



Planning Board Agenda

Southwest Harbor Thursday, March 16, 2023 @ 6:00 PM
Town Hall & Zoom

- I. Call to Order/Roll Call
- II. Adoption of the Agenda
- III. Approval of Minutes: February 16, 2023
- IV. Public Hearing Land's End Ventures, LLC
- V. Old Business:

Land's End Ventures, LLC – Lark Studio
Multi-family / unit residential
388 Main Street in the B Zone
Performance standards
- VI. New Business

None
- VII. CEO Issues – None
- VIII.. Next Meeting Date: April 6, 2023

Regular Planning Board Meeting, Thursday April 6, 2023 @ 6:00 PM
- IX. Adjourn Meeting

Draft

Town of Southwest Harbor
Planning Board Minutes February 16, 2023
Town Office & via Zoom 6:00PM

I. Roll Call- All were present. Eric Davis, John Williams, Mike Levesque, Priscilla Ksionzyk, Jack Ksionzyk, Ken Salvatore, Lee Worcester and CEO John Larson

Also present: Noel Musson, Eric Stiles, Mike Rogers, Chip Haskell,

II. Eric Davis called the February 16, 2023, Planning Board meeting to order at 6:00PM.

III. Approval of Minutes: January 5, 2023

Motioned by: Mike Levesque, to approve the minutes of the January 5, 2023, Planning Board Meeting

Seconded by Jack Ksionzyk

No discussion

Motion passed 6|0|1- Lee Worcester abstained

IV. Old Business: None

V. New Business:

Friends of Acadia- The Musson Group
Change of Use Application
373 Main Street in the A Zone

Noel Musson, of The Musson Group, presented with Eric Stiles, of Friends of Acadia, on the change of use from a seasonal Bed & Breakfast to a residential use. The property would be used to house employees at Acadia National Park. There are ten bedrooms total and each bedroom would house one employee.

The Planning Board explained all the requirements of the Land Use Ordinance including parking requirements.

Eric Davis motioned that the use of this applicant's project is sufficiently similar to the current use, so it does not need any amendment for licensing.

Seconded by: Priscilla Ksionzyk

No discussion

Motion passed 7|0|0

Land's End Ventures, LLC- Lark Studio
Multi-family/ Unit Residential
388 Main Street in the B Zone
Determination of Complete Application

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Mike Rogers, with Lark Studio, and Chip Haskell, with Haley Ward, presented the proposed new 10-unit Multi-family two bedroom housing for residential use that will be accessible for all.

There was discussion on the driveway location, the type of fencing to be used around the whole parking lot except for the drives access point. As well as discussion on the height of the highest point and if they were conformant with the forty foot maximum as outlined in the Land Use Ordinance.

Completeness: Section VIII (C) (4) (c) of the LUO requires each application to include 16 site plan requirements, if applicable:

- 1) Scale, north arrow and names of abutting property owners. North direction shown on stormwater & erosion control plan and list of abutting property owners on attached abutter notice.

Shown on plan

- 2) Dimension and area of each lot to be built upon or otherwise used:

Shown on drawing V 101

- 3) Location of any wells on the lot or within 100' of property lines:

No well shown on plan

- 4) Name and location of any abutting water body, streams, brooks and wetlands:

None shown on plan

- 5) Areas to be cleared and areas of any cut, fill, grading or other earthmoving activity:

Shown on drawing L100

- 6) Size, shape and location of existing and proposed buildings and/or structures including dumpsters, piers, docks.

Shown on drawing C101

- 7) Outdoor lighting: Proposed locations

Shown on plan C101

- 8) Sewer and water facilities: Existing and proposed

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Need tie in permits for 6 more connections

- 9) Layout and location of parking areas with existing and proposed parking spaces (including commercial vehicle parking).

Shown on plan C101

- 10) Location of existing and proposed roads/driveways with setback from nearest lot line:

Shown on plan L1

- 11) Name/location of existing or proposed right of way and easements on the site or abutting the property:

Easement shown on plan

- 12) Existing grades and any proposed changes in grades.

Shown on plan C101

- 13) Soil Erosion and Sedimentation control plan:

Shown on drawing C501

- 14) Freshwater wetlands or hydric soils:

None on site

- 15) Plans for proposed structures must include access and dimensions, elevation plan showing height of the building and all floor plans:

Shown on plan A100 & A101

- 16) Buffering/Landscape plan as described in Section VI.

Shown on plan L1

Eric Davis motioned that the applicant, Lands End Ventures LLC, has a complete application as outlined in the Land Use Ordinance.

Seconded by Lee Worcester

Discussion on what level income they are looking at for tenants. The units are smaller but will be intended for year round residents.

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Motion Passed 7|0|0

Public Hearing & Findings of Fact to be held March 16, 2023

VI. CEO Issues- None

VII. Suggestions for Next Meeting

Possible New Cell Tower Application-The Planning Board discussed structure height requirements, and referenced a previous application that the Planning Board approved, but was denied through the FCC.

John will reach out to applicant to determine if they will be ready/available for the March 2, 2023, meeting, or a later date.

VIII. Next Meeting Date: March 2, 2023

Regular Planning Board Meeting, Thursday, March 2, 2023, @6:00PM-providing the new applicant is available. Otherwise, Regular Planning Board Meeting & Public Hearing scheduled for Thursday, March 16, 2023, @6:00PM

IX. Adjourn Meeting

Lee Worcester motioned to adjourn the meeting @6:40PM
Seconded by Ken Salvatore
No Discussion
Motion Passed 7|0|0

Respectfully submitted,

Sarah Abbott,
Deputy Clerk

APPROVED

Eric Davis, Chair

Date: _____

Land's End Ventures, LLC – Lark Studio
Multi-family / unit residential
388 Main Street Tax Map 3 Lot 34
B Zone

Applicable Section VI: Performance Standards: Land Use Ordinance

A. Landscaping/Buffering

Commercial use requires buffering. Planning Board must determine level of buffering per Section VI,

Standard Met. Level 1 based on existing vegetative buffer adequate.

B. Driveway and Driveway opening

C. Erosion/Sedimentation Controls

Standard met. The District's construction contractor will be required to provide consistent erosion control measures in accordance with the current Maine Erosion & Sediment Control Best Management Practices (BMP's). District will provide full time resident inspector to ensure consistent maintenance of necessary controls as work progresses.

D. Exterior Lighting

Standard met. Exterior lighting will be provided and meet dark sky design requirements, with exterior lights shielded and luminance less than 0.1 foot candles at the property line.

E. Fill and Excavation Standards

Standard Met. The project will involve

F. Fire Protection Standards

Standard met. The proposed work does not meet the threshold triggering State Fire Marshal review as referenced in the ordinance. The SWH Fire Chief has provided a letter stating there are no concerns with the project.

G. Flood Hazard Area Standards

H. Handicapped Access Standards

I. Heavy Commercial or Industrial Pollutant Standards

J. Noise:

The Planning Board reserves the right to determine if noise from a proposed project or an expansion of a use will be “objectionable”. A majority vote of the Board is required for this determination.

1. Will there be any objectionable noise transmitted outside the lot?
2. If there is noise that may be objectionable, the Board must determine by majority vote.

Motion: This Standard has been met based on no objectionable noise transmitted outside the lot. There will be no added noise due to the upgrade. There is an existing generator on site which is being replaced. The new generator is being located to reduce noise impacts to neighbors.

Motion by _____, second by _____
Motion passed unanimously

K. Parking and Loading Standards

L. Road Standards

M. Sewerage Disposal Standards

Standard met. Wastewater will be treated at the District’s facility.

N. Sign Regulations

O. Soil Standards

P. Storm Water Runoff Standards

Q. Stream Standards

N/A No stream on property.

R. Vibration Standards

N/A No operation of facility will create vibrations.

S. Water Quality Standards

Standard met. The project will not discharge anything that will adversely impact water quality. All work will meet DEP NRPA standards. The DEP is partially funding the project has reviewed the project and approved for construction.

T. Water Supply Standards

Standard met. Lot is already served by water supply and there will be