



Planning Board Agenda

Southwest Harbor Thursday, September 21, 2023 @ 6:00 PM
Town Office & via Zoom

- I. Call to Order/Roll Call
- II. Adoption of the Agenda
- III. Approval of Minutes: September 7, 2023
- IV. Old Business:

None
- V. New Business

Spruce Bough LLC /WMH Architects
31 Journeys End Lane – Residential Shoreland Zone
Tax Map 4 Lot 77 – Replace existing structure.

Geoff Aguirre & Kimberly Togman / Coplan Associates
26 Eastview Lane – B Zone
Driveway greater than 250 feet
Tax Map 3 Lot 56A
- VII. CEO Issues – None
- VIII.. Next Meeting Date: October 5, 2023

Regular Planning Board Meeting, Thursday October 5, 2023 @ 6:00 PM
- IX. Adjourn Meeting

CEO'S Memo

To: Tremont Planning Board
From: Sarah Abbott, Southwest Harbor Deputy Code Enforcement Officer
cc: Town Manager, Town Clerk, Other Interested Parties
Date: Friday, September 15, 2023
Re: **Planning Board Meeting of September 21, 2023**

CALL TO ORDER – 6:00 P.M.

Determination of Quorum

Excused & Unexcused Absences

At this time, no Planning Board member have told us that they will miss the meeting. However, should this happen, it is best to pass a motion excusing anyone who tells us that they will be unable to attend.

Suggested Motion: Motion to excuse members not present.

Minutes of September 7, 2023

Enclosed you will find the completed minutes of the September 7th meeting. I suggest passage of a motion to approve the minutes for the September 7, 2023, meeting as presented.

Suggested Motion: Motion to approve minutes of September 7, 2023, as presented.

OLD BUSINESS: NONE

NEW BUSINESS:

**Spruce Bough LLC /WMH Architects
31 Journeys End Lane – Residential Shoreland Zone
Tax Map 4 Lot 77 - Replace existing structure.**

Enclosed in your packet is an application from WMH Architects, who is representing, Spruce Bough LLC. This would be for the reconstruction of a non-conforming structure located at 31 Journey's End. The purpose of review at this meeting is for completeness of the application. I have enclosed my suggestions for if the site plan requirements have been included or are non-applicable, but the board will need to review each section to make a final vote on if the application is complete. If complete, you will need to schedule a public hearing and performance standards review.

Suggested motion: Motion to approve/ deny the application of Spruce Bough LLC as it is/ isn't complete in containing all applicable required standards of the Land Use Ordinance.

Suggested Public Hearing date: October 5, 2023 @ 6:00pm, performance standards to follow

**Geoff Aguirre & Kimberly Togman / Coplon Associates
26 Eastview Lane – B Zone
Tax Map 3 Lot 56A
Driveway greater than 250 feet**

Enclosed in your packet is an application from Samuel Coplon, who is representing, Geoff Aguire and Kimberly Togman. This would be to install a 617' +/- driveway to access the future residential structures shown on site plan. The purpose of review at this meeting is for completeness of the application. I have enclosed my suggestions for if the site plan requirements have been included or are non-applicable, but the board will need to review each section to make a final vote on if the application is approved as complete. If complete, you will need to schedule a public hearing and performance standards review.

Suggested motion: Motion to approve/ deny the application of Geoff Aguirre & Kimberly Togman as it is/ isn't complete in containing all applicable required standards of the Land Use Ordinance.

Suggested Public Hearing date: October 5, 2023 @ 6:00pm, performance standards to follow

OTHER: NONE

CEO ISSUES: NONE

NEXT MEETING DATE

You have previously scheduled your next meeting for Thursday, October 5th at 6:00pm in the Southwest Harbor Town Office Meeting Room. Should you wish to keep with this same schedule, I suggest passage of a motion to confirm the date of the next meeting.

Suggested Motion: Motion to confirm the date of the next meeting for Thursday, October 5, 2023, at 6:00pm in the Town Office Meeting Room.

ADJOURNMENT

Suggested Motion: Motion to adjourn September 21, 2023, Planning Board Meeting At _____ pm.

Geoff Aguirre & Kimberly Togman / Coplan Associates
26 Eastview Lane – B Zone
Tax Map 3 Lot 56A
Driveway greater than 250 feet

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 application
- 3) Location of any wells on the lot or within 100' of property lines:
Not shown on plan
- 4) Name and location of any abutting water body, streams, brooks and wetlands:
N/A- none abutting the property
- 5) Areas to be cleared and areas of any cut, fill, grading or other earthmoving activity:
Shown on plan
- 6) Size, shape and location of existing and proposed buildings and/or structures including dumpsters, piers, docks.
Shown on plan
- 7) Outdoor lighting: Proposed locations
N/A- none proposed
- 8) Sewer and water facilities: Existing and proposed
None shown on plan
- 9) Layout and location of parking areas with existing and proposed parking spaces (including commercial vehicle parking).
Shown on plan
- 10) Location of existing and proposed roads/driveways with setback from nearest lot line:
Shown on plan
- 11) Name/location of existing or proposed right of way and easements on the site or abutting the property:
Shown on plan

- 12) Existing grades and any proposed changes in grades.
Shown on plan
- 13) Soil Erosion and Sedimentation control plan:
Shown on plan
- 14) Freshwater wetlands or hydric soils:
Shown within application- see applicant check list
- 15) Plans for proposed structures must include access and dimensions, elevation plan showing height of the building and all floor plans:
None shown on plan
- 16) Buffering/Landscape plan as described in Section VI.
N/A- residential use of property

Spruce Bough LLC /WMH Architects
31 Journeys End Lane – Residential Shoreland Zone
Tax Map 4 Lot 77 – Replace existing structure.

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 plan
- 3) Location of any wells on the lot or within 100' of property lines:
Shown on plan
- 4) Name and location of any abutting water body, streams, brooks and wetlands:
Shown on plan
- 5) Areas to be cleared and areas of any cut, fill, grading or other earthmoving activity:
Shown on plan
- 6) Size, shape and location of existing and proposed buildings and/or structures including dumpsters, piers, docks.
Shown on plan
- 7) Outdoor lighting: Proposed locations
Shown on plan
- 8) Sewer and water facilities: Existing and proposed
Shown in application- connecting to town water & sewer
- 9) Layout and location of parking areas with existing and proposed parking spaces (including commercial vehicle parking).
Shown on plan
- 10) Location of existing and proposed roads/driveways with setback from nearest lot line:
Shown on plan
- 11) Name/location of existing or proposed right of way and easements on the site or abutting the property:
Shown on plan
- 12) Existing grades and any proposed changes in grades.
Shown on plan

- 13) Soil Erosion and Sedimentation control plan:
Shown on plan
- 14) Freshwater wetlands or hydric soils:
Shown on plan
- 15) Plans for proposed structures must include access and dimensions, elevation plan showing height of the building and all floor plans:
Shown on plan
- 16) Buffering/Landscape plan as described in Section VI.
N/A- residential use of property

Town of Southwest Harbor
Planning Board Minutes September 7, 2023
Town Office & via Zoom

I. Roll Call- Eric Davis, Joel Wolak, Mike Levesque, Prisilla Ksionzyk, John Williams & Ken Salvatore
Absent- Lee Worcester

II. Call to Order- Eric Davis called the September 7, 2023, Planning Board meeting to order at 6:00pm.

III. Approval of Minutes: August 17, 2023

Eric Davis motioned to approve the minutes of August 17, 2023, as presented.
Seconded by Mike Levesque
No discussion.
Motion passed: 6|0

IV. Public Hearing:

Charles Watson
20 County Lane
Tax Map 017 Lot 014
Ground Mounted Solar Panels

Chairman Eric Davis opened the public hearing at 6:01pm.

Abutter George Jellison spoke on concerns regarding the existing vegetation for buffering from the project, road opening concerns that the road will need major improvements before completing the project, mentioning that Versant Power has been out to inspect the property. Jellison spoke as well about liability concerns between joint property owners and abutting neighbors. There were concerns as well regarding erosion control for the manmade pond on site, the amount of fill that had been brought on site, as well as if the panels being installed were not for commercial use.

Applicant Watson, spoke addressing erosion, fill, and pond setback had all been discussed in his previous building permit that had already been approved by the board.

After hearing no more public comment Chair Davis closed the public hearing at 6:17pm.

V. Old Business:

Charles Watson
20 County Lane
Tax Map 017 Lot 014
Ground Mounted Solar Panels
Performance Standards

Applicable Section VI: Performance Standards: Land Use Ordinance

A. Landscaping/Buffering

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

Mike Levesque motioned that the buffering standards are not required due to both properties having residential use.

Seconded by John Williams

Discussion on what was currently on site for vegetation and standards on for commercial use.

Motion passed: 6|0

B. Driveway and Driveway opening

Standard Met- There is no changes being made to existing driveway.

Eric Davis motioned that as presented the application has met the driveway standards.

Seconded by Priscilla Ksionzyk

No discussion.

Motion passed: 6|0

C. Erosion/Sedimentation Controls

Standard Met- There will be little to no impact on existing grades with the ground mounted solar panels. The installation of the structure is designed to fit with the topography and soils of the site, to create the least potential for erosion.

Eric Davis motioned that as presented the application has met the erosion control standards.

Seconded by Ken Salvatore

No discussion.

Motion passed: 6|0

D. Exterior Lighting

N/A- There are no exterior lights proposed.

E. Fill and Excavation

N/A- there is no additional fill being brought onto the property.

G. Fire Protection

N/A- The proposed work does not meet the threshold triggering State Fire Marshal review as referenced in the ordinance.

H. Flood Hazard Permit

N/A- not in the flood hazard zone

I. Handicap Access

N/A

J. Heavy Commercial or Industrial Pollutants

N/A

K. 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 to be transmitted outside the lot. There will be no added noise due to the installation of ground mounted solar panels once completed.

Motion by Eric Davis, seconded by Mike Levesque Vote 6|0

L. Parking and Loading Standards.

N/A- no additional parking is proposed.

M. Road Standards

N/A- no changes to be made to existing road

N. Sewerage Disposal Standards

N/A

O. Sign Regulations

N/A

P. Soil Standards

Standard met- The proposed installation of the solar array will be established with minimal environmental impacts.

Q. Storm Water Runoff Standards

N/A

R. Stream Standards

N/A- No stream on property. Manmade pond has no setback

S. Vibration Standards

N/A

T. Water Quality Standards

N/A

U. Water Supply Standards

N/A

Motion by Eric Davis seconded by Mike Levesque to deem the application of Charles Watson for the installation of ground mounted solar panels to be in compliance with the performance standards of the Land Use Ordinance.

Votes in Favor: 6 Votes opposed: 0

VI. Public Hearing:

Jarrold Kushla/ Anne Napier
Town of Tremont
47 Shore Road
Tax Map 001 Lot 071
Construction of Harbor Master Office

Chair Eric Davis opened the public hearing at 6:33pm.

After hearing no public comments or concerns, Davis closed the public hearing at 6:34pm.

VII. Old Business:

Jarrold Kushla/ Anne Napier
Town of Tremont
47 Shore Road
Tax Map 001 Lot 071
Construction of Harbor Master Office
Performance Standards

Applicable Section VI: Performance Standards: Land Use Ordinance

A. Landscaping/Buffering

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

Standard Met- There are no proposed changes to existing vegetation.

B. Driveway and Driveway opening

Standard Met- There are no changes being made to the existing driveway/ parking lot.

C. Erosion/Sedimentation Controls

Standard Met- There will be little to no impact on existing grades with the construction of a new office for the Harbor Master. The installation of the structure is designed to fit with the topography and soils of the site, to create the least potential for erosion.

D. Exterior Lighting

N/A- There are no exterior lights proposed.

F. Fill and Excavation

N/A- there is no additional fill being brought onto the property.

G. Fire Protection

N/A- The proposed work does not meet the threshold triggering State Fire Marshal review as referenced in the ordinance.

H. Flood Hazard Permit

Flood Hazard Permit to be issued by the Code Enforcement Officer.

I. Handicap Access

Standard Met- Plans for public accommodation have been met.

J. Heavy Commercial or Industrial Pollutants

N/A

K. 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 to be transmitted outside the lot. There will be no added noise due to the reconstruction of an existing office building.

Motion by Eric Davis, seconded by Mike Levesque Vote 6|0

L. Parking and Loading Standards.

N/A- no additional or changes are proposed to existing parking.

M. Road Standards

N/A

N. Sewerage Disposal Standards

Standard Met- Will be connecting to the town sewer.

O. Sign Regulations

N/A- there is no proposed sign within the project.

P. Soil Standards

Standard met- The proposed reconstruction of the existing office building will be established with minimal environmental impacts.

Q. Storm Water Runoff Standards

Standard Met- The site is already developed and will be replacing the existing structure with a slight expansion. There will be minimal to no changes in the runoff patterns. Any runoff will flow to the shoreline, therefore will not adversely impact other properties.

R. Stream Standards

N/A- No stream on the property

S. Vibration Standards

N/A

T. Water Quality Standards

Standard Met

U. Water Supply Standards

Standard Met- Will be connecting to town water.

Motion by Eric Davis seconded by Mike Levesque to deem the application from Jarrod Kushla/ Anne Napier, on behalf of the Town of Southwest Harbor for the reconstruction of the Harbor Master's Office to be in compliance with the performance standards of the Land Use Ordinance.

Votes in Favor: 6 Votes opposed: 0

VIII. New Business: None

IX. CEO Issues: None

X. Next Meeting Date:

Regular Planning Board Meeting, Thursday September 21, 2023 @6:00pm

XI. Adjournment

Mike Levesque motioned to adjourn the meeting of September 7, 2023 at 6:39pm.
Seconded by Ken Salvatore.
No discussion.
Motion passed 6|0

Respectfully submitted,

Sarah Abbott
Deputy CEO

APPROVED

Planning Board, Chair

Date: _____