongBarn, LLC
Map 12, Lot 1A
Application for driveway over 200'
Long Pond Road in B Zone
Book 6120, Page 159

Completeness: Section VIII (C) (4) (c) of the LUO requires each application to include 16 site plan requirements, if applicable:

- 1) Scale, north arrow and names of abutting property owners. North direction shown on stormwater & erosion control plan and list of abutting property owners on attached abutter notice.
Noted on plan.
- 2) Dimension and area of each lot to be built upon or otherwise used:
Noted on plan.
- 3) Location of any wells on the lot or within 100' of property lines:
Noted on plan.
- 4) Name and location of any abutting water body, streams, brooks and wetlands: (N/A)
No water body abuts property.
- 5) Areas to be cleared and areas of any cut, fill, grading or other earthmoving activity:
Noted on plan
- 6) Size, shape and location of existing and proposed buildings and/or structures including dumpsters, piers, docks. (N/A)
No permanent structures proposed.
- 7) Outdoor lighting: Proposed locations (N/A)
No outdoor lighting proposed
- 8) Sewer and water facilities: Existing and proposed (N/A)

No water or sewer at site.

- 9) Layout and location of parking areas with existing and proposed parking spaces (including commercial vehicle parking). (N/A)
No parking proposed.
- 10) Location of existing and proposed roads/driveways with setback from nearest lot line:
Noted on plan.
- 11) Name/location of existing or proposed right of way and easements on the site or abutting the property:
Noted on plan.
- 12) Existing grades and any proposed changes in grades. (OK)
No substantial changes in grades.
- 13) Soil Erosion and Sedimentation control plan: (N/A)
- 14) Freshwater wetlands or hydric soils: (NA)
Not applicable
- 15) Plans for proposed structures must include access and dimensions, elevation plan showing height of the building and all floor plans: (N/A)
No structures proposed.
- 16) Buffering/Landscape plan as described in Section VI. (N/A)
No buffering or landscape proposed.

Motion: By Eric Davis, 2nd by Kenneth Salvatore the application for LongBarn, LLC. – Driveway greater than 200' is complete as presented.

Vote: 6-0

Open Public Hearing at 6:22pm

No one from public spoke on application

Public Hearing closed at 6:22pm

Compliance Review:

PERFORMANCE STANDARDS:

Following performance standards should **not be applicable** for reasons stated:

A. Landscaping/Buffering

None proposed, none required.

B Clearing of vegetation

E. Exterior Lighting

None proposed.

F. Fill and Excavation

Fill or excavation for approved construction projects do not need a separate permit.

G. Fire Protection

None is required by the standards of the LUO.

H. Flood Hazard Permit

Location of proposed structure is not in the Flood Zone as indicated on the FEMA maps.

I. Handicap Access

To be reviewed by the State Fire Marshall.

- J. Heavy Commercial or Industrial Pollutants
No commercial or industrial pollutants in driveway c
- K. Noise:
Not applicable.
- L. Parking and Loading Standards.
Not applicable.
- M. Road Standards
Not applicable.
- N. Sewerage Disposal Standards
Not applicable.
- O. Sign Regulations
Sign applications to be submitted to CEO for approval.
- P. Soil Standards
Not applicable
- R. Stream Standards
No stream on parcel
- S. Vibration Standards
No vibration activity on site during construction or post construction.
- T. Water Quality Standards
No activities require water quality monitoring or assessment.
- U. Water Supply Standards
No water proposed at site.

Motion: By Eric Davis, 2nd by Kenneth Salvatore The above performance standards A, B, E, F, G, H, I, J, K, L, M, N, O, P, R, S, T and U are not applicable for stated reasons in the application of LongBarn, LLC.

Vote: 6-0

Applicable Performance Standards:

C. Driveway and Driveway opening

This application is for reconstruction of an existing driveway. The proposed width of driveway is 10' and proposed width of ROW is 24'. This standard has been met based on compliance with Section VI. C. of the Land Use Ordinance.

Motion: By Eric Davis, 2nd by Kenneth Salvatore, that this standard has been met based on compliance with Section VI. C. of the Land Use Ordinance.

Vote: 6-0

D. Erosion/Sedimentation Controls

Site internally drained and no runoff leaves the site. LongBarn, LLC will use Maine Soil and Sedimentation Control BMP's. This standard has been met based on compliance with Section VI. D. of the Land Use Ordinance.

Motion: By Eric Davis, 2nd by Kenneth Salvatore, that this standard has been met based on compliance with Section VI. D. of the Land Use Ordinance.

Vote: 6-0

Q. Storm Water Runoff Standards

Adequate provision shall be made so that surface waters shall not adversely affect neighboring properties, downstream water quality, potential for soil erosion, or the public storm drainage system.

Storm water should not affect abutters due to site internally drained. This standard has been met based on compliance with Section VI. Q. of the Land Use Ordinance.

Motion: By Eric Davis, 2nd by Kenneth Salvatore, that this standard has been met based on compliance with Section VI. Q. of the Land Use Ordinance.

Vote: 6-0

Motion: By Eric Davis, 2nd by Kenneth Salvatore to approve application as presented.

Vote: 6-0

Lee Worcester re-joined the Board

Claremont Hospitality, LLC

Map 4, Lot 51 & 54

Application for pool, deck and convert tennis court to parking area

Long Pond Road in B Zone & Shoreland Zone

Book 6120, Page 159

Completeness: Section VIII (C) (4) (c) of the LUO requires each application to include 16 site plan requirements, if applicable:

- 1) Scale, north arrow and names of abutting property owners. North direction shown on stormwater & erosion control plan and list of abutting property owners on attached abutter notice.
Noted on plan.
- 2) Dimension and area of each lot to be built upon or otherwise used:
Noted on plan.
- 3) Location of any wells on the lot or within 100' of property lines:
N/A
- 4) Name and location of any abutting water body, streams, brooks and wetlands:
Atlantic Ocean abuts property
- 5) Areas to be cleared and areas of any cut, fill, grading or other earthmoving activity:
Noted on plan
- 6) Size, shape and location of existing and proposed buildings and/or structures including dumpsters, piers, docks.
Noted on plan

- 7) Outdoor lighting: Proposed locations (N/A)
No outdoor lighting proposed
- 8) Sewer and water facilities: Existing and proposed
No new water or sewer proposed.
- 9) Layout and location of parking areas with existing and proposed parking spaces (including commercial vehicle parking).
Noted on plan.
- 10) Location of existing and proposed roads/driveways with setback from nearest lot line:
Noted on plan.
- 11) Name/location of existing or proposed right of way and easements on the site or abutting the property:
Noted on plan.
- 12) Existing grades and any proposed changes in grades.
No substantial changes in grades.
- 13) Soil Erosion and Sedimentation control plan:
Noted on plan.
- 14) Freshwater wetlands or hydric soils: (NA)
Not applicable
- 15) Plans for proposed structures must include access and dimensions, elevation plan showing height of the building and all floor plans:
Noted on plan.
- 16) Buffering/Landscape plan as described in Section VI.
Noted on plan.

Motion: By Eric Davis, 2nd by Kenneth Salvatore, move the application for Claremont Hospitality, LLC. Construction of pool, deck and converting existing tennis court to parking area is complete as presented.

Vote: 6-0

Open Public Hearing at 6:40pm – no one spoke to application

Closed Public Hearing at 6:40pm

Compliance Review:

PERFORMANCE STANDARDS:

Following performance standards should **not be applicable** for reasons stated:

- C. Driveway and Driveway opening
None proposed.

- E. Exterior Lighting
None proposed.
- F. Fill and Excavation
Fill or excavation for approved construction projects do not need a separate permit.
- G. Fire Protection
None is required by the standards of the LUO.
- H. Flood Hazard Permit
Location of proposed structure is not in the Flood Zone as indicated on the FEMA maps.
- I. Handicap Access
To be reviewed by the State Fire Marshall.
- J. Heavy Commercial or Industrial Pollutants
No commercial or industrial pollutants
- K. Noise:
Not applicable.

- M. Road Standards
Not applicable.
- N. Sewerage Disposal Standards
Not applicable.
- O. Sign Regulations
Sign applications to be submitted to CEO for approval.
- P. Soil Standards
Not applicable
- R. Stream Standards
No stream on parcel
- S. Vibration Standards
No vibration activity on site during construction or post construction.

- T. Water Quality Standards
No activities require water quality monitoring or assessment.
- U. Water Supply Standards
No water proposed at site.

Motion: By Eric Davis, 2nd by Kenneth Salvatore, move above performance standards C, E, F, G, H, I, J, K, M, N, O, P, R, S, T and U are not applicable for stated reasons in the application of Claremont Hospitality, LLC.

Vote: 6-0

Applicable Performance Standards:

- A. Landscaping/Buffering
New landscape plantings shown on plan to meet Level 1 requirements.
Motion: By Eric Davis, 2nd by Jack Ksionzyk, that this standard has been met based on compliance with Section VI. A. of the Land Use Ordinance.

- B Clearing of Vegetation

New pool and deck involve the creation of new non-vegetated surfaces in the Shoreland Zone. The applicant proposes to remove coverage and revegetate three parking spaces near the Wentworth cottages and unnecessary walkways will be removed or narrowed and areas will be loamed and seeded. The service area and parking lot west of the hotel will be narrowed to reduce non vegetated surfaces. Coverages for specific changes are noted on plan.

Motion: By Eric Davis, 2nd by Lee Worcester, that this standard has been met based on compliance with Section VI. B. of the Land Use Ordinance.

D. Erosion/Sedimentation Controls

Sheet 3 shows applicant will use Maine Soil and Sedimentation Control BMP's. This standard has been met based on compliance with Section VI. D. of the Land Use Ordinance.

Motion: By Eric Davis, 2nd by Lee Worcester, that this standard has been met based on compliance with Section VI. D. of the Land Use Ordinance.

L. Parking and Loading Standards.

Noted on plan. 75 spaces proposed and 68 spaces required by Section VI. L.

Motion: By Eric Davis, 2nd by Kenneth Salvatore, that this standard has been met based on compliance with Section VI. L. of the Land Use Ordinance.

Q. Storm Water Runoff Standards

Sheet 3 shows adequate provision shall be made so that surface waters shall not adversely affect neighboring properties, downstream water quality, potential for soil erosion, or the public storm drainage system.

Storm water should not affect abutters due to site internally drained. This standard has been met based on compliance with Section VI. Q. of the Land Use Ordinance.

Motion: By Eric Davis, 2nd by Kenneth Salvatore, that this standard has been met based on compliance with Section VI. Q. of the Land Use Ordinance.

Motion: By Eric Davis, 2nd by Kenneth Salvatore to approve application as presented.

Vote: 6-0

Motion: By Eric Davis, 2nd by Kenneth Salvatore to adjourn at 7:15PM.

Vote: 6-0

Planning Board Chairman

