

PLANNING BOARD MINUTES  
TUESDAY, FEBRUARY 6, 2026  
6:00 PM 3  
SOUTHWEST HARBOR TOWN OFFICE  
MEETING ROOM & ZOOM

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**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, Vice Chair Lee Worcester, Mike Levesque and Charlotte Gill.

Member Williams was absent.

**II. ADOPTION OF AGENDA**

There were no modifications to the agenda.

**III. MINUTES**

**September 16, 2025**

Member Levesque moved to approve the September 16, 2025 minutes as prepared with the amendment that the minutes reflect that the applicant left the meeting after a motion was made to end the discussion. Member Ksionzyk seconded the motion and the Board voted 5-0-1 to approve the motion with Vice Chair Worcester recused.

**January 20, 2026**

Chair Davis moved to approve the January 20, 2026 minutes as prepared. Member Ksionzyk seconded the motion and the Board voted 6-0 to approve the motion.

**IV. CONFLICT OF INTEREST**

Member Levesque and Vice Chair Worcester both stated they would be recusing themselves from the Trundy Farms Subdivision discussion.

**V. OLD BUSINESS**

**Trundy Farms Subdivision – Haley Ward Supplemental Sampling Report**

Member Ksionzyk stated that the testing performed exceeded what the Board had requested and, based on the findings, she would be comfortable approving the project.

Member Gill added that the Board may only act within the parameters allowed by the ordinance and that it is not the role of the Board to act as a state administrator or impose conditions beyond its authority. She noted that the Board's review is limited to applying the standards within its jurisdiction and further observed that the additional testing provided valuable site-specific information that would not otherwise have been available.

The Chair opened the public hearing.

CEO Kushla stated for the record that a comment was received from Jim Vallette.

Mr. Vallette asked whether a representative from Haley Ward was present. It was noted that a representative was attending via Zoom. Mr. Vallette asked whether Haley Ward could address the source of the PFAS identified on the site. He expressed concern about a ditch located adjacent to the uncontrolled dump site, noting shallow groundwater conditions and that PFAS were detected in the central portion of the property. He stated that additional investigation may be necessary to ensure the safety of future residents.

Mr. Vallette indicated that he wished to pose two questions to Haley Ward: (1) whether the subdivision property is safe for unrestricted residential development as of February 3, 2026, and (2) what the source of the PFAS contamination is.

Chris Veazie of Haley Ward introduced himself and provided an overview of the soil testing results.

Craig Kesselheim spoke, stating that the Planning Board had been willing to approve the project despite what he characterized as insufficient data. He urged the Board to reflect on the level of vigilance and due diligence required to safeguard the health and safety of the town's residents. He further suggested that the Board consider whether politics, biases, or personal preferences were influencing decisions over the responsibility to protect residents.

The Chair closed the public hearing at 6:18 p.m.

Chair Davis told the Board that the only outstanding issue for consideration at this time was the soil suitability.

Chair Davis moved that the applicant has met the standards of the Land Use Ordinance for the Town of Southwest Harbor. Member Wolak seconded the motion and the Board voted 4-0 to approve the motion.

Chair Davis moved that that the review of the performance standards had been completed and the Board would sign the subdivision plat. Member Wolak seconded the motion and the Board voted 4-0 to approve the motion.

## **VI. NEW BUSINESS**

### **Amendment to Subdivision for Acadia Yurts and Wellness Center, You and Me LLC. Divide lot to separate yurts from wellness center for future sale. .**

Tom Benson spoke and explained that the purpose of the proposal was to separate the yurts from the Wellness Center. He added that the land involved was the remaining portion of the White Birches Subdivision. He stated that the proposed lots meet the minimum dimensional standards and that an easement for the septic system is shown on the plan.

Chair Davis stated that the proposal constituted a revision to an existing subdivision.

Member Wolak asked whether Lots 3 and 4 were under single ownership, to which Mr. Benson responded that they were.

Vice Chair Worcester noted that the performance standards previously reviewed and approved as part of the original subdivision remained unchanged.

Chair Davis moved to accept the amendment to subdivision for You and Me LLC to separate the yurts from the Wellness center. Vice Chair Worcester seconded the motion and the Board voted 6-0 to approve the motion.

### **Subdivision Application for third dwelling unit #6 Acadia Pines.**

CEO Kushla noted that both applicants were present via Zoom.

Chair Davis stated his opinion that no new infrastructure was proposed as part of the project and that the Board should treat the application similarly to the prior review.

Member Wolak asked whether any driveways were proposed and whether sewer and water service were adequate for the project. Chair Davis responded that the Board has limited authority over wells and that his understanding was that the project included a septic system designed for three bedrooms, with the proposal consisting of three one-bedroom units.

Member Levesque asked whether there was a checklist available for the Board to use in its review.

Vice Chair Worcester stated that the Board's review should be limited to elements pertinent to the proposal, such as septic capacity, lot coverage, and setbacks, and offered to read the applicable performance standards from the ordinance if helpful.

Member Levesque noted that the septic design shows a single septic tank, while the site plan depicts three separate tanks, one for each unit.

The Board discussed which performance standards were applicable to the project.

Chair Davis moved that the project meets the performance standards reviewed in the prior application, with the exception of sewage, loading and parking, setbacks, and lot coverage. The motion did not receive a second.

Chair Davis moved that the applicant has provided a drawing from a professional engineer or professional soil scientist that has provided adequate sewage for a three bedroom or a three-bedroom setup for the purposes of sewage disposal. Member Ksionzyk seconded the motion and the Board voted 6-0 to approve the motion.

Chair Davis moved that the project requires two parking spaces per unit and the plan meets the standards for parking and loading. Member Ksionzyk seconded the motion and the Board voted 6-0 to approve the motion.

Chair Davis moved that the lot coverage for all three buildings meets the Land Use Ordinance requirements. Member Ksionzyk seconded the motion and the Board voted 6-0 to approve the motion.

Chair Davis moved that the applicant has met the Land Use Ordinance for the town of Southwest Harbor. Member Ksionzyk seconded the motion and the Board voted 6-0 to approve the motion.

## **VII. CEO ISSUES**

### **Memo to residents at The Ridges Apartments regarding sprinkler system improvements.**

CEO Kushla updated the Board, stating that he had spoken with representatives of the Housing Authority, who have communicated with residents to inform them of the project. He added that residents will be notified again once a contractor has been selected.

**Provide board with material for initial read with dedicated discussion scheduled at future date.**

**Maine Statute 30-A MRSA 4364-A “Residential areas, generally: up to 4 dwelling units allowed.”**

**Sec 1.5 MRSA c. 21 “An Act to Promote Outdoor Lighting.”**

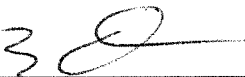
CEO Kushla explained that the information was provided to prepare the Board for future discussions. The Board discussed the process for amending the ordinance to comply with the new legislation and determined that it was too late to place an amendment before the voters for the May election; instead, the matter would be scheduled for a future ballot.

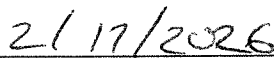
The Board agreed that the February 17 meeting would be devoted to discussion of the legislation, as there were no applications pending at that time.

**VIII. NEXT MEETING DATE: February 17, 2026 6:00 PM**

**IX. ADJOURNMENT**

Member Levesque moved to adjourn at 6:56 PM. Vice Chair Worcester seconded the motion and the Board voted 6-0 to approve the motion.

  
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Eric Davis  
Southwest Harbor Planning Board Chair

  
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Date