

Town of Southwest Harbor
Planning Board Minutes October 7, 2021

Town Office and via Zoom 6:00 PM

I. Roll Call – Eric Davis, Lee Worcester, Chris Blain, John Williams, Michael Levesque, Ken Salvatore, CEO John Larson, Jack Ksionzyk was absent
Also present: Ken Rozsahegyi , Mark Sullivan and Ninah Gile.

The Chair called the October 7, 2021 Planning Board meeting to order at 6:03pm.

II. Approval of Minutes of September 9th, 2021

Motion by Eric Davis, 2nd by Lee Worcester to approve minutes of September 9th, 2021

Vote: 4-0-1

II. Old Business:

Island Land Corporation & Ben C. Worcester III
Map 22 Lot 18 & Map 12 Lot 1 in the B Zone
Application for driveway over 200'

The application was determined complete except for notification of abutters at the September 9, 2021 meeting. All abutters have been notified of Map 22 Lot 18 & Map 12 Lot 1.

Eric Davis made a motion that the application is complete based on all abutters being notified, 2nd by John Williams, the motion carried 4- 0

Michael Levesque recused himself from deliberations and left the meeting.

Ken Rozsahegyi asked if there should be a water company ROW on plan.
Ken Rozsahegyi also asked if ROW declares ownership of land and if water district has any input.

Lee Worcester explained there is a water line taken by emanate domain in 1902 to be 1 rod wide. An easement to be obtained from water district.
A discussion followed about what is required or not required for a driveway over a ROW.

Lee Worcester explained the ROW has changed from 30' to 50' and relocated 20' north of property line.

Island Land Corporation & Ben C. Worcester III
Map 22 Lot 18 & Map 12 Lot 1 in the B Zone
Application for driveway over 200'

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 Ken 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 Island Land Corporation & Ben C. Worcester III.

Vote: 4-0

Applicable Performance Standards:

C. Driveway and Driveway opening

This application is for construction of a driveway over 200'. The proposed width of northerly driveway is 12" and proposed width of ROW is 50'. The previously approved width of southerly driveway is 10'.

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

Vote: 4-0

D. Erosion/Sedimentation Controls

Site internally drained and no runoff leaves the site. Island Land Corporation and Ben C. Worcester will use Maine Soil and Sedimentation Control BMP's.

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

Vote: 4-0

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 that is standard has been met based on compliance with Section VI. Q. of the Land Use Ordinance.

Vote: 4-0

Public Hearing at 7:22pm: Ken Rozsahegyi spoke about water district easement.

Lee Worcester explained history of Water Company.

Closed Public Hearing at 7: 24pm

Motion: By Eric Davis, 2nd by Chris Blain to approve application as presented conditioned on easement from water district.

Vote: 4-0

Motion by Eric Davis, 2nd by Lee Worcester to adjourn at 7:30.

Motion passed 4-0.