



**Town of Southwest Harbor
Planning Board Minutes April 17, 2025
Town Office and via Zoom 6:00 PM**

I. Call to Order

John Williams called March 20, 2025, Planning Board meeting to order at 6:00pm.

II. Roll Call

John Williams, Michael Levesque, Charlotte Gill, Priscilla Ksionzyk, Joel Wolak via Zoom

Absences: Eric Davis, Lee Worcester

Others Attending: CEO John Larson, Madilynn Michaud, Chapin McFarland, George Swetz, Daniel Pileggi, Steven Wagner, Michael Wade, Anne Hopkins, WM, Sophie Swetz, Alexandra Gias, Gigi, Kathryn Nelson, Renee Swetz, Paul Swetz via Zoom

III. Adoption of Agenda:

Michael Levesque motioned to adopt the agenda as presented.
Second by Priscilla Ksionzyk. Motion passed 5 | 0 | 0

IV. Approval of Minutes: April 3, 2025

Michael Levesque motioned to approve April 3, 2025, minutes with minor corrections
Seconded by Charlotte Gill. Motion passed 5 | 0 | 0

V. Conflict of Interest: None

VI. Old Business: None

VII. New Business:

Michael Wade- Design Group Collaborative for Christopher & Anne Hopkins
90 Clark Point Rd. Tax Map 004-007 in the General Development Zone
Single story, 131 square foot addition, renovation of bedroom wing in its current location
It is a non-conforming structure on a non-conforming lot.

Priscilla Ksionzyk motioned to determine the Land Use Ordinance does not apply for this
application, treating it as solely within the Shoreland zone
Seconded by Charlotte Gill. Motion passed 5 | 0 | 0

Michaele Levesque motioned that the bedroom wing conforms to section 12.B.(2) of the Shoreland zone ordinance, regarding the renovations and repair of a nonconforming structure

Seconded by Priscilla Ksionzyk, Motion passed 5 | 0 | 0

A brief recess took place at 7:29 for approximately 10 minutes.

Michael Levesque motioned that the one-room addition (mudroom) is allowed under Shoreland Zoning Ordinance Sections 12.C.(1) and 12.D.(2), which allows for the expansion of a nonconforming structure

Seconded by Priscilla Ksionzyk, Motion passed 5 | 0 | 0

Michael Levesque motioned to make the letter from the Hopkins be part of the record

Seconded by Priscilla Ksionzyk, Motion passed 5 | 0 | 0

Michael Levesque motioned to make the letter from Geroge Swetz be part of the record

Seconded by Priscilla Ksionzyk, Motion passed 5 | 0 | 0

Christopher & Anne Hopkins
90 Clark Point Road
Tax Map 004 Lot 007
General Development Zone

Non-conforming Structure
Non-conforming Lot

FINDING OF FACT

After the submission of a complete application to the Planning Board, the Board shall approve an application or approve it with conditions if it makes a positive finding based on the information presented that the proposed use:

- 1) Will maintain safe and healthful conditions;

The proposed renovation and addition will maintain safe and healthful conditions. The renovated bedroom wing will be better able to withstand harsh winter conditions and avoid mold and pests. The mudroom addition will provide an interior, protected, connection from the house to the existing bedroom wing and better serve the structure as a whole. See "Proposed Floor Plan" - 1.

- 2) Will not result in water pollution, erosion, or sedimentation to surface waters;

The proposed renovation and addition will not result in water pollution, erosion, or sedimentation. The existing bedroom wing will remain in place and the existing concrete piers below will be reset in their current locations. Therefore, the potential for migration of sediments has been minimized. The minor excavation needed for new mudroom frost walls will not destabilize the existing slope nor cause any other water pollution, erosion, or sedimentation to surface waters. MDEP Best Management practices will be used during construction to avoid water pollution, erosion, and sedimentation. See erosion control details and narrative on attached "Proposed Site Plan".

- 3) Will adequately provide for the disposal of all wastewater;

The site is served by public sewer and public water and neither main will be affected by the proposed design. Also, the number of bathrooms will remain the same as what currently exists. Therefore, the existing disposal of wastewater will not be affected by the proposed renovation and addition.

- 4) Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;

The proposed renovation and addition will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat. As noted above, best management practices will be used to avoid erosion and sedimentation during construction. The mudroom addition location over the existing deck has been chosen so that no trees will need to be removed. The parcel does not serve as habitat for any sensitive wildlife species.

- 5) Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;

The proposed renovation and addition will have no adverse impact on shore cover and will not impede actual or visual access to inland or coastal waters. The roof of the mudroom will be no higher than the existing bedroom wing roof and will have ample glass on the front and back elevations to allow views through to the water. The renovation of the bedroom wing and location of the mudroom addition over the existing deck footprint will result in no removal of existing vegetation. And the view of the proposed design from Southwest Harbor will be consistent with existing conditions. See "Proposed Elevations"- 2 & 3.

- 6) Will protect archaeological and historic resources as designated in the comprehensive plan;

The site contains no known archeological or historic resources

- 7) Will not adversely affect existing commercial fishing or maritime activities in a Commercial Fisheries/Maritime Activities Zone;

No portion of project is located in Commercial Fisheries/Maritime Activities Zone;

- 8) Will avoid problems associated with floodplain development and use; and

The bedroom wing and mudroom addition are not located in a floodplain.

- 9) Is in conformance with the provisions of Section 15, Land Use Standards.

The proposed renovation and addition comply with code requirements concerning the renovation of, and addition to, existing non-conforming structures. Per Section 16.C of the Shoreland Zoning Ordinance, with this project description letter, we have attached the following: Signed shoreland and building permit applications, an agent authorization

letter, a scaled site plan (conforming to the submission standards noted in Section 16(C)4 of the Land Use Ordinance), existing and proposed building plans and elevations, photos of the existing buildings, the property tax card, and deed for the property.

Michael Levesque motioned to accept the application complete as presented
Seconded by Charlotte Gill. Motion passed 5 | 0 | 0

VIII. **CEO Issues: Proposed Ordinance Changes**

Michael Levesque motioned to approve the proposed Planning Board Ordinance changes as presented
Seconded by Priscilla Ksionzyk. Motion passed 5 | 0 | 0

Michael Levesque motioned to table the Wireless Telecommunications Facilities Ordinance discussion.
Second by Priscilla Ksionzyk. Motion passed 5 | 0 | 0

IX. **Next Meeting Date: Regular Planning Board Meeting, May 1, 2025 @ 6:00 PM**

Michael Levesque motioned to schedule the next meeting for Thursday, May 1, 2025
Seconded by Charlotte Gill. Motion passed 5 | 0 | 0

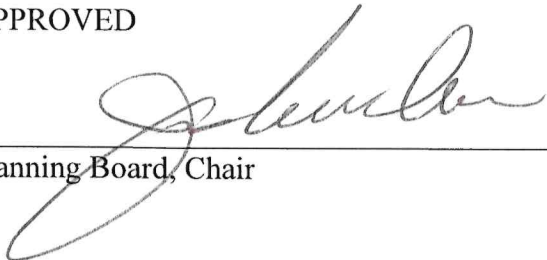
X. **Adjourn Meeting:**

Michael Levesque motioned to adjourn the meeting at 8:18 PM
Second by Priscilla Ksionzyk. Motion passed 5 | 0 | 0

Respectfully submitted,

Madilynn Michaud
Deputy Town Clerk

APPROVED



Planning Board, Chair

Date: 5/1/2025