

MINUTES
Southwest Harbor Planning Board
July 23, 2015

- I. Roll Call/Call to Order:
Chairman Ryan Donahue called the meeting to order at 6:15 PM. In attendance Lee Worcester, III, Chris Rawls, Eric Davis, Chad Terry, Mike Mansollili and CEO Don Lagrange. Mike Magnani was excused.
- II. Approval of Minutes
Eric Davis moved to accept the minutes of April 16, 2015. Seconded by Chad Terry and voted in favor 5/0/1
The approval of June 18, 2015 minutes was continued to the next meeting due to lack of voting quorum.
- III. Visitors not on the agenda-None
- IV. Marc Chalfoun c/o Anita Chalfoun, 196 Seawall Road, Map 17, Lot 7. Modification to a previously recorded subdivision plan. The change included expansion of area in the condo docs to be dedicated to unit 7.
Chad Terry moved the correct number of copies of the location map was submitted and advisory opinion from State and Federal agencies were not required. Seconded by Eric Davis and voted in favor 6/0/0.
Lee Worcester moved all required information on revised subdivision plan has been submitted. Seconded by Chad Terry and voted in favor 6/0/0.
Lee Worcester moved the nature and character of the subdivision will not be affected therefore the review criteria 1 through 15 does not require Planning Board review. Seconded by Mike Mansollili and voted in favor 6/0/0.
Eric Davis moved the changes as presented to a previously approved subdivision in 2005 known as Hyewood, A Condominium, do not change or alter the character of the subdivision. Seconded by Lee Worcester and voted in favor 6/0/0.
Eric Davis moved to approve the revised subdivision plan dated July 8, 2015 of Hyewood, A Condominium to allow for the expanded area dedicated to Unit #7. Seconded by Lee Worcester and voted in favor 6/0/0.
- V. Ordinance Review Recommendations
~ Night sky initiative; Review exterior lighting standards, Section VI, subsection E of the Land Use Ordinance to determine suitability for protecting dark night sky. The Board agreed to continue to the next meeting to allow public input.
~ Review Road Ordinance changes recommended by Olver Engineering. Discussions centered on the width of a right of way and curbing. It was agreed that the traveled way will be a minimum 24' whether a collector or a local road. The right of way could be designed with or without curbing. If curbing is provided, the right of way need only to be 32' however if drainage swales are designed with no curbing, the right of way will be 50'. If curbing is used, it will be either concrete or granite. Asphalt curbing will not be accepted. Also, one way road language should be developed. Landscaping requirements should not list the types of trees to be planted rather require trees by agreement. The variance and waiver section XV should give the Planning Board the authority for waivers and not the Board of Selectmen.
~ Clarification of zones/Areas that should have a different designation based on typical existing lot size was not discussed and will be continued to next meeting.
~ Land Use Ordinance Amendment, Section XII Appendix to correct the error in the description of Resource Protection was continued to next meeting.
~ Noise Ordinance/Amend to include start and end time on construction projects to not begin before 7AM and to end prior to 7PM, including any use or startup of equipment was heavily discussed. CEO Lagrange suggested relief is required to seasonal

occupants who are aggravated by earlier than 7 AM startups. Considering over 1600 seasonal rentals may be affected, the Planning Board were unanimous that due to the short construction season, the current noise ordinance should not be altered. They also suggested potential spin off to the fishing business who typically start their days before 5AM. The consensus of the Planning Board is no changes to the noise ordinance.

~ Reviewing an amendment to the subdivision ordinance to exempt further changes to a previously approved subdivision plans that do not include changes in lot lines or density of structures such as review of the location of building envelop or structures, size, configuration or layout of structures and restrictions or regulations per condo documents has been continued to next meeting.

~ It was agreed by the Board that reflectorized DOT signage should be allowed however there was not motion to send to the voter's approval.

~ Minimum dwelling size in Section II of the Land Use Ordinance requires a minimum of 500 square foot dwelling unit and the Board initiated discussions to allow for smaller units. The concern was the use of recreational vehicles as a dwelling unit. Language will be developed by the CEO to satisfy the arguments.

XII. Election of Officers: Chairman, Vice Chairman, Secretary

Ryan Donahue nominated Chad Terry as Chairman of the Planning Board, replacing Ryan Donahue who has served for the past three years. Seconded by Lee Worcester and voted in favor 5/0/1. Lee Worcester nominated Chris Rawls for Vice Chair, seconded by Chad Terry and voted in favor 5/0/1. Eric Davis nominated Mike Magnani as Secretary, seconded by Mike Mansollili and voted in favor 6/0/0.

XIII. Other business

CEO Lagrange requested opinion from Planning Board should they review the breakwater project by Great Harbor Marina on Black Ledge. The Town had previously approved an easement to Great Harbor to use this area for a breakwater. Lee Worcester moved the Planning Board was not required to review this project. Seconded by Mike Mansollili and voted in favor 6/0/0.

XIV. Chad Terry moved to adjourn the meeting at 8:20 PM. Seconded by Lee Worcester and voted in favor, 6/0/0. Adjourn