

PLANNING BOARD MINUTES
TUESDAY, MARCH 3, 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, Mike Levesque, Charlotte Gill, and Vice Chair Worcester.

Members Ksionzyk and Williams were absent.

II. ADOPTION OF AGENDA

There were no modifications to the agenda.

III. MINUTES

February 17, 2026

Chair Davis moved to approve the February 17, 2026 minutes as prepared. Member Wolak seconded the motion and the Board voted 5-0 to approve the motion.

IV. CONFLICT OF INTEREST

There were none disclosed.

V. OLD BUSINESS

Public Hearing – Division of lot for possible future sale of business

Chair Davis explained that an error in procedure had occurred at the prior meeting, which required that a public hearing be held. The Board would therefore conduct the required public hearing on the Acadia Wellness subdivision.

Chair Davis opened the public hearing. No members of the public spoke regarding the application, and Chair Davis subsequently closed the public hearing.

Vice Chair Worcester moved to reaffirm the Board’s decision of February 3, 2026. Chair Davis seconded the motion and the Board voted 5-0 to approve the motion.

Public Hearing – Construction of third dwelling

Chair Davis explained that an error in procedure had occurred at the prior meeting, which required that a public hearing be held. The Board would therefore conduct the required public hearing on the Preserve at Acadia Pines application.

Chair Davis opened the public hearing. No members of the public spoke regarding the application, and Chair Davis subsequently closed the public hearing.

Vice Chair Worcester moved to reaffirm the Board’s decision of February 3, 2026. Chair Davis seconded the motion and the Board voted 5-0 to approve the motion.

VI. NEW BUSINESS

Goals of March 10th for revised “Soil Testing” ordinance language to be submitted to Town Office to meet deadlines for possible inclusion on June 2026 ballots.

CEO Kushla explained that he had met with the Select Board to discuss amending this provision in the ordinance. He informed the Planning Board that the Select Board requested draft language for review at its March 10 meeting. He noted that this draft represented his initial attempt to address issues identified in the existing language.

He explained that the proposed language was based on Maine DEP guidelines while still attempting to respect the intent of the original citizens’ petition. CEO Kushla stated that he was seeking feedback from the Planning Board on the draft. He added that, based on discussions with the DEP, their primary concern was the protection of groundwater and well water, and the draft language was therefore designed to address those issues.

Tom Benson suggested that the Town consider clarifying which sites are considered uncontrolled. He stated that his understanding from the Maine DEP is that there are three uncontrolled sites in Southwest Harbor, and he added that he had received an email from DEP confirming that information.

Craig Kesselheim commented on the voter turnout and level of support for the original citizens’ petition. He stated that the vote demonstrated concern among residents regarding environmental quality and the health and safety of Southwest Harbor citizens. He added that, in his opinion, the citizens’ petition was a reaction to what was perceived as a lack of concern by the Planning Board. Mr. Kesselheim suggested that the Board consider including stakeholders and individuals involved in the original petition as part of this process.

The Board spent considerable time discussing potential timelines and schedules for holding a workshop and developing language for voters to consider this spring. It was decided that the Board would schedule a workshop immediately following its regular meeting on March 17, 2026. The Board also agreed to attempt to schedule a public hearing during the week of March 30, 2026.

CEO Kushla stated that he would draft a memo to the Select Board outlining this proposed process.

VII. CEO ISSUES

Notes from Maine Association of Site Evaluators Training

CEO Kushla informed the Board that the Town was working with the Musson Group to apply for a grant to assist with amending the Land Use Ordinance to address legislation enacted over the past five years. He added that the goal would be to present a comprehensive set of ordinance amendments to voters in May 2027.

Vice Chair Worcester suggested that the Board review the three ordinances under its purview and identify additional sections that may need updating or revision.


Public Hearing for Town Garage project is scheduled for the March 17th Planning Board meeting

CEO Kushla informed the Board that this item would be on their next agenda.

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

IX. ADJOURNMENT

Member Levesque moved to adjourn at 6:44 PM. Chair Davis seconded the motion and the Board voted 5-0 to approve the motion.


Eric Davis
Southwest Harbor Planning Board Chair


Date

