

PLANNING BOARD MINUTES
TUESDAY, JANUARY 20, 2026
6:00 PM
SOUTHWEST HARBOR TOWN OFFICE
MEETING ROOM & ZOOM

I. CALL TO ORDER/ROLL CALL

The Chair called the meeting to order at 6:00 PM.

Members present: Chair Eric Davis, Joel Wolak, Priscilla Ksionzyk, John Williams via Zoom, Charlotte Gill, Michael Levesque and Vice Chair Lee Worcester.

Also present was Code Enforcement Officer Jarrod Kushla.

II. ADOPTION OF AGENDA

There were no modifications to the agenda.

III. MINUTES

September 16, 2025

Chair Davis moved to table the minutes of September 16, 2025 because it appeared that pages were missing. Member Levesque seconded the motion and the Board voted 6-0-1 with Vice Chair Worcester abstaining.

September 30, 2025

Chair Davis moved to approve the September 30, 2025 minutes as prepared. Member Ksionzyk seconded the motion and the Board voted 7-0 to approve the motion.

October 7, 2025

Chair Davis moved to approve the October 7, 2025 minutes as prepared. Member Ksionzyk seconded the motion and the Board voted 6-0-1 to approve the motion with Vice Chair Worcester abstaining.

October 21, 2025

Chair Davis moved to approve the October 21, 2025 minutes as prepared. Member Ksionzyk seconded the motion and the Board voted 6-0-1 to approve the motion with Member Levesque abstaining.

November 18, 2025

Chair Davis moved to approve the November 18, 2025 minutes as prepared. Member Ksionzyk seconded the motion and the Board voted 6-0-1 to approve the motion with Vice Chair Worcester abstaining.

December 16, 2025

Chair Davis moved to approve the December 16, 2025 minutes as prepared. Member Ksionzyk seconded the motion and the Board voted 6-0-1 to approve the motion with Vice Chair Worcester abstaining.

IV. CONFLICT OF INTEREST

Vice Chair Worcester disclosed a conflict of interest regarding the Haley Ward letter and the request for the Ridge Apartments, as he serves on the Southwest Harbor Housing Board.

Member Levesque disclosed that his son is employed by the Knowles Company, which assisted with the sale of the property at Acadia Pines. The Board determined that no conflict of interest existed for Member Levesque.

V. OLD BUSINESS

a. Received response from Haley Ward regarding public comments made during November 18, 2025 Planning Board meeting regarding Trundy Farms Subdivision

Chair Davis moved that the Board accept the letter, make it part of the record, and state publicly that Haley Ward acted professionally in assisting the Board with the interpretation of its ordinance. Member Ksionzyk seconded the motion, and the Board voted 5-0-2, with Member Levesque and Vice Chair Worcester abstaining.

b. Preserve at Acadia Pines Request for 2nd auxiliary structure

Chair Davis explained that he understood the previous Code Enforcement Officer had issued a permit to the property owner for one dwelling unit and one accessory dwelling unit, and the applicant was now seeking approval for a third unit.

There was considerable discussion regarding whether the proposed structure would be considered an accessory or auxiliary structure and how it should be evaluated under the ordinance.

The applicant explained that the proposal was for a tiny cottage in addition to the existing two units on a 3.5-acre lot. He noted that the property is served by private water and septic, with the septic system currently designed for three bedrooms.

Member Levesque noted that recent legislation has expanded the number of dwelling units allowed on a lot without triggering subdivision review. CEO Kushla stated that Southwest Harbor has not yet amended its ordinance to reflect the new legislation and, therefore, it could not be applied.

The Board agreed that the proposal appeared to constitute a subdivision, as it would result in the development of three dwelling units within a five-year period, thereby triggering subdivision review. The Board also discussed whether the proposal could be considered a modification to a previously approved subdivision. While no initial concerns with the project were identified, formal review would be required.

Vice Chair Worcester stated that he did not anticipate the application having difficulty in obtaining approval for the project.

Chair Davis reiterated that the Board could not take action that evening and that an application for subdivision review would need to be submitted. Member Levesque added that the Select Board has been waiting for the Planning Board to provide ordinance language to comply with the new legislation and encouraged the Board to do so as soon as possible. The applicant was advised to submit an application for subdivision review.

VI. NEW BUSINESS

a. CDBG Review for Fire & Life Safety Upgrades at The Ridge Apartments, 24 Village Green Way. Note: Chair signature required

An unidentified speaker explained that funding had been secured for the project; however, additional funding was needed. As a result, a grant application was submitted to fill the funding gap, and Planning Board approval was required as part of the grant application process. He further stated that the project includes replacing existing walls with fire walls and

installing a sprinkler system in the building, which was constructed in 1974 prior to the adoption of current fire safety codes.

Member Levesque asked whether there was a tenant representative who could serve as a voice for the residents, noting concerns about potential impacts to tenants. Lee Worcester responded that the application had already been reviewed by the Housing Board of Trustees and that a resident serves on that Board.

CEO Kushla offered to send a notification to tenants to inform them of the upcoming project. Member Levesque expressed support for that suggestion.

Chair Davis moved to find that the proposal had been reviewed for compliance with the most recent Comprehensive Plan and to approve it. Member Ksionzyk seconded the motion, and the Board voted 6-0-1 in favor, with Vice Chair Worcester abstaining.

b. Versant Power – Relocation of transformer, install of approx.. 1375 cu yds fill/gravel

Nancy Peasley identified herself as the project representative. She stated that Sargent, the company currently performing road work in the area, would also complete this project and had agreed to limit construction hours to between 8:00 a.m. and 5:00 p.m. to minimize neighborhood disruption.

Ms. Peasley explained that the proposal includes a 12' x 12' pad-mounted transformer to be located on a gravel pad. All utility lines would be installed underground, and native shrubs and vegetation would be used to screen the improvements from neighboring properties.

Member Levesque asked whether the site would be similar in appearance to the Knox Road site in Bar Harbor. Ms. Peasley responded that it would not, noting that the proposed installation is significantly smaller in size and scale.

Member Levesque moved to find that the application is complete and meets the Land Use Ordinance performance standards and to approve the project. Chair Davis seconded the motion, and the Board voted 7-0 in favor.

VII. CEO ISSUES

a. Received a proposal for a height change in Shoreland Zone (no action needed by board at this time).

CEO Kushla explained that the item was informational only and that no Board action was required.

The Board discussed whether the matter was something they wished to pursue or potentially support. Members Levesque and Ksionzyk stated that they were opposed to increasing the height limit within the shoreland zone. The Board reached a consensus on the issue.

The Board also discussed whether a variance could be an option for an applicant seeking to exceed the height limit. It was determined that it would be unlikely for an applicant to meet the hardship criteria required to obtain a variance.

VIII. NEXT MEETING DATE – February 3, 2026 at 6:00 PM.

Member Levesque requested that a discussion of recent legislation be placed on a future agenda. Vice Chair Worcester stated that he would prefer the topic be addressed as a workshop item rather than as part of a regular agenda.

Chair Davis moved that the Board put this issue on a future agenda. Member Levesque seconded the motion and the Board voted 7-0 to approve the motion.

IX. ADJOURNMENT

The Chair adjourned the meeting at 7:11 PM.



Eric Davis Date
Southwest Harbor Planning Board Chair