

Town of Southwest Harbor  
Planning Board Minutes October 15, 2020  
Fire House and via Zoom  
6:00 PM

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

I. Adoption of agenda for tonight’s meeting.

II. Approval of Minutes: October 1, 2020 Minutes

**Motion:** By Eric Davis, 2<sup>nd</sup> by Jack Ksionzyk to approve minutes of October 1, 2020

**Vote:** 4-0

III. Old Business:

John & Martha Williams – Remanded from Appeals Board  
Tax Map 3 Lot 3  
Determination of Complete Application

John Williams recused himself @ 6:07pm

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) shown on previous plan

- 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)
- 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)  
Noted on plan.

**Motion:** By Eric Davis, 2<sup>nd</sup> Lee Worcester move the application for John Williams's parking lot is complete as presented.

**Vote:** 4-0

**Motion** by Eric Davis, 2<sup>nd</sup> by Jack Ksionzyk to open Public Hearing on John Williams's application.

Public Hearing opened at 6:15pm

**Vote:** 4-0

Jennifer, Adam and Jay Perruzzi voiced their concerns on the use of Three Rod Road. J. Craig Raisner and Leeann Rhoades thru Counsel T. Carroll voiced concerns on the use of Three Rod Road. Joel Wolak also voiced concerns.

**Motion** by Eric Davis, 2<sup>nd</sup> by Chris Blain to close Public Hearing

Public Hearing closed at 6:42pm

**Vote:** 4-0

The Board began their discussion, Lee Worcester stated the Appeals Board remanded it back to Planning Board to consider the buffering on Three Rod Road and the impact on Three Rod Road.

**Motion** by Eric Davis, 2<sup>nd</sup> by Jack Ksionzyk that in reconsideration, the buffering required along Three Rod Road must meet Level 2 Standards.

**Vote:** 4-0

The Board discussed that the documents provided to the Board show sufficient right, title or interest to use Three Rod Road. The Board asked the applicant if the three proposed access points are to be used for commercial use. The applicant stated he did intend to use three access point for commercial use to and from parking lot to include emergency use.

**Motion** by Lee Worcester, 2<sup>nd</sup> by Jack Ksionzyk that there is sufficient evidence that the three access points were used for commercial purposes before the enactment of the Ordinance and are therefor grandfathered.

**Vote:** 4-0

The Board discussed buffering as it relates to entrances and /or exists on Three Rod Road. The Board cannot determine buffering until plan shows ROW of width, travel width and stormwater drainage along Three Rod Road. The installation of culverts and drainage pipe is adequate and in compliance with stormwater plan submitted. The Board decided to table the application until applicant provides the additional information.

**Motion** by Lee Worcester, 2<sup>nd</sup> by Jack Ksionzyk to table application until November 5, 2020.

**Vote:** 4-0

Board member John Williams re-joined meeting at 8:10.

#### IV. New Business:

1 Nation LLC  
Map 7 Lot 31 in B Zone  
Discussion of development of 234 Main Street

The applicant presented a plan for several rental cabins on property at 234 Main Street. The Board advised the applicant that he would need to submit a complete application addressing items in Section VIII.C.4. and meet subdivision ordinance requirements if more than two units are proposed.

**Motion:** By Eric Davis, 2<sup>nd</sup> by Lee Worcester to adjourn at 8:30 PM.

**Vote:** 5-0

Planning Board Chairman \_\_\_\_\_