

PLANNING BOARD MINUTES
TUESDAY, FEBRUARY 17, 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 6:02 PM.

Members present: Chair Eric Davis, Joel Wolak, Priscilla Ksionzyk, John Williams, Charlotte Gill, and Vice Chair Worcester arriving late via zoom.

Member Levesque was absent.

II. ADOPTION OF AGENDA

There were no modifications to the agenda.

III. MINUTES

September 16, 2025

Chair Davis moved to approve the September 16, 2025 minutes as prepared. Member Williams seconded the motion and the Board voted 5-0 to approve the motion.

February 3, 2026

Chair Davis moved to approve the February 3, 2026 minutes as prepared with the correction that the meeting date be changed from February 6, 2026 to February 3, 2026. Member Ksionzyk seconded the motion and the Board voted 4-0-1 to approve the motion with Member Williams abstaining.

IV. CONFLICT OF INTEREST

There were none disclosed.

V. OLD BUSINESS

There was none.

VI. NEW BUSINESS

Preliminary review of Building Permit Application: Town of Southwest Harbor Public Works Garage

The Board reviewed the submission requirements for the application to determine if everything required was submitted.

Member Williams asked whether anyone from Oliver and Associates was present to answer a question. It was determined that no representative was present. Member Williams then noted a statement indicating that the project would include a new underground 1,000-gallon tank and questioned why the tank would not be installed above ground adjacent to the existing generator tanks, utilizing a single trench.

Vice Chair Worcester asked whether the project would be required to comply with the new ordinance provisions related to adjacency to uncontrolled sites. CEO Kushla responded that the land use is located approximately 0.54 miles from the uncontrolled site and therefore would not be required to meet the new requirements.

Chair Davis moved that the applicant provided a complete application as required by the Southwest Harbor Land Use Ordinance. Member Williams seconded the motion and the Board 6-0 to approve the motion.

CEO Kushla asked if a site visit was required. Vice Chair Worcester stated that it was not required for this project. CEO Kushla stated that he would schedule this project for a public hearing.

Discussion on 30-A MRSA 4364-A – Residential area, generally: up to 4 dwelling units allowed.

The Board discussed what modifications the new legislation would require to the Land Use Ordinance and the potential overall impacts. Member Wolak asked whether any maps were available showing Southwest Harbor's designated growth areas, noting that color maps were included in the Comprehensive Plan. CEO Kushla stated that he only had access to the zoning maps.

Vice Chair Worcester stated that while the legislation requires allowances to support additional housing, any development or housing project would still be required to comply with all other applicable dimensional requirements. He suggested that the Board consider examples of the types of buildings or developments to which the legislation might apply.

Chair Davis noted that the intent of the language was also to avoid requiring subdivision review by the Planning Board, resulting in a more efficient process for developers, which he did not view negatively.

Vice Chair Worcester agreed and stated that he supported a process in which both subdivision and site plan review were not required, as it can result in the review of duplicative standards.

Discussion on “An Act to Promote Responsible Outdoor Lighting”

CEO Kushla mentioned that the Town of Mount Desert had recently adopted ordinance language to comply with the legislation and that he could provide the Board with copies of that language.

It was noted that the new language would apply only to public outdoor lighting that is either a new installation or a replacement.

Vice Chair Worcester stated that the Southwest Harbor ordinance already contains much of this language and therefore he did not see an urgency in addressing the issue. CEO Kushla noted that while the act itself goes into effect in September, that date is not the deadline by which the Town must adopt the language.

An unidentified speaker asked who would be responsible for enforcing the new provisions and pointed out that lighting at Bar Harbor Bank appeared to extend beyond the property lines and did not seem to be compliant. Vice Chair Worcester stated that if no one is going to enforce the language, it is merely ink on paper.

CEO Kushla will bring the Town of Mount Desert’s language to the Board to review.


VII. CEO ISSUES

CEO Kushla asked if a new fence and additional pickleball court at the Causeway Club needed to be reviewed by the Planning Board. The consensus of the Board was that their approval was required.

VIII. NEXT MEETING DATE: March 3, 2026 6:00 PM

IX. ADJOURNMENT

Chair Davis moved to adjourn at 6:54 PM. Member Williams seconded the motion and the Board voted 6-0 to approve the motion.



Eric Davis
Southwest Harbor Planning Board Chair

March 03 2026
Date