

**Cover Page  
for Wednesday January 5, 2022  
Planning Board Meeting**

*Project Information is available at <a href="https://www.barharmormaine.gov/282/Planning-Board">https://www.barharmormaine.gov/282/Planning-Board</a>	Material Issued 12/23/2021	Issued on _____
<b>ITEMS</b>		
Cover page with date	✓	
January 5, 2022 Meeting Agenda	✓	
December 1, 2021 minutes for approval		
Draft order for removal of 2/3 majority vote requirement for Public hearing	✓	
Additional information, Staff Report, and Draft Decision for Public Hearing/Completeness/Compliance Review SP-2021-04 Atlantic Oceanside Employee Housing (ELQ)	✓	
Application and Staff Report for Pre-Application Sketch Plan Review for SD-2021-05 Clark Acres Subdivision Modification Fisk Lot Line	✓	
Application and Staff Report for Completeness Review for A Subdivision Plan SD-2021-03 Harbor Lights Retirement Community	✓	
2022 Draft Schedule for PUD Land Use Amendment	✓	



## Meeting Agenda Bar Harbor Planning Board

Wednesday, January 5, 2022 at 4:00 PM

Council Chambers — Municipal Building — 93 Cottage Street

I. CALL TO ORDER

II. ADOPTION OF THE AGENDA

III. EXCUSED ABSENCES

IV. PUBLIC COMMENT PERIOD

The Planning Board allows up to 15 minutes of public comment on any subject not on the agenda nor on a pending application before the board, with a maximum of three minutes per person.

V. APPROVAL OF MINUTES

- a. December 1, 2021

VI. REGULAR BUSINESS

a. Public Hearing for Proposed Land Use

**Amendment: Removal of the Two-thirds Majority Vote Requirement.** This amendment provides that a simple majority vote at Town Meeting is required to adopt a proposed amendment to the Land Use Ordinance, regardless of whether or not the Planning Board votes to recommend the amendment. This is a Town Council initiated proposed amendment.

b. Public Hearing and Completeness/Compliance Review for Major Site Plan

**Application SP-2021-04 — Atlantic Oceanside Employee Housing (ELQ)**

**Project Location:** The property is located at 119 Eden Street, Tax Map/lots 101-001-000 and 101-002-000. The parcels encompass ±10.59 acres of land, according to town tax records. The subject land is in the Bar Harbor Gateway and the Shoreland General Development III zoning districts. The ELQ project is entirely located within the Bar Harbor Gateway zoning district.

**Owner/Applicant:** Witham Family, LLC, 215 High Street, Ellsworth, Maine 04605

**Application:** The construction of an Employee Living Quarter (ELQ) to house 16 employees on site at the Atlantic Oceanside Hotel & Conference Center. The building

### PLEASE NOTE

- The Planning Board has adopted a Remote Participation Policy that allows it to use means of remote participation under certain circumstances. By 4:00 PM on Thursday, December 30, 2021, it will be determined if remote participation will be an option for the January 5, 2022 meeting. To find out if remote participation will be an option, and if it is an option how to join via Zoom, go to <https://www.barharbormaine.gov/282/Planning-Board> at or after 4:00 PM on December 30, 2021.
- All Planning Board meetings are broadcast live on Bar Harbor Spectrum channel 7 (in Bar Harbor) and streamed online at [https://townhallstreams.com/towns/bar\\_harbor\\_me](https://townhallstreams.com/towns/bar_harbor_me) and archived on that website for later viewing after the meeting.
- Anyone with a disability wishing to attend this meeting and who may have questions about how to do so should contact Tammy DesJardin at [tdesjardin@barharbormaine.gov](mailto:tdesjardin@barharbormaine.gov) or at 288-3329.

will be two stories with a separate living quarter on each floor, each with eight single bedrooms, one kitchen and two bathrooms.

**c. Pre-Application Sketch Plan Review for SD-2021-05 Clark Acres Subdivision Modification Fisk Lot Line**

**Project Location:** 54 Gretas Lane (Tax Map 227, Lot 100), encompassing a total of ±12.08, acres according to town tax records, in the Town Hill Rural District

**Owner/Applicant:** Jennifer Fisk, 54 Gretas Lane, Bar Harbor, Maine 04605

**Application:** The applicant proposes a modification to the 1989 Clark Acres Subdivision, modified in 2020. The applicant proposes to split Tax Map 227, Lot 100, that encompasses ±12.08 acres, according to the town tax records, into two lots.

Presently there is a house and the Acadia Wood Kennel (a full-service pet care facility) on the parcel. The split will create a front lot of about 5 acres to include the Acadia Wood Kennel and a back lot of about 7 acres to include the house. A 30-foot right-of-way, off the Crooked Road, will serve both lots.

**d. Completeness Review for A Subdivision Plan SD-2021-03 Harbor Lights Retirement Community**

**Project Location:** 18 Hamor Lane (Tax Map 216, Lot 50), encompassing a total of 58.97 acres according to town tax records, in the Shoreland Limited Residential, Hulls Cove Residential Corridor, Hulls Cove Rural, Resource Protection and Ireson Hill Residential districts.

**Owner/Applicant:** Harbor Lights, LLC, 80 Exchange Street, Bangor, ME 04402

**Application:** The applicant proposes to construct a retirement community on a 58.97-acre parcel of land, according to tax record. The area of the parcel that will be developed is an 18.7-acre portion wholly contained within the Hulls Cove Rural District. The application consists of 42 dwelling units, offices for qualified assisted living and care practitioner along with a community space building. The development will be served by public sewer and public water. The shore front portion, as well as the easterly portion of the parcel, are not part of the retirement community application. The easterly portion of the parcel will be 1-acre, single-family dwelling lot to be retained by the owner.

**VII. OTHER BUSINESS**

- a. Comprehensive Plan Project Overview and Planning Board Engagement, Steve Whitman from Resilience Planning
- b. Discussion - PUD draft work plan

**VIII. BOARD MEMBER COMMENTS/SUGGESTIONS FOR THE NEXT AGENDA**

**IX. REVIEW OF PENDING PLANNING BOARD PROJECTS**

**X. ADJOURNMENT**

**Draft Order  
of the Bar Harbor Town Council  
for the June 14, 2022 Town Meeting**

It is hereby ordered that the following article be placed on the annual town meeting warrant with voting thereon to be held by Australian ballot.

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**WARRANT ARTICLE**

**Article XX LAND USE ORDINANCE AMENDMENT – Removal of the Two-thirds Majority Vote Requirement to Amend the Land Use Ordinance–** Shall an ordinance, dated November 19, 2022, and entitled “An amendment to remove the two-thirds majority vote requirement to amend the Land Use Ordinance;” be enacted?

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**REMOVAL OF THE TWO-THIRDS MAJORITY VOTE REQUIREMENT**

This amendment provides that a simple majority vote at Town Meeting is required to adopt a proposed amendment to the Land Use Ordinance, regardless of whether or not the Planning Board votes to recommend the amendment.

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**EXPLANATION**

Currently, following consideration of a proposed amendment to the Land Use Ordinance at a public hearing, the Planning Board is required, by majority vote, to recommend for or against the adoption of the amendment. If the Planning Board recommends against adoption, a two-thirds majority vote at Town Meeting is required to adopt the amendment. If the Planning Board recommends adoption, then a simple majority vote at Town Meeting is required to adopt the amendment.

Under the proposed amendment, all amendments to the Land Use Ordinance require a simple majority vote at Town Meeting, regardless of the Planning Board’s recommendation.

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**An amendment to Article I**

*The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:*

[Please Note: Old language is ~~stricken~~. New language is underlined.]

**Chapter 125 , LAND USE ORDINANCE**

**Article I General Provisions**

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§ 125-9 Amendment.

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- E. ~~If the Planning Board recommends a proposed amendment, s~~Such amendment may be adopted by a majority vote at a duly constituted Town Meeting. ~~If the Planning Board does not recommend a proposed amendment, such amendment may be adopted only by a two-thirds majority vote at a duly constituted Town Meeting.~~

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Given under our hands and seal at Bar Harbor this XXXX day of XXXX, 2022:

Municipal Officers of the Town of Bar Harbor	
_____ Jefferson Dobbs, Chair	_____ Matthew A. Hochman, Vice Chair
_____ Gary Friedmann	_____ Joseph Minutolo
_____ Valerie Peacock	_____ Erin E. Cough
_____ Jill Goldthwait	



**TOWN OF BAR HARBOR**  
**Planning and Code Enforcement**  
93 Cottage Street  
Bar Harbor, ME 04609-1400

# STAFF REPORT

**PUBLIC HEARING, COMPLETENESS/COMPLIANCE REVIEW**  
**SITE PLAN APPLICATION**  
**SP-2021-04 — ATLANTIC OCEANSIDE**  
**EMPLOYEE HOUSING (ELQ)**

- Issued:** December 21, 2021
- PB Meeting Date:** January 5, 2022
- Owner/Applicant:** Witham Family, LLC, 215 High Street, Ellsworth, Maine 04605
- Proposed Project:** The construction of an Employee Living Quarter (ELQ) to house 16 employees on site at the Atlantic Oceanside Hotel & Conference Center. The building will be two stories with a separate living quarter on each floor, each with eight single bedrooms, kitchen and two bathrooms.
- Location:** The property is located at 119 Eden Street, Tax Map/lots 101-001-000 and 101-002-000. The parcels encompass  $\pm 10.59$  acres of land, according to town tax records. The subject land is in the Bar Harbor Gateway and the Shoreland General Development III zoning districts. The ELQ project is entirely located within the Bar Harbor Gateway zoning district.
- Permitted Use:** ELQ
- Applicable Laws:** Completeness - 125-66 Submission Requirements for  
Compliance - §125-67 General Standards and 125-69 W
- Review Process:**
1. Applicant presents application
  2. Questions and comments from the board
  3. Wrap-up completeness review
- Proposed motion: Move to find the application SP-2021-04 Atlantic Oceanside Employee Housing (ELQ) complete, per the Bar Harbor Land Use Ordinance section 125-66, as the foundation plan, lot coverage by district, light fixtures and shielding, and building height detail have been submitted as requested by the Planning Board on December 1, 2021, and as the Fire Marshal approval and the Highway Capacity letter will be considered by the Planning Board as conditions of approval.
4. Public hearing

5. Deliberations and determination of compliance with standards per 125-67 and 125-69 W
  - **Proposed Motion: Move to approve the application SP-2021-04 Atlantic Oceanside Employee Housing (ELQ) per the draft decision dated January 5, 2022, as it meets the standards of the Bar Harbor Land Use Ordinance sections 125-67 and 125-69 W. with the following conditions of approval: capacity letter from the Public Works Department, State Fire Marshal approval, and the construction of the pedestrian walkway no later than 18 months after this approval per Exhibit 1-i, page 1-6, in the application, and with the modification of standard for landscaping 125-67 H. (1)(f) and Table 1 for the reason stated in Exhibit 11 of the application.**



# Town of Bar Harbor Planning & Code Department

## DECISION

### SP-2021-04 — ATLANTIC OCEANSIDE EMPLOYEE HOUSING (ELQ)

**Date:** January 5, 2022  
**Owner/Applicant:** Witham Family, LLC, 215 High Street, Ellsworth, Maine 04605  
**Proposed Project:** The construction of an Employee Living Quarter (ELQ) to house 16 employees on site at the Atlantic Oceanside Hotel & Conference Center. The building will be two stories with a separate living quarter on each floor, each with eight single bedrooms, kitchen and two bathrooms.  
**Location:** The property is located at 119 Eden Street, Tax Map/lots 101-001-000 and 101-002-000. The parcels encompass ±10.59 acres of land, according to town tax records. The subject land is in the Bar Harbor Gateway and the Shoreland General Development III zoning districts. The ELQ project is entirely located within the Bar Harbor Gateway zoning district.  
**Permitted Use:** ELQ  
**Received:** November 4, 2021  
**Meeting Dates:** December 1, 2021 – Completeness Review  
January 5, 2022 – Public Hearing and Completeness/Compliance Review  
**Notice to Abutters:** December 20, 2021  
**Comment Period:** Ended January 3, 2022

**The approval is based upon the following submitted plans:**

- S-1, Site Plan prepared by Herrick & Salsbury Inc. dated December 3, 2021
- L-1, Landscaping Plan prepared by Herrick & Salsbury Inc., dated November 1, 2021
- FP1, 1<sup>st</sup> Floor Plan, prepared by Ritz-Craft, dated 1/29/2020
- FP2, 1<sup>st</sup> Floor Plan, prepared by Ritz-Craft, dated 1/29/2020
- ELV1, 1<sup>st</sup> Floor Plan, prepared by Ritz-Craft, dated 1/29/2020
- ELV1, Elevations, prepared by Ritz-Craft, dated 1/29/2020
- A-1, Right Elevation, dated 12/8/21
- F1, Foundation Plan Elevations & Detail, dated 11/10/2021, prepared by Fraser Associates Architects
- A-1, showing Front Elevation and Right Elevation, dated 11/30/21 with revision 12/8/21

**To the Code Enforcement Officer:** Under the authority and requirements of the Land Use Ordinance §125-61 F, at the properly noticed public hearing on January 5, 2022, by a motion duly made and seconded, it was voted to approve the noted application.



**This approval is based upon the following findings and conclusions of law:**

1. Based on the documents received, this application meets the requirements under the Land Use Ordinance Article V.
2. Based upon the documents received, and accepting the work of the professionals who have prepared the documents, the Planning Board finds that the application meets the requirements of Section 125-67 General Standards, as presented in the table below:

**Section 125-67 General Standards**

	REQUIREMENTS/STANDARDS	NOT APPLICABLE	APPLICABLE/ MET	COMMENTS
A.	Permitted use		✓	
B.	Lot standards		✓	
C.	Height		✓	
D.	Parking requirements	✓		
E.	Parking areas and driveways	✓		
F.	Loading requirements	✓		
G.	Street, sidewalks, and access		✓	See condition
H.	Buffering and screening		✓	See condition
I.	Water supply		✓	
J.	Municipal water supply		✓	
K.	Groundwater	✓		
L.	Stormwater management		✓	
M.	Municipal sewer facilities		✓	
N.	Sewage disposal		✓	
O.	Soils		✓	
P.	Landscaping		✓	
Q.	Erosion		✓	
R.	Flood permit	✓		
S.	Air quality	✓		
T.	Refuse disposal		✓	
U.	Dangerous or hazardous materials and wastes	✓		
V.	Vibration	✓		
W.	Wildlife habitat		✓	
X.	Aesthetic areas and physical and visual access		✓	
Y.	Heat	✓		
Z.	Light and glare		✓	
AA.	Noise	✓		
BB.	Signs and advertising	✓		
CC.	Outdoor storage and displays	✓		
DD.	Utilities		✓	
EE.	Fire protection		✓	
FF.	Comprehensive plan		✓	
GG.	Financial and technical capacity		✓	
HH.	Farmland	✓		
II.	Other municipal services	✓		
JJ.	Violations		✓	
KK.	Legal documents	✓		
LL.	Historic and archaeological resources		✓	
MM.	Utilization of the site	✓		
NN.	Natural Features		✓	

3. Based upon the documents received, and accepting the work of the professionals who have prepared the documents, this application meets the requirements of Section 125-69 Standards for particular use, structures or activities, as presented in the table below:

## Section 125-69 Standards for particular uses, structures or activities

	REQUIREMENTS/STANDARDS	NOT APPLICABLE	APPLICABLE/ MET	COMMENTS
W.	Employee Living Quarters			
	(1) Design		✓	
	(2) Setback requirements		✓	
	(3) Building footprint area		✓	
	(4) Density bonus		✓	
	(5) Change of use		✓	
	(6) Parking	✓		
	(7) Minimum bedroom size		✓	

**The applicant is advised of the following:**

1. No modifications shall be made to this approval, including changes to the plans, accompanying documents, and/or conditions, without a review for a modification under the requirements in Section 125-88 of the Land Use Ordinance.
2. This Planning Board approval does not relieve the applicant from any other town, state or federal permits that may be required for this proposed development.
3. Please refer to Article VIII of the Land Use Ordinance for standard conditions that will apply to the construction of this project. No performance bond is required.
4. Building permits are required for this project.
5. There is an appeal period for any interested party of 30 days to appeal this decision. It is the risk of the applicant to commence construction during this period.
6. Violations of any conditions placed upon this approval are subject to enforcement per Article IX, Section 125-100 B of the Land Use Ordinance.
7. All previous approvals and conditions apply unless otherwise noted.
8. No modifications to this approval shall be made without an application to the Planning Department.

**The Planning Board approved this project as follows:**

1. MODIFICATION OF STANDARDS
  - a) For landscaping 125-67 H. (1)(f) and Table 1, to be provided as stated in Exhibit 11 of the application.
2. CONDITIONS
  - a) The Code Enforcement Officer shall not issue any building permits until the capacity letter from the Public Works Department has been received;
  - b) The Code Enforcement Officer shall not issue any building permits until the applicant demonstrate that the application has received approval from the State Fire Marshal; and
  - c) The construction of the pedestrian walkway shall be constructed no later than 18 months after this approval per Exhibit 1-i, page 1-6, of the application.

Tom St. Germain, Chair  
 Planning Board, Town of Bar Harbor

Date



## Town of Bar Harbor

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# STAFF REPORT

### SUBDIVISION PRE-APPLICATION SKETCH PLAN REVIEW SD-2021-05 — CLARK ACRES SUBDIVISION MODIFICATION FISK LOT LINE

**Issued:** December 22, 2021

**PB meeting date:** January 5, 2022

**Applicant/Owner:** Jennifer Fisk, 54 Gretas Lane, Bar Harbor, Maine 04605

**Application:** The applicant proposes a modification to the 1989 Clark Acres Subdivision, most recently modified in 2020. The applicant proposes to split Tax Map 227, Lot 100, that encompasses  $\pm 12.08$  acres, according to the town tax records, into two lots. Presently there is a house and the Acadia Wood Kennel (a full-service pet care facility) on the parcel. The split will create a front lot of about 5 acres to include the Acadia Wood Kennel and a back lot of about 7 acres to include the house. A 30-foot right-of-way, off the Crooked Road, will serve both lots.

**Project Location:** 54 Gretas Lane (Tax Map 227, Lot 100), encompassing a total of  $\pm 12.08$ , acres according to town tax records.

**Districts:** Town Hill Rural

**Allowed Use:** Subdivision of land

**Applicable Laws:** 125-72 submission requirements for pre-application sketch plan

**Process and Motions:**

1. Applicant presents application
2. Questions and comments from the board
3. Public comment period – *mandatory for sketch*
4. PB informs applicant of “specific suggestions to be incorporated by the applicant in subsequent submissions.”

5. PB acts, provides guidance on submission of waiver request –*we recommend not acting on waivers, just to provide guidance.*

**Proposed motion: Move not to act on submission of waiver request as this is only a pre-application, the applicant has no vested rights, and it is too early in the process to make such decisions, the board would have to act again on the submission of waiver request at the completeness review meeting creating confusion, and as the board has provided guidance to the applicant on the waiver requests.**

6. Schedule Site visit and neighborhood.

**Proposed Motion: Move to have staff schedule a site visit.**

**Staff Comments:**

1. The Planning Board has the option to ask for a neighborhood meeting. As this project is pretty straightforward, staff does not believe that a neighborhood meeting will help achieve greater community understanding of the project and therefore we do not recommend it.
2. At the next meeting, the applicant will seek at modification of standard for overhead power as the line is already built.



# TOWN OF BAR HARBOR

## Planning and Code Enforcement

93 Cottage Street

Bar Harbor, ME 04609-1400

# STAFF REPORT

## COMPLETENESS REVIEW FOR COMPLETENESS REVIEW SUBDIVISION PLAN SD-2021-03 HARBOR LIGHTS RETIREMENT COMMUNITY

**Issued:** December 23, 2021

**Applicant/Owner:** Harbor Lights, LLC, 80 Exchange Street, Bangor, ME 04402

**Application:** The applicant proposes to construct a retirement community on a 58.97-acre parcel of land, according to tax record. The area of the parcel that will be developed is an 18.7-acre portion wholly contained within the Hulls Cove Rural District. The application consists of 42 dwelling units, offices for qualified assisted living and care practitioner along with a community space building. The development will be served by public sewer and public water.

The shore front portion, as well as the easterly portion of the parcel, are not part of the retirement community application. The easterly portion of the parcel will be 1-acre, single-family dwelling lot to be retained by the owner.

**Project Location:** 18 Hamor Lane (Tax Map 216, Lot 50), encompassing a total of 58.97 acres according to town tax records.

**Districts:** Shoreland Limited Residential, Hulls Cove Residential Corridor, Hulls Cove Rural, Resource Protection and Ireson Hill Residential.

**Received:** December 9, 2021

**Meeting Date:** Sketch Plan Review – June 2, 2021  
*Completeness Review – January 5, 2022*

### Review Process - Applicable Section 125-66 Submission Requirements

1. Applicant presents application
2. Questions and comments from the board
3. Public comment period (optional)



# TOWN OF BAR HARBOR

## Planning and Code Enforcement

93 Cottage Street

Bar Harbor, ME 04609-1400

**4. Waiver requests (refer to Exhibits 1. A Checklist and 1. G p. 2, and staff comments below)**

**Proposed motion:** Move to grant the waivers requested by the applicant, as well as waive the capacity letter from the school as this a retirement community, as such waivers will not unduly restrict the review process, as they are inapplicable, unnecessary or inappropriate for a complete review.

**5. Review of Submission Requirements Section 125-66 Checklist**

**Proposed motion:** Move to find the application SD-2021-03 Harbor Lights Retirement Community incomplete, per the Bar Harbor Land Use Ordinance Section 125-66, as the following information is missing: capacity letters from the Water, Sewer, Public Works, Fire, and Police departments; ACOE and NRPA permits for wetland impact; DEP Stormwater; and to schedule a public hearing on February 2, 2022.

**6. General discussion on proposed modification of standards (one entrance and no cul-de-sac), see Exhibit 1.i, for consideration at the February meeting.**

**Staff Comments:**

- 1) We recommend that the capacity letter from the school be waived as this is a retirement community.
- 2) The applicant and the TRT met on Dec. 16, 2021 to review and discuss the project and the Water, Sewer, Public Works, Fire, and Police departments are working on drafting their capacity letters which should be available for the February meeting.
- 3) The applicant is waiting for responses from the ACOE and the DEP (NRPA) regarding permitting for wetland impact. Depending on timing this could be a condition of approval at the February meeting.
- 4) The applicant will submit the project to the DEP for stormwater after it has received Planning Board approval. The applicant will ask for this to be a condition of approval.
- 5) The applicant is asking for modification of standards for one entrance off Route 3 instead of two and for not having a cul-de-sac at the end of the road (see Exhibit 1.i). Although this is for consideration at the February meeting (not January), the board may consider having a brief general discussion to inform the applicant of its informal position on this matter.

# **DRAFT 2022 Schedule\***

## **PUD Land Use Amendment**

<b>Meeting</b>	<b>Date and Time</b>	<b>Activities</b>
1. Workshop**	Jan 25 @ 4:00 PM	Review existing PUD provisions and basic elements of an inclusionary housing component (set-aside requirements (voluntary/mandatory/mandatory w/ option to pay in-lieu), developers incentives (i.e. density bonus), income target, period of affordability/control period, and monitoring/enforcement)
2. Workshop	Feb 16 or Feb 23	Meet with IHT, MSHA, others
3. Workshop	March 16 @ 5:15 PM	Identify issues/problems with the existing PUD and affordable housing language in the LUO
4. Workshop	March 23 @ 5:15	Goal and policy objectives
5. Workshop	March 30 @ 4 PM	Goals and policy objectives
6. PB meeting	April 6 @ 4 PM	Public input on goals and policy objectives (i.e. public comment period, public hearing, or other)
7. TC meeting	April 19 @ 7 PM	Present draft goals and policy objectives to Town Council
8. Workshop	April 20 @ 5:15 PM	Regulatory approaches
9. Workshop	April 27 @ 4:00 PM	Regulatory approaches
10. Workshop	May 18 @ 5:15 PM	Regulatory approaches
11. Workshop	May 25 @ 4 PM	Regulatory approaches
12. Public Info Session	June 15 @ 7 PM	Public Information session
13. TC meeting	June 21 @ 7 PM	Present draft regulatory approaches to Town Council
14. PB meeting	July 6 @ 4 PM	Public input on reg. approaches (i.e. public information session w/ Q&A, public comment, public hearing, or other)
15. Workshop	July 27 @ 4:00 PM	Debrief on received public comments and revised docs as needed
16. Workshop		Incorporate regulatory approaches in the LUO
17. Workshop		Incorporate regulatory approaches in the LUO
18. Workshop		Incorporate regulatory approaches in the LUO
19. Workshop		Incorporate regulatory approaches in the LUO
20. PB meeting	Nov 2, 2022	Start of the formal LUO amendment process -PB calls for PH

***\*This schedule may be amended as needed***

***\*\*Public comments will be accepted at workshops***

***\*\*\*Tentative***

**Town of Bar Harbor**  
**Public Works Department Capacity Statement:**  
**Streets, Stormwater, Solid Waste, and Recreation**  
 Planning Board Site Plan or Subdivision Review

**Project Description:** Atlantic Oceanside Employee Housing  
**Project Location:** Route 3 Bar Harbor  
**Site Plan/Subdivision Application:** SP-2021-04

Land Use Ordinance Section	Yes	No	N/A
<b>§125-67 Site Plan Review</b> <b>General Review Standards</b>			
<b>G. Streets, Sidewalks and Access</b> — The development plans conform to the standards set forth in the Bar Harbor Land Use Ordinance. [SEE BELOW FOR ADDITIONAL COMMENTS AND/OR CONDITIONS, IF ANY].	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>L. Stormwater management</b> — The site plan(s) demonstrate(s) the proposed development provides adequate stormwater management in compliance with the standards of the Bar Harbor Land Use Ordinance. [SEE BELOW FOR ADDITIONAL COMMENTS AND/OR CONDITIONS, IF ANY].	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T. Refuse disposal</b> — The site plan(s) demonstrate(s) the proposed development will not cause an unreasonable burden on the Town's ability to dispose of solid and liquid wastes.  Detailed design plans showing all connections with existing public facilities are on file and have been approved. [SEE BELOW FOR ADDITIONAL COMMENTS AND/OR CONDITIONS, IF ANY].	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>II. Other municipal services</b> — The site plan(s) demonstrate(s) the proposed development will not cause an unreasonable burden on the Town's ability to deliver other necessary services, including but not limited to, road maintenance and snow removal.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>§125-66 Submission Requirements</b>			
<b>F. Recreation</b> — The proposed development will not cause an unreasonable burden to existing recreation facilities. [SEE BELOW FOR ADDITIONAL COMMENTS AND/OR CONDITIONS, IF ANY].  Design plans for construction of or connection to public recreation facilities to be utilized or impacted by or constructed for the proposed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>




development are on file and have been approved. [SEE BELOW FOR ADDITIONAL COMMENTS AND/OR CONDITIONS, IF ANY].			
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**Comments:**

This project will not negatively impact the Town's roads, stormwater pipes, sidewalks, or solid waste disposal. Although it is not the applicants plan to disturb the Eden Shared Use Path, should that be required as part of construction, the Eden Shared Use path will need to be restored to original condition with prior notificant and approval of the Public Works Director.

**Conditions of approval (if any):**

The above-noted application and plan(s) dated 12/3/2021 have been reviewed by this Department and appear to be in compliance with the Town of Bar Harbor Land Use Ordinance and other applicable standards, unless otherwise noted above.

  
 Bethany Leavitt PW Director

11/1/2021  
 Date

**Note:**  
 A checkmark in one of the right three columns indicates whether the plans reviewed by the department:  
 Yes = appear(s) to comply with the Land Use Ordinance section noted.  
 No = appear (s) not to comply with the Land Use Ordinance section noted.  
 N/A = In the opinion of the Department, the noted section of the Land Use Ordinance is not applicable to the application reviewed, and the Department has no objection to a Planning Board decision to waive this requirement as permitted by Article V, §125-63, Waiver of Submissions.