



**Town of Southwest Harbor
Planning Board Minutes May 1, 2025
Town Office and via Zoom 6:00 PM**

I. Call to Order

John Williams called May 1, 2025, Planning Board meeting to order at 6:00pm.

II. Roll Call

John Williams, Priscilla Ksionzyk, Charlotte Gill, Lee Worcester, Michael Levesque, Joel Wolak approximately 30 minutes late

Absences: Eric Davis

Others Attending: CEO John Larson, Madilynn Michaud, Liaison Chapin McFarland, Applicant Jose Feliciano, Attorney William Reiff, Attorney Stephen Wagner, Attorney Andrew Hamilton. Mike Guerette, Rosanne Guerette, Thomas Raynor, Lincoln Millstein via Zoom.

III. Adoption of Agenda:

Lee Worcester motioned to adopt the agenda.
Second by Charlotte Gill. Motion passed 5 | 0 | 0

IV. Approval of Minutes: April 17, 2025

Michael Levesque motioned to approve the April 17, 2025 minutes.
Seconded by Priscilla Ksionzyk. Motion passed 4 | 0 | 1 – Lee Worcester abstained due to his absence last meeting

V. Conflict of Interest: None

VI. Old Business:

Appeals of Board Remand of Acadia Views Subdivision
234 Main Street Tax Map 007 Lot 029 & 031 B Zone
Continuing determination of completeness under Land Use Ordinance and Subdivision Ordinance

Lee Worcester motion to reconsider the prior decision regarding the classification of cabins as residential

Seconded by Priscilla Ksionzyk. Motion passed 5 | 1 | 0 – Michael Levesque opposed

Lee Worcester motion to determine the classification of cabins as commercial based on ordinance review

Seconded by Priscilla Ksionzyk. Motion passed 5 | 1 | 0 – Michael Levesque opposed

Michael Levesque motioned the applicant has presented all the materials asked to determine the application complete.

Seconded by Charlotte Gill. Motion passed 6 | 0 | 0

VII. **Public Hearing:** Continuation on Acadia Views Subdivision

John Williams opened a public hearing at 6:46pm

John Williams closed the public hearing at 7:56pm

A brief recess took place from 7:09pm to 7:20pm

PERFORMANCE STANDARDS

A. Buffering Standards

Impact Level:

- 1) Level 1 – Low: The impact of the proposed activity on adjoining properties will be minimal. Consequently, buffering is called for only around parking areas and driveways.
- 2) **Level 2 – Medium: There will be increased impact in terms of noise, lights, and loss of privacy. Therefore, a great depth of buffering is called for to screen all areas where the new activity is to take place.**
- 3) Level 3 – High: Activity which have serious impact on the quality of adjoining residential properties. These may include the following: New construction of large (or tall) buildings, parking lots, uses that are likely to increase traffic movement, frequent use of large trucks, or exterior storage of goods. In such cases, greater buffering will be required, (both for building and parking lot and driveways) and will have to be deeper or denser than what is called for under Levels 1 and 2.

Lee Worcester motioned the Acadia Views Subdivision a Level 2 buffering standard condition to the applicant submitting a buffering plan that is acceptable to the board

Seconded by Michael Levesque. Motion passed 6 | 0 | 0

This plan should be a vegetation buffer plan, preferably using evergreen or coniferous materials, addressing species, spacing, and timing. The buffering should be along the sideline and back property lines, specifically addressing the Rayner and Guerette properties. The plan needs to be installed and in

place before occupancy of the new cabin units. The proposed plan needs to be designed to potentially grow to a height of 6 or 8 feet and fill in over 4-5 years.

- B. Driveway and Driveway Opening Standards:
Driveway permits exist as part of the application
- C. Erosion and Sedimentation Control Standards:
Standard met based on the Stillwater Engineering Erosion Control Plan made part of applicaton
- D. Exterior Light Standards:
Shielded lighting on cottages made part of application
- E. Fill and Excavation Standards:
Based on the Stormwater management report indicating 900 cubic yards of fill had been brought to the property, the Board needed to approve the amount exceeding 500 cubic yards as required by ordinance section 8.B.2.h of the LUO.

Lee Worcester motioned to approve the moving or excavation of more than 500 cubic yards of inner fill

Seconded by Priscilla Ksionzyk. Motion passed 6 | 0 | 0

- F. Fire Protetion Standards:
Letter regarding fire protection was on file
- G. Flood Hazard Area Standards:
N/A No portion of proposed structure is in Flood Zone
- H. Handicapped Access Standards:
N/A No requirement to be handicapped accessible.
- I. Heavy Commercial or Industry Pollutant Standards:
N/A No heavy or industrial pollutants to be generated.
- J. Noise Standards:

Priscilla Ksionzyk motioned that there is no objectionable noise issues as proposed with this project

Seconded by Lee Worcester. Motioned passed 6 | 0 | 0

- K. Parking and Loading Standards:
Standards have been met based on plan submitted
- L. Road Standards:
Shown on plan
- M. Sewage Disposal Standards:
Letter was submitted from Southwest Harbor Water & Sewer Department
- N. Sign Regulations Standards:
N/A No sign proposed.
- O. Soil Standards:
The applicant had previously submitted a soil report from an engineer.
- P. Stormwater Runoff Standards:

Plan from an engineer has been submitted

- Q. Stream Standards:
N/A No stream identified on this property.
- R. Vibration Standards:
N/A No generation of vibration proposed
- S. Water Quality Standards:
Discussion of a Nerpa permit submitted
- T. Water Supply Standards:
Town Water

Lee Worcester motioned the application as presented has met the Land Use Ordinance performance standards, and as a condition of approval, the stormwater management and buffering plan be installed before occupancy of the cabin units, except for units 2 and 3 which have been permitted and built.

Seconded by Priscilla Ksionzyk. Motion passed 6 | 0 | 0

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

Planning Board Bylaws are approved as presented by the Board

Michael Levesque motioned to change the Planning Board meeting schedule to the 1st and 3rd Tuesday at 6:00pm each month taking effect in June 2025

Seconded by Priscilla Ksionzyk. Motion passed 6 | 0 | 0

IX. **Next Meeting Date:** May 8, 2025

Lee Worcester motioned to schedule the next meeting for Thursday, May 8, 2025

Seconded by Priscilla Ksionzyk. Motion passed 6 | 0 | 0

X. **Adjourn Meeting:**

Michael Levesque motioned to adjourn the meeting at 9:13 PM

Second by Lee Worcester. Motion passed 6 | 0 | 0

Respectfully submitted,

Madilynn Michaud
Deputy Town Clerk

APPROVED



Planning Board, Chair

Date: 6/3/25