

**Minutes
Bar Harbor Planning Board
Wednesday, January 6, 2021 — 4:00 PM**

The meeting was held via the Zoom online meeting platform, and was broadcast live on Spectrum channel 7 in Bar Harbor as well as online via Town Hall Streams (where it is also archived).

I. CALL TO ORDER

Chair Tom St. Germain called the meeting to order at 4:02 PM. Planning Board members present were Chair St. Germain, Vice-chair Joe Cough, Secretary Erica Brooks, Member Basil Eleftheriou Jr., and Member Millard Dority.

Town staff members present were Planning Director Michele Gagnon, Code Enforcement Officer Angela Chamberlain, Deputy Code Enforcement Officer Mike Gurtler and Assistant Planner Steve Fuller.

Others present included Kelly Doran, Sarah Nicholson and John Fitzpatrick (the three of whom were present to represent The Jackson Laboratory).

II. ADOPTION OF THE AGENDA

Mr. Eleftheriou moved to adopt the agenda. Mr. Dority seconded. The motion carried unanimously, 5-0, on a roll-call vote.

III. EXCUSED ABSENCES

All five members of the Planning Board were present, so there were no absences to excuse.

IV. PUBLIC COMMENT PERIOD

Chair St. Germain opened the public comment period at 4:04 PM.

Assistant Planner Fuller read the contact information. Patrick Kilbride was on the line. He asked whether participants can call into the meeting via telephone or if participation is only via Zoom and a computer connection. Assistant Planner Fuller clarified that participants can call in via telephone or via Zoom and read the contact information aloud. Tom Friend raised his hand but then clarified that he was there to speak about item VI. a. and would wait.

Hearing no other commenters, Chair St. Germain closed the public comment period at 4:09 PM.

Call to order at 4:02 PM

Five board members present

Four town staff members present

Three applicant representatives present from JAX

Motion to adopt agenda carries unanimously, 5-0

No absences to excuse

Comment period opens at 4:04 PM

P. Kilbride asks if people can call in from a phone, S. Fuller says yes and explains how

Comment period closes at 4:09 PM

V. APPROVAL OF MINUTES

a. December 2, 2020

Mr. Dority moved to approve the minutes. Mr. Eleftheriou seconded.

There was some question as to whether Vice-chair Cough could hear the group; Chair St. Germain and Assistant Planner Fuller attempted to contact him. They were not able to get in touch with Vice-chair Cough and continued with the roll-call vote. **The motion carried, 4-0, on a roll-call vote. Vice-chair Cough did not vote.**

Minutes from Dec. 2, 2020 meeting approved as presented (4-0, J. Cough unable to vote)

VI. REGULAR BUSINESS

a. Subdivision Plan Completeness Review for SD-2020-05 — JAX Route 3 Housing

Project Location: Tax Map 115, Lot 21 off Main Street/Route 3 and encompassing a total of ±35.76 acres, according to town tax records. The subject land is in the Scientific Research for Eleemosynary Purposes district.

Applicant/Owner: The Jackson Laboratory (JAX)

Application: The applicant proposes a residential development to be used exclusively by JAX employees. The project will be accessed via Woodlands Lane. It will consist of two, three-story buildings providing a total of 24 units (in a combination of 1-, 2-, and 3-bedroom configurations). The project will utilize town water and sewer.

Subdivision Plan Completeness Review for SD-2020-05 — JAX Route 3 Housing

K. Doran, J. Fitzpatrick and S. Nicholson are present for JAX

Kelly Doran, representing JAX, presented the project. Housing has always been a problem on the island, said Ms. Doran, and that is no different for employees of the lab. She outlined the project, which is on JAX property on the western side of Route 3 on the corner of East Strawberry Hill Road and Route 3 and bordered on the southern side by Woodlands Lane, which is also owned by the lab. There will be driveway access to the site off of Woodlands Lane, an open landscaped play area and a small storage building as well as the apartment buildings.

K. Doran gives an overview

Sarah Nicholson, of Woodard & Curran and also representing JAX, gave an overview of the site plan. There will be 1.5 parking spaces per unit, said Ms. Nicholson. She pointed out stormwater treatment features, which she said are underdrain storage filters, as well as the storage building and fire lane. The community space will be in the center area between the buildings, she said. It was not provided in this package but JAX will provide more details in the final package.

S. Nicholson speaks to technical aspects of plan

Chair St. Germain thanked Ms. Nicholson and Ms. Doran for their presentation and opened the meeting to questions from the board. Chair St. Germain asked whether Vice-chair Cough’s Zoom software was working.

Assistant Planner Fuller said Vice-chair Cough “should be coming back in.” Vice-chair Cough then responded and it was determined his software was functioning correctly.

Mr. Eleftheriou asked for clarification on the waivers. In the application on the bottom of page 8 it said waivers are requested. He asked if that was correct or a typo. Ms. Nicholson said it was a typo. Mr. Eleftheriou asked whether any of the units have gas lines; Ms. Nicholson said no. Mr. Eleftheriou asked about item 7.1E, the approval by the Maine Department of Transportation (MDOT). He asked if that was for an entrance permit, and Ms. Nicholson said yes.

B. Eleftheriou asks for clarification on waivers

Mr. Eleftheriou asked if JAX could provide the board with a larger scale map than what was provided for Item 9.1. He said there was only one with a scale of 1:200 which is difficult to read. Ms. Nicholson said they could absolutely provide that on a full-size sheet, which would be 1:100. Planning Director Gagnon said there is a 1:20 scale map in the master copy of the application. The detail of the project is on Item 9.3. Mr. Eleftheriou said that if staff has the map “that’s fine.”

B. Eleftheriou asks for larger-scale plans

Mr. Eleftheriou pointed to Item 9.A on the application and said there should be book and page numbers included, rather than just map and lot. He then asked whether there were any subdivisions within 200 feet; Ms. Nicholson asked if something stays a subdivision “forever.” East Strawberry Hill would be a subdivision, she said, and within range if it were measured from boundary to boundary.

Discussion about depicting other subdivisions in close proximity to this proposal

Mr. Eleftheriou said he believed it counted. Some of the lots are shown, said Ms. Nicholson, but not the entire subdivision. Mr. Eleftheriou asked Planning Director Gagnon if the entire subdivision needed to be included on the map. Planning Director Gagnon said that if JAX did not plan on having connections or maintaining strips of land for future connections that the way the applicant had provided it “should suffice,” but that it was up to the board. Mr. Eleftheriou said the board would let it stand as an exhibit and that would suffice.

Mr. Eleftheriou asked a question about fire hydrants; Ms. Nicholson said there is one at the corner of Schooner Head Road but that it wasn’t labeled. Mr. Eleftheriou asked that the applicant label the hydrant, under 9.BB. He then asked about the landscaped area and its design. He asked if that would fall under 9.FF. Ms. Nicholson said that JAX is not required to provide an open space area and pointed out that much of the lot is open but is not

Questions about fire hydrants and landscaped areas

designated to stay open forever. Mr. Eleftheriou said that's fine, but said that if JAX could show that as an exhibit "that would be great."

There was further discussion about landscaping, buffering and screening, and what qualifies as an exhibit. Planning Director Gagnon responded and said ultimately it is up to the board to decide. There was further discussion about waivers vs. exhibits on item 11 (landscaping, buffering and screening). Planning Director Gagnon said most of what the applicant is proposing to do for landscaping is voluntary. She noted, however, that is an applicant submits a plan the applicant will be held to the plan (even if submission of that particular plan is voluntary). Ms. Nicholson said JAX intends to provide additional information about landscaping in the central area.

Mr. Eleftheriou asked if there were any intentions for new crosswalks at this time. Ms. Doran said not at this point, but added the lab is conducting a study to determine the best pedestrian pathway for going forward. Mr. Eleftheriou said that in that case, Checklist Item 12.L should be a waiver rather than an exhibit.

Mr. Eleftheriou asked whether the applicant is required to have preliminary approval from the State Fire Marshal, referenced under Checklist Item 18.B. Ms. Nicholson said the applicant has provided an exhibit with documentation stating that it's not required.

Mr. Eleftheriou said he would like to see an isometric foot candle (photometric plan) under Checklist Item 21.C. Ms. Nicholson said the applicant can provide that.

Chair St. Germain asked if other board members had questions or comments. Seeing no other comments, Chair St. Germain moved on to a public comment period and explained the rules for public comment. He said the public comment period was not the appropriate time to discuss whether or not the project should happen but whether or not the application was complete and ready to be reviewed. At 4:34 PM, Chair St. Germain opened the public comment period.

David Schoeder was on the line. He said he feels this plan is flawed and that the lab's overall plan has been flawed for the last 25 years. He referred to what the lab pays its employees and asked about the lab's overall expansion and said it made no sense to him.

Mr. Dority interrupted and said that he didn't wish to be rude but that the

More discussion about landscaping

Question about crosswalk(s)

Question about Fire Marshal review/approval

Request for lighting plan

Chair St. Germain lays ground rules for public comment period

Public comment period opens at 4:34 PM

D. Schoeder speaks first, M. Dority suggests his comments are out of order at this stage of review

comments were not relevant to the completeness of the application. Chair St. Germain said Mr. Schoeder could continue to speak if he wanted to discuss whether the application is complete. Mr. Schoeder asked when the public would get a chance to comment on matters other than completeness. Chair St. Germain explained that a public hearing where parties can discuss the merits of the application is typically scheduled after an application is found to be complete.

Discussion about when is the time for the public to comment on what (specific matters)

Assistant Planner Fuller noted that there had been two meetings, including a sketch plan review meeting and a neighborhood meeting attended by the board, both of which featured opportunities for public comment. He said that the board did receive public comments. Chair St. Germain said that the Schoeder family may not have received the mailing in time [*note: a check of the record after the meeting showed Nanette Schoeder had spoken during a previous meeting*]. Chair St. Germain allowed Mr. Schoeder to continue to speak. Mr. Schoeder said he had submitted comments and hoped the board would consider those that are applicable.

S. Fuller outlines previous opportunities for public comment

Chair St. Germain said the board had received several letters about the application and that some had mentioned an issue that had to do with completeness regarding pedestrian plans.

Chair St. Germain notes board has received letters, too

Nicholas Schoeder, 36 East Strawberry Hill, asked whether JAX would come forth with their end-goal plan during this application, which he said he felt was relevant — not necessarily required, he said, “but pertinent.” He asked that safety and viability studies be completed to their fullest before the project is completed. He said the road area is very dangerous. Allowing the project without knowing the full scope of what JAX is looking at would be “irresponsible and would further deem the application incomplete.”

Nicholas Schoeder asks about lab’s overall plans, calls that “pertinent”

Tom Friend asked what the lab plans to do with the rest of the lot and how walkability and traffic studies can be assessed without the full scope of the project being known. He commented on the aesthetics of two- vs. three-story buildings.

T. Friend asks questions on traffic and aesthetics

Nanette Schoeder, 37 East Strawberry Hill, asked how much blasting and clearing of trees would be done. She also asked about lighting. She said she felt the application was incomplete.

Nannette Schoeder asks questions, says application is incomplete

Chair St. Germain summarized some of the comments as follows: Do completeness and the nature of the full development go hand-in-hand? Are traffic and walkability part of completeness? Lighting, blasting and tree

Chair St. Germain summarizes what the board has heard from the public

clearance were also raised, he said. Seeing no other commenters, Chair St. Germain closed the public comment period at 4:53 PM.

Public comment period closed at 4:53 PM

Chair St. Germain said the board and applicant should have a conversation about completeness. He asked staff whether traffic, walkability, lighting, blasting and future development were germane to the application. Planning Director Gagnon said they were, but that performance standards do not include anything that applies to crossing the road. The board could ask the application for a detailed report responding to what standards are pertaining to a walking plan for safety. Asking for some type of walking plan for safety, she said, would “probably work.” Chair St. Germain asked how the board would address that. Planning Director Gagnon said the board could say the information provided is insufficient for the board to deem the application complete and that it would like more information for the next meeting.

Discussion between board and staff about what the board has heard

Chair St. Germain asked for comments from board members. Vice-chair Cough noted the board had previously put forth pending applications on its agendas to give the board an opportunity to ask for additional information or raise issues. There might be an opportunity to resurrect that, he said, although he noted it could be difficult because the board now only meets once each month. This could be helpful to do moving forward, he said, to send a “wish list” to an applicant so they aren’t “blindsided” at a meeting.

J. Cough offers suggestion about putting pending applications on agenda

Secretary Brooks said it might be worth hearing from the applicant regarding the items that had been mentioned so far. Chair St. Germain agreed. Mr. Dority said nothing in the Bar Harbor Land Use Ordinance requires the lab to require more information about the master plan for this project and that the lab had previously discussed the other issues, including that JAX is working on a plan to get people safely across the road. “It seems like we went through the waivers, we requested some more information and we were heading on a different route,” he said.

Further discussion of issues, including pedestrian access and safety

Chair St. Germain said that based on the comments and feedback, the issue of getting people safely across the road greatly concerns the public and that he is also concerned about that. He noted that a previous plan had included a proposal to put a footbridge across Route 3. There is a basis in the LUO for looking at the issue (health, safety and welfare of the public), he said. Mr. Dority said there were a number of ways to get pedestrians from the facility to the lab other than putting a brand-new crosswalk in place.

John Fitzpatrick, the lab's senior director of facilities services, commented on the future development. He said that the lab has been clear in previous meetings they intend to build up to 100 units. The lab has been clear for

J. Fitzpatrick talks about lab’s future development plans

years now that they intend to build up to 100 units in the coming decade. It's not definite, he said, and the economy has changed and COVID-19 is also now a factor. Without knowing demand, he said, the lab is starting with 24 units. If demand picks up, the lab is committed to building up to 100 units, either on this site or on a mixture of parcels. Mr. Fitzpatrick asked the board to limit its review to the proposed project, not what may be planned in the future.

J. Fitzpatrick: lab may build up to 100 units, if demand is there

Ms. Doran said there had previously been discussion about lighting. The applicant will provide a photometric plan showing foot candles and possible spillover impact. JAX is looking at pedestrian crossing to get to the campus, she said. It has a solution in mind but is doing a further study regarding circulation that is a bit more holistic than this project alone, but can submit what it is thinking for this submission if necessary.

Ms. Nicholson said JAX does have a design for pedestrian safety and said the lab is committed to comprehensively analyzing pedestrian safety for the campus and is prepared to provide design with the application update. The lab has provided a traffic impact study that looked at both the 24-unit proposed plan as well as what would happen in a future with 100 units on the site. The conclusion of the study is that it would not trigger a need for a traffic movement permit from the MDOT. The study also reviewed capacity level service, which is essentially unchanged on Route 3 and the Schooner Head intersection, she said.

More discussion about pedestrian safety and traffic matters

"There's really nothing in the professional traffic study that was done that would indicate a problem," said Ms. Nicholson.

Mr. Dority asked if the lab had done environmental impact studies regarding traffic and people driving on and off the island versus living on the island. Mr. Fitzpatrick said yes, the lab has done such studies. Roughly 68 percent of employees live off island, he said; 24 units would take 16 people off the road. Employees living off island average an 80-mile daily commute; assuming 2.5 gallons/day, this would save a total of about 600 gallons a year in gasoline. "It's quite significant," said Mr. Fitzpatrick.

Ms. Nicholson said the applicant will meet all Maine Department of Environmental Protection (MDEP) requirements. Clearing limits are shown on the site plan, she said. Lighting will be night-sky compliant, as required by ordinance, she said.

Chair St. Germain pointed residents with questions toward the following sections of the LUO: sidewalks are considered under §125 - 67 G. (1)(d), buffering and screening is considered under §125 - 67 E., with landscaping under §125 - 67 E. (12). Lighting is under §125 - 67 Z.

Chair St. Germain offers specific ordinance references

Vice-chair Cough asked for further elucidation regarding stormwater drainage. He said he was “confused” by some of the language in the letter included in an application. He also asked a question about driveways, which Ms. Nicholson answered.

Responding to Vice-chair Cough’s question about stormwater, Ms. Nicholson said that a question about providing an easement for the town to do maintenance on a stormwater system on a site had been raised previously. While she understands why the town would want to have an easement in certain circumstances to deal with stormwater issues, she said that in this case, since JAX is a 24/7 operation fully prepared to manage its systems, the applicant is struggling to see where an easement would be of value and would be implemented. This could be a conversation if it’s something the board wants to require, she said. JAX is prepared, however, to deal with its own stormwater features and ensure no town structures are damaged by runoff and stormwater.

Vice-chair Cough said he didn’t care how it was resolved but said it should be resolved. Planning Director Gagnon said the Public Works Department had not shown an interest in pursuing that and that staff could work with the applicant and department to add a statement to that effect.

Chair St. Germain moved on to waiver requests. Mr. Eleftheriou commented on the issue a path or other means of access to JAX from the proposed residential buildings. He said he felt it was an important aspect of the application. The district is unique, he said, and it’s important some sort of pathway access is provided and a concrete plan be put in place.

Mr. Eleftheriou said Checklist Item 12.L should be changed from a waiver to an exhibit. There were some questions about landscaping and open space. Mr. Fitzpatrick said this isn’t open space as defined in the ordinance and suggested waiving that provision.

Mr. Eleftheriou raised a question regarding provision of the plans for safety, as required by ordinance, in particular as it relates to crosswalks. Planning Director Gagnon said it’s the responsibility of the applicant to provide information demonstrating that they meet the standard. Ms. Nicholson said JAX is aware of what it needs to provide and is committed to doing a more comprehensive study to ensure there is safety for pedestrians around the campus. “JAX wants to do this right,” she said, and will provide additional information prior to the next submission date.

Mr. Eleftheriou moved to grant the waivers requested by the applicant as they would not unduly restrict the review process as they are inapplicable, unnecessary or inappropriate for complete review. He additionally moved that items 12.L and 9.FF on the site plan

Discussion about stormwater and whether an easement for the town to access stormwater infrastructure is necessary or not

Discussion on waiver requests and what is a waiver and what is an exhibit

Motion to grant waiver requests, as requested, with addition of 12.L and 9.FF, carries unanimously (5-0)

subdivision checklist should be changed to waivers. Mr. Dority seconded the motion and it then carried unanimously, 5-0, on a roll-call vote.

Chair St. Germain moved on to a review of submission requirements. He said an emailed capacity statement had been received from the Bar Harbor Water Department and said the submission should reflect that the statements still outstanding are from the Bar Harbor Sewer Department, the Bar Harbor Police Department, the Bar Harbor Public Works Department and the Bar Harbor School Department.

Mr. Eleftheriou moved to find the application SD-2020-05 — JAX Route 3 Housing complete per the Bar Harbor Land Use Ordinance §125 - 66 with the exception of capacity statements from the Bar Harbor Sewer Department, the Bar Harbor Police Department, the Bar Harbor Public Works Department and the Bar Harbor School Department, the MDEP Site Location of Development permit, the MDOT Driveway Entrance permit and the following items on the site plan subdivision application checklist: 9.A, placing book and page references on the subdivision map, 11 (landscaping), 21.C (isometric food candle photometric plan) and comprehensive walking plan diagram for residents, 9.BB (show fire hydrants).

Ms. Nicholson asked if the board wanted a plan showing other subdivisions within 200 feet. Mr. Eleftheriou said he was fine with it as is. Vice-chair Cough said he'd prefer it be labeled because it is a requirement in the ordinance. Ms. Nicholson said it would not be difficult to do and that the applicant would include it. **Mr. Eleftheriou added that request, under 9.K, to the motion.**

Planning Director Gagnon asked a question about the motion; Chair St. Germain said that typically the practice has been to find an application incomplete. Ms. Nicholson wanted to make it clear that JAX would not be providing the MDEP SLODA permit by Jan. 14 because JAX will have only applied for it by that date, and not yet received it. Mr. Eleftheriou said that has been done in the past and shouldn't be an issue.

Mr. Eleftheriou amended his motion to find the application incomplete. Mr. Dority amended his second. The motion carried unanimously, 5-0, on a roll-call vote.

Mr. Eleftheriou moved to schedule a public hearing for Feb. 3, 2021. Mr. Dority seconded. Assistant Planner Fuller commented on the Jan. 14, 2021 date and said he had not heard it included as part of the motion; he suggested it be included in a motion. **Mr. Eleftheriou amended his motion to include that all previous submittal requests made be**

Chair. St. Germain notes which capacity statements are missing

Motion to find application SD-2020-05 complete, with exception of capacity statements, MDEP SLODA permit, MDOT driveway entrance permit, and specific checklist items

Question about showing other subdivisions

9.K is added to the motion

Question about finding the application complete vs. incomplete

Motion is changed to find application incomplete, carries unanimously (5-0)

Motion to schedule public hearing for Feb. 3, 2021, pending receipt of materials by Jan. 14, carries 5-0

submitted by Jan. 14, 2021. The motion carried unanimously, 5-0, on a roll-call vote.

b. Public Hearing — Draft Warrant Article — LAND USE

ORDINANCE AMENDMENT — Signage — Shall an ordinance, dated December 16, 2020, and entitled “An amendment to amend existing regulations regarding certain types of internally illuminated signs, establish a color temperature limit for externally illuminated signs, amend what types of sign may be replaced without Design Review Board review, and add related definitions” be enacted?

Assistant Planner Fuller restated the call-in information for the public hearing. At the request of Chair St. Germain, Assistant Planner Fuller then proceeded to review the draft order before the board, which included some housekeeping items such as clarifying which specific accommodations are permitted to have outdoor neon signs reading “vacancy” or no “vacancy,” along with other changes all relating to signage and/or lighting. Planning Director Gagnon noted that there were small changes also presented on a separate sheet in a memo that had not been initially picked up in the first draft. Assistant Planner Fuller proceeded to outline them as well.

Chair St. Germain asked if board members had any questions. Hearing none, **Chair St. Germain opened the public hearing at 6:01 PM.** While the board was waiting to see if there were any commenters, Vice-chair Cough asked if, (under the definition for “Sign, Internally Illuminated,” then Letter E., “Type 5; Push-Through Lettering,” whether it should be (1) Type 2-A and (2) Type 2-B or (1) Type 5-A and (2) Type 5-B. Assistant Planner Fuller said yes, Vice-chair Cough was correct, it should be Type 5-A and Type 5-B. **With no one from the public indicating they wished to speak or make a comment, Chair St. Germain closed the public hearing at 6:03 PM.**

Vice-chair Cough moved to send the draft order for signage dated Dec. 16, 2020 to the Bar Harbor Town Council as amended per the “Proposed Changes to the Signage Draft Order for consideration at the Jan. 6, 2021 meeting” document. Additionally, it was noted the draft order should be amended to make a change under Letter E on page six, “Type 5; Push-Through Lettering”; specifically, change Type 2-A under E(1) to Type 5-A and change Type 2-B under E(2) to Type 5-B. Mr. Dority seconded. The motion then carried unanimously, 5-0, on a roll-call vote.

c. Public Hearing — Draft Warrant Article — LAND USE

ORDINANCE AMENDMENT — Regulation of Short-Term Rentals — Shall an ordinance, dated December 16, 2020, and entitled “An amendment to regulate short-term rentals by creating and defining vacation

Public hearing on draft warrant article for proposed LUO amendment – Signage

S. Fuller restates info. on how to call in for public hearing

S. Fuller gives overview of signage proposal, explains reasoning as well

M. Gagnon notes staff caught several changes after first draft, flagged in memo

Public hearing opened at 6:01 PM

J. Cough notes error in numbering system for Type 5 Push Through Lettering, error and fix is noted

Public hearing closed at 6:03 PM

Board moves to send draft order dated Dec. 16, 2020 to Town Council with changes noted by staff and other change noted by J. Cough, 5-0

Public hearing on draft warrant article for proposed LUO amendment –

rental-1 and vacation rental-2 uses to be allowed in certain districts, establish specific standards for vacation rental-1 and vacation rental-2, and amend and add related definitions” be enacted?

Regulation of Short-Term Rentals

At 6:07 PM, the board agreed to take a four-minute break, intending to return at 6:11 PM. They returned six minutes later, at 6:13 PM. Chair St. Germain summarized the agenda item.

Board takes 6-min. break from 6:07 PM to 6:13 PM

This initially emerged from the housing policy framework adopted by the Town Council in 2019, said Chair St. Germain. This proposal, he continued, originated with the Zoning Advisory Group assembled in 2020. Several public hearings, listening sessions and joint workshops were held. He explained the ways in which the LUO can be amended. The proposal as presented seeks to change and add definitions as well as (in a separate draft order) restrict transferability of a newly-formed category of vacation rentals (VR). This proposal will create two categories of VRs, he said, where now all are regulated as one, each new category with different regulatory structures.

Chair St. Germain recaps background of these proposals

The Town Council elected to send this issue to the Planning Board as two questions, one addressing transferability and the other addressing regulations. Secretary Brooks noted that this specific agenda item concerned only regulation; transferability being addressed under VI d.

Chair St. Germain noted that, after hearing public comment, the board would have three options: 1. Recommend to the Town Council that the written request be admitted as per §125-9 A.; 2. Recommend with amendment or conditions that would bring the proposal into conformance with the most recent Comprehensive Plan (that of June, 2007); or 3. Take no action.

Chair St. Germain speaks about board’s options

Chair St. Germain read through some of the new definitions included on pages 13 and 14 of the draft. Primary residence, registration and short-term rentals being among the terms defined. He then proceeded to define the ground rules for the public hearing.

Public hearing opened at 6:22 PM

At 6:22 PM, Chair St. Germain opened the public hearing.

Donna Karlson spoke first. She asked why certain districts, such as those that allow hotels and other kinds of transient accommodations (including Shoreland General Development I, III and IV), were not included on the list of those that allow VR-2s.

D. Karlson asks why certain shoreland districts were not included

Patrick Kilbride spoke next and thanked the board for its work. He said he did not feel the issue was “an emergency” and asked why it was “being pushed like this.” He said he felt existing rules must be enforced and that

P. Kilbride does not feel VR is an emergency

he approved of requiring license numbers in online listings. Mr. Kilbride said he did not feel there should be any other restrictions, and that he instead favored the approach of “let the free market reign.” He said both VR-1s and VR-2s should be considered a business. He said the increase in license applications is directly related to the moratorium that was proposed previously.

P. Kilbride: let the free market reign

Mary Havey said she understood the desire to have more affordable housing and a sense of community but that she didn’t understand how limiting rentals would accomplish that. She asked whether the valuation of homes is expected to decline if the rentals are limited.

M. Havey: don’t see how this will help with affordable housing

Diane Vreeland said there is no definition for short-term rentals (note: there is not a definition in the ordinance at present, but there is one proposed in this amendment). She asked why the board didn’t take TA-1 and TA-2 into consideration. She said she felt some renters do not have the proper license; Assistant Planner Fuller asked for clarification, and if Ms. Vreeland was instead perhaps referring to insurance rather than a license. Ms. Vreeland said she was referring to a “commercial license.”

D. Vreeland has questions, concerns

Martha Searchfield asked whether parking concerns or restrictions were being considered.

M. Searchfield asks about parking

Arthur Greif spoke next. He said he was “generally supportive” of what the Planning Board and Town Council were proposing. VR-1s would make it more likely that residents could stay in their homes, he said, and meet the property tax burden. He suggested the board recommend that 20 percent of the money being paid for vacation/short-term rental licenses be dedicated to a fund to subsidize affordable housing. “You can develop a little nest egg to work toward that goal,” he said.

A. Greif is generally supportive, suggests putting some VR fees toward affordable housing fund

Melody Kronenberg said she lives in Bar Harbor year-round and owns a bed & breakfast as well as a house with a short-term rental and a year-round apartment in it. “Many people own a vacation rental so they can also make ends meet,” said Ms. Kronenberg. She said she felt rules that apply to commercial properties, such as insurance requirements, should apply to all those who rent out spaces.

M. Kronenberg says rules that apply to B&Bs should also apply to VR

While waiting to see if more commenters were there to speak, Secretary Brooks asked whether the board should read aloud letters pertaining to the items. Chair St. Germain said the public could rest assured that when letters or emails were received they were read by the board. Vice-chair Cough felt it was appropriate to read emails aloud. Assistant Planner Fuller suggested the board continue to allow public comment while board members collected letters and emails to be read.

Discussion about reading out loud letters that have been received

Loren Hubbard said it was important the board discuss the impact of the proposals on subsequent generations. There was some audio trouble with his line. While waiting for it to resolve, Mr. Eleftheriou said he felt it wasn't necessary for the board to read every letter aloud. Chair St. Germain and Mr. Dority agreed. Mr. Dority said that the board should read the email from Loren Hubbard because of his audio troubles.

L. Hubbard speaks, then his letter is read aloud due to poor internet connection

Chair St. Germain read aloud the email sent by Loren Hubbard. Mr. Hubbard's family has been involved in a variety of rental situations and has heavily invested. Rentals are one of the only ways local families can afford a shot at ownership, he said in his statement, and added that he is opposed to any restrictions on them.

L. Hubbard: families rely on rentals and there should be no restrictions

At 6:53 PM, hearing no other commenters, Chair St. Germain closed the public hearing.

Public hearing closed at 6:53 PM

Chair St. Germain opened the discussion to the board, and repeated the options he said the board had in front of it. Vice-chair Cough asked Chair St. Germain to answer the questions raised during the public hearing. Chair St. Germain asked staff to weigh in.

Answering a question raised by Ms. Karlson regarding prohibition of VRs in districts such as Shoreland General Development I, III and IV, Planning Director Gagnon said that there is presently only one VR in those three districts mentioned, and prohibiting VRs in those districts is an opportunity to prevent dwelling units from being converted to VRs, which is one of the policy objectives.

In response to questions raised during the public hearing, Planning Director Gagnon said that VR-2 is more stringent than VR-1, as there is a difference between homeowners renting out their homes and nonresidents owning homes and renting them out.

M. Gagnon responds to questions raised by the public

Regarding the link between vacation rentals and housing, that subject has been discussed extensively in previous meetings, said Planning Director Gagnon. "We are fully aware...that this is not the magic silver bullet," she said. "This is just one part. We're going to have to work on several aspects of the housing problem to make some headway." However, added Planning Director Gagnon, the impact of VRs on housing has been extensively documented. There is a relationship between the number of VRs and increasing home and rental prices.

Answering a question raised by Ms. Vreeland, Planning Director Gagnon said there is a definition of short-term rentals page 15 of the draft order. Regarding a question on parking raised by Ms. Searchfield, Planning Director Gagnon said that VR is at its core a dwelling unit used as a short-

term rental and that parking standards should be no different than for a dwelling unit.

As for a suggestion by Mr. Greif that part of the fees collected for vacation/short-term rentals go toward affordable housing, Planning Director Gagnon said that is possible, but that (as with revenue from parking meters and permits) there must be a “nexus” between fees generated and how that revenue is used.

Vice-chair Cough asked Planning Director Gagnon what she thought the drop in value will be for houses that are now VR-2 and do not renew (thereby losing the ability to continue renting as a VR-2, under these proposals). Planning Director Gagnon reiterated her position that first and foremost, a place used for vacation or short-term rentals is a dwelling unit. She said she was unable to answer Vice-chair Cough’s specific question, however.

Chair St. Germain said he felt it would be a bad idea to allow VR-1s to rent by the night and asked that a change be made to increase the minimum number of nights for VR-1. Having daily turnovers would make the use a purely commercial one and not necessarily a residential one, he added. He said he would support three days, two nights as a minimum for VR-1s.

Secretary Brooks agreed with Chair St. Germain regarding the minimum number of nights. She said limiting rentals, as Ms. Havey pointed out, wouldn’t increase the amount of affordable housing. Secretary Brooks said she wasn’t opposed to changing the definitions but wouldn’t support nightly rentals for VR-1s. She recommended taking no action or perhaps instead considering recommended changes and referring directly to the Comprehensive Plan when doing so.

Chair St. Germain asked if Secretary Brooks could answer Vice-chair Cough’s question, whether losing a VR-2 license would lower a particular property’s value?

Secretary Brooks said that yes, a rental registration for a particular property does add some value to that property, but that it’s not inflating the prices. Prices are inflated, she said, because “we live on an island, we have a limited supply.” What would help this situation would be to create more supply, said Secretary Brooks. She added that limiting what people can do with their homes would be “inappropriate.”

Mr. Dority said he could justify VR-1s but could not “find a justification” in his mind for VR-2s: “I can’t see where it benefits the town of Bar Harbor.” He added that this a beginning and that it’s time “people get a chance to vote on this.”

J. Cough asks how proposals might affect home values

Board is opposed to a one-night minimum

E. Brooks speaks to the question of home values

M. Dority sees clear distinction between VR-1 and VR-2

Chair St. Germain said that many people invested in properties after rules were enacted regarding VRs in previous years. “These people invested with the knowledge that these were the rules,” he said. Mr. Dority said the town is not trying to take anything away, and that those who hold what would become a VR-2 license would be “covered” as long as they abided by the rules and get in line for a license.

Discussion about VR-2s and transferability

Secretary Brooks raised the issue of transferability. She said that if someone has “essentially built a business” that can’t be transferred it would change the idea of value. Vice-chair Cough pointed to the protection clause on page 13 of the draft order, which he said appeared to him to be its own “de facto limiter” on transferability. He said he understood the protection part, but said it only applies to those who continue to meet the criteria. He said it also meant people who sell their property would be out of luck (that they would not have the right to transfer a license. Discussion ensued between Planning Director Gagnon and Vice-chair Cough.

Chair St. Germain said he believed that limiting what citizens can do (what they were told they could do, years ago) does not protect their property rights. He said he would not support sending the document to the Town Council as written but could be convinced to send it with amendments. He read from sections of the Comprehensive Plan.

Mr. Dority asked Chair St. Germain to elaborate on the issue of property rights.

Discussion about transferability and property rights

Chair St. Germain said that if the lack of affordability is because of the existence of vacation rentals, particularly what would be called VR-2s, then proponents must believe that the converse must also be true, that if VRs (primarily VR-2s) are limited, affordability would be made more attainable. He again brought up the issue of those who invested with the knowledge that VRs would be allowed “virtually everywhere,” as was previously decided. He referenced people he knows who would stand to lose financially if this proposal went through as proposed and said they would have had their property rights infringed upon “substantially.” He said this proposal was akin to pulling the rug out from beneath people.

Secretary Brooks said that restricting VRs to certain zones also struck her as a “restrictive piece that touches on... private property rights as well.”

Chair St. Germain said this proposal was originally drawn up by the Zoning Advisory Group and that it was favored by the Town Council while the Planning Board “has consistently shown” it doesn’t support this approach. He said this was a chance to “demonstrate in a meaningful way” that the Planning Board did not support certain parts of this proposal. Chair

Chair St. Germain comments on ZAG and Town Council

St. Germain and Planning Director Gagnon engaged in a discussion on the Comprehensive Plan and non-resident property owners. Chair St. Germain wondered whether there had been an accounting of the number of non-residents who own VR-2s.

Planning Director Gagnon said staff don't know exactly how many VR-2s there would be, but think there would be roughly 351 dwelling units that would be considered VR-2s. Of the 351, she said, 216 are associated with owners who do not have a Bar Harbor address. Some of the remaining 135 might be VR-1s, she said, adding that it is estimated that more than 7 percent of VRs statewide are in Bar Harbor. "The time has come to either address it or move on," she said. The situation will not get better or easier to address, she said: "It'll get tougher and tougher and tougher." She added, "Maybe we need to let the people of Bar Harbor vote, and decide if this is something good or not good for them."

Mr. Eleftheriou echoed what Chair St. Germain said earlier, that this is something that was handed to the board by the Town Council (he said it would not have been the Planning Board's first choice for a topic to address), but that the Council felt this needs to be addressed. "If left unchecked it might become an issue," he said. Mr. Eleftheriou agreed with Chair St. Germain that VR-1s should have a higher minimum stay, perhaps three or four days. He added that he felt all should be transferable. He felt it was time to put the document forward to the voters, adding that he did not think it would pass, however. "I'm a little jaded by the whole thing," said Mr. Eleftheriou.

Vice-chair Cough agreed that he did not like the idea of one-night stays being allowed for VR-1s. "One night is a motel, to me," he said. He said the proposal is "not perfect" but that he would be comfortable moving the document forward.

Mr. Eleftheriou asked if the proposed protection clause could be put in Chapter 190 instead of Chapter 125. Planning Director Gagnon expressed her belief that all regulations regarding vacation/short-term rentals could be put in Chapter 190. "Good luck with that," said Mr. Eleftheriou. Planning Director Gagnon said it could be put in Chapter 190, if needed. Vice-chair Cough noted Chapter 190 could be amended quickly (and perhaps frequently, adding that the Council has a lot of authority on licensing matters.

Vice-chair Cough moved that the board send the draft order back to the Town Council with the following changes: removal of the protection clause on page 13, and that the minimum number of nights for a VR-1 be set at two.

Discussion about number of VR-2s

M. Gagnon comments on sending proposal to a town-wide vote

B. Eleftheriou weighs-in

Board members agree that one-night minimum for VR-1s is too low

Discussion about Chapter 190 vs. Chapter 125

Move to send draft order to Town Council w/ removal of protection clause and a 2-night minimum for VR-1

Chair St. Germain asked if Vice-chair Cough wanted to set the same minimum night stay for both VR-1 and VR-2; Vice-chair Cough said that it would be “nightmare as it is,” and that he thought the four-night minimum was fine for VR-2s. Mr. Dority seconded the motion.

Chair St. Germain suggested that the motion include a recommendation to bring the proposal into conformance with the most recently adopted Comprehensive Plan.

Vice-chair Cough amended the motion to include the addition suggested by Chair St. Germain. Mr. Dority amended his second. The motion carried, 4-1, on a roll-call vote, with Secretary Brooks casting the lone dissenting vote.

d. Public Hearing — Draft Warrant Article — LAND USE ORDINANCE AMENDMENT — Prohibition of Transferability of Short-Term Rental Registrations — Shall an ordinance, dated December 16, 2020, and entitled “An amendment to prohibit the transfer of short-term rental registrations, and add related definitions” be enacted?

Secretary Brooks introduced the agenda item, and Chair St. Germain explained the process. **At 7:50 PM Chair St. Germain opened the public hearing and Assistant Planner Fuller began taking comments.**

Carol Chappell spoke first. She said she was speaking as a Bar Harbor resident and not in her capacity as a warrant committee member. She said she did not think she could support the prohibition of transferability article. She described her experience renovating several properties, several of which are year-round rentals, and said VR income helps properties pay for themselves and allows her family to provide affordable housing. She said the renovating that was done had added value to neighbor’s properties, as well. She added that having avenues of transferability taken away would significantly lower the value of the property, which she said she intends to pass on to her sons.

Jim Secor said he was formerly in commercial real estate and now owns a vacation rental downtown and lives (permanent residence) in Salisbury Cove. Prohibiting transferability would decrease property values by roughly 25 percent, he said, as well as decreasing equity and the ability to use it to offset other investments. Mr. Secor said having a rental property allowed him and his wife to retire to Maine. He said short-term rentals such as his fill a niche because visitors “want a physical house” to stay in and not a B&B where they have to share space with others.

Margaret Jeffrey said the town should “think about the constitutional challenges to this restriction in transferability and the effect on value it will

Question about VR-1 vs. VR-2

Comment on comprehensive plan

Motion is amended to bring proposal into conformance with Comp Plan, motion then carries 4-1 w/ E. Brooks opposed

Public hearing on draft warrant article for proposed LUO amendment – Prohibition of Transferability of Short-Term Rental Registrations

Public hearing opened at 7:50 PM

C. Chappell is in favor of allowing transferability

J. Secor says not allowing transferability will lower property values

M. Jeffrey predicts constitutional challenges if this is enacted

have on seasonal rentals.” She said it would be challenged in court and that she did not want to pay taxes for the town’s legal defense.

Amber Howard, who wrote in saying she had a bad connection, had a written comment she provided read aloud by Chair St. Germain. In her comment she asked why the amendment would prohibit transferability if there was a cap in place and new permits would not be issued. Ms. Howard said she was not in favor of any measure that would limit transferability.

A. Howard opposed to any limit on transferability

Art Greif spoke next and pointed out that the prohibition of transferability would not have any effect on VR-1s. He said he felt non-transferability “makes sense” for VR-2s. He suggested the board might limit non-transferability of VR-2s to those whose primary residence is not Bar Harbor (allowing Bar Harbor residents with VR-2s to transfer a registration). Mr. Greif, an attorney, added that there is no constitutional prohibition on having a different set of rules for resident and non-resident property owners.

A. Greif suggests limiting transferability of VR-2 to Bar Harbor residents

Patrick Kilbride spoke next. He disagreed with an assertion made by staff in the report prepared before the meeting that not prohibiting transferability would render the cap “moot because registrations could be transferred to new owners ad infinitum.” He flatly said that was not the case. Mr. Kilbride referenced plans by the Jackson Laboratory to construct 24 dwelling units and said that, as more housing units come into inventory, the number of available VR-2 licenses would increase. He noted that Town Council had removed the transferability clause from a previous rental regulation proposal (after the Planning Board had proposed keeping it in) and opted for language that would only allow for the transferability of a vacation rental license in the case of summer homes, which were proposed to be defined as second homes owned by people whose primary residences were more than 50 miles away. Mr. Kilbride called that former proposal “ridiculous.” He said the Planning Board should again leave transferability in for VR-2 licenses.

P. Kilbride disagrees with staff assertion that cap and transferability work together

P. Kilbride notes his opposition to action taken by Town Council on previous VR proposal

P. Kilbride in favor of allowing for transferability

Martha Searchfield said she owns a bed and breakfast as well as a vacation rental, and said how people live and operate their various businesses in Bar Harbor is a complicated situation. She said did not want the prohibition of transferability item put on the ballot and said it should not even be part of the discussion. The proposal, she said, represents a “huge overreach.”

M. Searchfield strongly opposed to prohibiting transferability

Donna Karlson spoke next and said there was very little she could add to the discussion. She said she has no interest in doing vacation rentals herself. She said Bar Harbor residents, though, should be able to transfer rental registrations. She said it is very hard to get people to live here year-round for their life and said she supported anything to encourage people who are likely to stay here to do so. She said she is not a lawyer. Ms.

D. Karlson not in favor of draft order as written, would favor allowing Bar Harbor residents to transfer

Karlson concluded by saying she did not support the article as written.

Loren Hubbard was on the line and spoke next. He brought up LLCs, family ownership structures and corporations. He asked how different ownership structures would be treated with regard to transferability.

L. Hubbard asks questions about transferability

Melody Kronenberg spoke next. VRs “are a huge part of why there is a year-round community in Bar Harbor,” she said. “That’s why I can live here...it’s as if you forget we’re in a seasonal town.” Limiting VRs, she said, and limiting transferability, would hurt the town in the long run. If the board feels it needs to put limits on transferability, Ms. Kronenberg said, it should focus on doing that for non-resident property owners and not locals.

M. Kronenberg not in favor of limiting transferability; if it is done, allow local residents to transfer

Joe Bonaventura said he was against the prohibition of transferability. “We always felt that transferability should go with the property,” he said. “We have two children that live in Maine that will hopefully inherit the property.” He said he was not sure that limiting transferability would increase the supply of affordable housing.

J. Bonaventura supports allowing transferability

Assistant Planner Fuller put a last call out for anyone wishing to speak.

Tim Searchfield was on the line, and he said that biological families should include adopted children (with regard to transferability matters).

T. Searchfield said families should include adopted children

Chair St. Germain began to answer some of the questions. He clarified the definition of affordability, which is based on the county’s average median income, and noted that the criteria is in §125-69 R. He said it is pretty straightforward, with the goal of making sure that a resident who earns the median income for the county does not spend more than 30 percent of that income on housing. He summarized some of the comments. He reminded the board of the three options. **While it was not officially stated, the public hearing was effectively closed at 8:22 PM as no one else from the public indicated a desire to speak and the board moved on to its discussion.**

Chair St. Germain responds to questions

Public hearing effectively closed at 8:22 PM

Secretary Brooks said that the public hearing reiterated her own opinion and what she has heard for years. She said she agreed with others who spoke who said that the cap serves as an effective regulation (she said no industry can go unregulated), but said the transferability piece needed to be removed. She said she had not heard anyone speak in favor of prohibiting transferability.

E. Brooks said transferability needs to be allowed

Mr. Eleftheriou asked whether, if the amendment on transferability was removed, “things could be transferred and done the way it is right now.” Code Enforcement Office Angela Chamberlain said it would be treated the same way any other non-conforming use is treated. Planning Director

B. Eleftheriou has a question, staff responds to him

Gagnon added that transferability does apply to VR-1s in the sense that, if a resident is renting two rooms and one is a VR-1, that cannot be transferred to the other room. VR-1s also cannot be transferred to someone who does not live here, she noted.

Mr. Eleftheriou felt the current stock that is there, whether for residents or nonresidents, should be transferable. "It's a grandfathered, permitted use," he said. "I think that needs to get transferred." He said he would not support a prohibition of transferability.

Mr. Dority said he agreed with what Secretary Brooks and Mr. Eleftheriou said and that he changed his mind on some aspects during the course of the meeting. He said he liked the idea of limiting transferability to residents of Bar Harbor.

M. Dority likes idea of limiting transferability to Bar Harbor residents

In response to a question from Mr. Eleftheriou, Chair St. Germain said if the board took no action, "this dies now." Chair St. Germain reiterated his opposition to the prohibition of transferability.

Mr. Eleftheriou moved to take no action on the amendment titled Prohibition of Transferability of Short-Term Rental Registrations. Secretary Brooks seconded. This was done with a general understanding that if the motion were approved, it would not move forward, although Chair St. Germain then said he was unclear what would happen next if the board took no action. He read from the LUO. "This is coming to us as a written request from the Town Council," Chair St. Germain said. "They may seek other alternatives outlined in [125-]9 A." He said he believed the process would come to a close as far as the Council's ability to hold a public hearing.

Motion to take no action on the draft order

Chair St. Germain outlines board options

Mr. Eleftheriou asked for Planning Director Gagnon's opinion regarding the process. She said the board was within its rights to take no action.

Secretary Brooks asked about going a second route, that being to recommend a change and the change being to remove the whole piece (prohibition of transferability). Chair St. Germain said he believed the motion on the table would keep the Town Council from holding a public hearing.

E. Brooks asks about a second option, Chair St. Germain responds

There was a discussion regarding what might happen next depending on the board's actions and the thresholds of approval required for certain types of votes. Vice-chair Cough said that a citizen's petition would always be an option, although he said he believed there is a certain time period whereby it could not be brought forward if a similar ordinance was voted on by the town. He said he hoped Town Council members would hear the public comment made during the meeting. "I honestly don't know

Discussion about what happens next, what the Town Council may do

where to go with this,” he said, adding that he did not like the limit of transferability being a part of this proposal. “I think it’s heavy handed.”

Chair St. Germain opined it would be “relatively unprecedented” to see the Town Council go the route of a citizen’s petition to get a land use ordinance amendment approved. Vice-chair Cough agreed with that.

Mr. Eleftheriou said he recognized that the pending action by the Planning Board would likely be “very unpopular with some members of the Council” and said they might look at it as “sabotage” by the Planning Board (he noted the two bodies had held joint workshops where the subject of transferability was discussed). “Objectively, we had a lot of concern about this,” said Mr. Eleftheriou. “So I would hope they’d view this not as a way that we sabotaged it or that we’re removing it or we did all this work for nothing, but that we also once again listened to the public and don’t feel that it’s a good idea to proceed with this [prohibition of] transferability option.” He spoke of reaching out with an olive branch.

Chair St. Germain said Planning Board members had a responsibility to vote “what we truly believe is the best way.” He said he believed taking no action would be the best thing to do. Vice-chair Cough said he would vote for the motion because it was the right thing. He referred to the comments made that night, and noted they were unanimously against this option. He said ignoring that would be to disregard and devalue that public input. He said he wasn’t sure his vote was the best thing strategically but said he believed it was the best thing for the municipality.

Chair St. Germain reminded the board there was a motion on the floor. The motion carried on a roll-call vote, 4-1, with Mr. Dority casting the lone dissenting vote (“Respectfully, no,” he said.)

VII. OTHER BUSINESS

a. Review proposed amendments to Chapter 31 (Boards, Committees and Commissions), Article IX (Planning Board) and make a decision to send to Town Council for review.

Chair St. Germain noted this item had been on the board’s plate for a period of time.

Assistant Planner Fuller advised the board that the meeting was set to stop broadcasting at 9 PM and noted that it was 8:43 PM at present. He said he might have been naïve or optimistic in assuming five hours would be enough time for the meeting. He explained further technical details.

Vice-chair Cough said he was fine with putting forward these two agenda items (a. and b.) to the next meeting, and referred to what was voted on at

B. Eleftheriou addresses Planning Board action and possible Town Council reaction

Chair St. Germain and J. Cough comment

Board votes 4-1 to take no action on draft order (M. Dority opposed)

Review of proposed amendments to Chapter 31/Article IX (Planning Board)

At 8:43 PM, S. Fuller notes meeting is set to stop broadcasting at 9 PM

the last meeting (12/2/2020). He said he thought staff had been asked to provide the board with next steps on density. Planning Director Gagnon said she did not see that that specific motion had been made at the last meeting. She said with regard to Chapter 31, she had not done anything since the last meeting.

Chair St. Germain suggested adjourning the meeting and putting the two remaining items at the top of the next agenda so that they do not end up at the end of the meeting when the board may already be exhausted from extensive discussion.

b. Discussion on density
(See above).

VIII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

There were none.

IX. REVIEW OF PENDING PLANNING BOARD PROJECTS

None.

X. ADJOURNMENT

At 8:47 PM, Mr. Dority moved to adjourn. Vice-chair Cough seconded. The motion then carried unanimously, 5-0, on a roll-call vote.

Minutes approved by the Bar Harbor Planning Board on Feb. 3, 2021:

2/22/2021

DocuSigned by:
Erica Brooks

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Date Erica Brooks, Secretary, Bar Harbor Planning Board

Discussion about remaining agenda items; desire to see them moved forward to next agenda at a higher position on agenda

Discussion on density does not take place

No comments or suggestions for future agendas

None

Board moves to adjourn at 8:47 PM (5-0)