

Minutes
Bar Harbor Planning Board
Wednesday, February 5, 2020 — 4:00 PM
Council Chambers – Municipal Building — 93 Cottage Street, Bar Harbor

I. CALL TO ORDER

Chair Tom St. Germain called the meeting to order at 4:00 PM.

Call to order
at 4:00 PM

Members present were Chair St. Germain, Vice-chair Joe Cough, and members Erica Brooks and John Fitzpatrick. Secretary Basil Eleftheriou Jr. was absent.

Four of five board
members present

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

Four town staff
members present

II. ADOPTION OF THE AGENDA

Vice-chair Cough made a motion to adopt the agenda, seconded by Mr. Fitzpatrick. The motion then carried unanimously (4-0).

Agenda adopted
unanimously (4-0)

III. EXCUSED ABSENCES

Vice-chair Cough made a motion to excuse the absence of Mr. Eleftheriou, seconded by Mr. Fitzpatrick. The motion then carried unanimously (4-0).

B. Eleftheriou's
absence is excused

IV. PUBLIC COMMENT PERIOD

Chair St. Germain opened the public comment period at 4:01 PM; as no member of the public came forward to speak, it was subsequently closed.

No public comment

V. APPROVAL OF MINUTES

a. January 8, 2020

Vice-chair Cough made a motion to adopt the minutes of the January 8, 2020 meeting. The motion was seconded by Mr. Fitzpatrick and carried unanimously (4-0).

Jan. 8, 2020 minutes
approved
unanimously (4-0)

VI. REGULAR BUSINESS

a. Subdivision Pre-Application Sketch Plan Review for SD-2019-03 — Destination Health

Project Location: 124 Cottage Street — Tax Map 104, Lot 159, and encompassing ±0.16 acres of land in the Downtown Village II district

Applicant/Owner: Destination Health, LLC

Application: To construct a two-story, four-unit apartment building (constituting a subdivision, by unit, under state statute) on the Brewer Avenue end of the parcel.

Per §125-72 E of the Bar Harbor Land Use Ordinance, the Planning Board shall entertain brief public comment on the proposal for the limited purpose of informing the applicant of the nature of any public concerns about the project so that such concerns may be considered by the applicant in preparing his/her application.

Pre-Application
/Sketch Plan Review
for SD-2019-03,
Destination Health

Sheridy Olson, one of the owners of the parcel, and Stewart Brecher, part of the architectural team, were present to discuss the project and introduced themselves. Mr. Brecher opened with a bit of humor, asking, "Is it OK not to shake hands and tear up the agenda at the end of the meeting?" *[For context, the quip followed House Speaker Nancy Pelosi tearing up her copy of President Donald Trump's State of the Union speech the night before.]* Chair St. Germain replied, with a smile, "If you have to tear it up at the end of the meeting, so be it, Stewart." Ms. Olson added, "As long as you recycle it."

Sheridy Olson and Stewart Brecher on hand to present application

S. Brecher opens with a topical joke

Mr. Brecher explained that the part of the project before the board that night was the side of the site on Brewer Avenue, where a building with four, one-bedroom apartments are planned (three weekly rentals and one year-round), as well as four parking spaces.

Overview of project, why it is coming before the board

The applicants, said Mr. Brecher, were not before the board to discuss the Destination Health aspect of the project, which has received permits and on which construction is already underway. He noted the project constitutes a subdivision (by dwelling unit) under state law, thereby requiring the applicant to come before the board even though it does not involve subdividing the land or building into different ownership. He described the building in some detail.

Public comment period opens

Chair St. Germain opened the public comment period at 4:05 PM.

Bob McCann, 9 Brewer Avenue, spoke first. He asked about how the apartments will be rented, noting that Brewer Avenue is a tight street. He wondered where overflow parking would be for the units, particularly if visiting families bring two cars. He also asked if there are minimum width requirements for parking spaces, and Chair St. Germain said there are specific standards in the Land Use Ordinance.

B. McCann shares parking concerns

L. Lloyd concerned about traffic, parking

Laney Lloyd, 10 Myrtle Avenue, said she worried about traffic congestion and trying to find a parking space.

Public comment period closed

Chair St. Germain closed the public comment period at 4:09 PM.

Ms. Olson said one of the units will be a year-round apartment, hopefully for an employee of Destination Health, while the other three units will be weekly rentals. Mr. Brecher said that congestion and traffic are issues everywhere in the downtown area but that the project meets all required setbacks and is following the ordinances in place. The building is set back about 35 feet from the street, he noted. Parking is a problem all around town, Mr. Brecher said. He noted there are municipal parking lots and metered spaces for visitors to Destination Health on the Cottage Street side of the property. He said he hoped visitors would walk or use the bus while visiting Bar Harbor. The vacation rentals are necessary to make the project financially viable, said Mr. Brecher. Ms. Olson noted as a wellness

Applicants respond to parking concerns

center, Destination Health encourages walking and the use of bikes for transport.

Chair St. Germain asked how many parking spaces are required for the project; Planning Director Michele Gagnon replied that in that particular zoning district (Downtown Village II) none are required. Chair St. Germain noted for the public that the applicant intends to provide parking beyond what is required in the district, and that it appeared to meet the requirements of the Land Use Ordinance.

Discussion of parking spaces

Mr. Fitzpatrick noted that the documents before the board met sketch plan requirements but that for a subdivision application the board would require a site plan with all the amenities on it.

Chair St. Germain mentioned the checklist and possible waiver requests, along with a site visit and neighborhood meeting. Planning Director Gagnon said she felt it was early to act on the waiver requests but noted that the board has, in the past, given general guidance at this point instead. Assistant Planner Fuller, replying to a question from the board, said a site visit is required within 30 days. Chair St. Germain said the site visit would likely be followed by a neighborhood meeting, probably in the Municipal Building. He explained how that process works. Planning Director Gagnon noted that a neighborhood meeting is optional.

Discussion of waiver requests, site visit and neighborhood meeting

Replying to questions from the board, Mr. Brecher said he intended to be at the board's next meeting for completeness review and that there is sufficient capacity to hook in sprinklers for the building.

Mr. Fitzpatrick made a motion, seconded by Vice-chair Cough, to have Planning Department staff schedule a site visit, followed immediately after by a neighborhood meeting.

Motion for site visit and neighborhood meeting

Mr. Brecher asked for feedback on the checklist before the next meeting. Mr. Fitzpatrick asked whether there would be signs for rentals, if any easements were required, whether water service lines would need to be increased and if there was overhead service for power. Mr. Brecher replied that no easements are necessary, water service lines are fine, and the buildings are fed for power from Myrtle and Cottage Streets. There will be no signs for the rental units, Mr. Brecher said. Board members did not flag any other issues for the applicant. With no more discussion, **the motion to schedule a site visit and neighborhood meeting then carried unanimously (4-0).**

Discussion about checklist

Motion to schedule site visit and neighborhood meeting carries unanimously (4-0)

Mr. Brecher told the board that because of a tight construction timeline and financial hardship if the four units are not approved in time to be rented for the summer season, the applicant plans to apply for a building permit for a two-unit building on the same footprint to get a foundation laid in the event there are approval issues with the four-unit building. The two-unit building permit could be granted by staff. The applicant is not trying to get around the process, said Mr.

S. Brecher speaks of concurrently seeking a building permit for project

Brecher. Vice-chair Cough said the applicant could do that and that it would not change the review process with the Planning Board going forward.

b. Subdivision Pre-Application Sketch Plan Review for SD-2020-01 — Maller/MacQuinn Subdivision

Project Location: Tax Map 208, Lot 098; a portion of Tax Map 216, Lot 049; and a portion of Tax Map 216, Lot 050; said lots encompassing a total of ±137.32 acres, of which this subdivision would involve ±68.75 acres. Portions of the subject land are in the following zoning districts: Salsbury Cove Rural, Ireson Hill Residential, Hulls Cove Rural, Shoreland Limited Residential and Resource Protection.

Applicants/Owners: Harold MacQuinn, Inc. (Tax Map 216, Lot 049); Christopher Maller (Tax Map 208, Lot 098); and Christopher S. Maller Revocable Trust (Tax Map 216, Lot 059)

Application: To develop a 14-lot residential subdivision on property located off of Owls Nest Lane (a town-owned road), with lots ranging in size from 1.12 acres to 19.42 acres.

Per §125-72 E of the Bar Harbor Land Use Ordinance, the Planning Board shall entertain brief public comment on the proposal for the limited purpose of informing the applicant of the nature of any public concerns about the project so that such concerns may be considered by the applicant in preparing his/her application.

Engineer Greg Johnston was present to represent the applicant. He presented a plan of the project to the public, and many audience members got out of their seats to look at this plan when it was first presented.

Mr. Johnston said the overall project size is roughly 68 acres and that most of the subdivision lots will be between 1 and 2 acres, with three considerably larger lots. He spoke about trying to move roads away from existing rear yards, and also about covenants already in place on Owls Nest Lane. Mr. Johnston said there would be restrictive covenants that would mirror some of the restrictions in other deeds for other subdivisions in the area, such as house size limitations. He said building areas as indicated factored in wetlands on the site. He noted the intent is to have the roads serving the project built to town standards (including being paved) and eventually accepted by the town.

Chair St. Germain asked about a possible fire pond. Mr. Johnston said the Fire Department has strongly recommended the applicant consider residential sprinklers for houses in the project, but that sprinkling is difficult in residential areas with wells and would likely increase the price of the homes. He said the applicant is leaning toward putting in a fire pond.

Chair St. Germain asked whether the project is in line with the Land Use Ordinance, particularly with regard to road length (§125-67 G. (3) (b) — that no

Pre-Application /Sketch Plan Review for SD-2020-01, Maller/MacQuinn Subdivision

Engineer Greg Johnston present to represent applicant

G. Johnston gives overview of project

Discussion on fire suppression options

dead-end street shall exceed 2,000 feet in length) and another requirement that there cannot be a subdivision with 15 or more lots that does not have two connections with existing public streets. He said those matters might not be addressed that night but he wanted to put them on the table for discussion.

Mr. Johnston replied that the project has at least two turnarounds that are not dead ends and said one approach would be to interrupt those with roads with turnarounds for emergency vehicles.

Regarding the other issue, found in §125-67 G. (2) (h) [1] — the requirement for two connections with 15 or more lots, Mr. Johnston said the big question is where does one start counting for 15 lots. He noted that the town ordinance refers to state law (Title 4401-4) for the definition of subdivision and summarized it as three or more lots in a five-year period. He said lots outside the five-year period should not be counted.

Chair St. Germain opened the meeting to public comment at 4:50 PM.

First to speak was Dana Reed, who lives at 36 Stony Brook Way. He said he considered both of the applicants friends of his and said he had respect for Mr. Johnston. He raised the issue of having two street connections for subdivisions of 15 or more lots. Mr. Reed spoke about the same state law Mr. Johnston referenced, and said it allowed the Planning Board to consider lots that were created earlier. Mr. Reed spoke about increased traffic on Stony Brook Way, which he said is in disrepair already. He said additional construction traffic would further that. He asked about the maximum grade for the proposed road, and wondered if the Town Council would accept it.

Mr. Reed referenced the language regarding length of a dead-end road, and said he saw this as definitely being a dead-end road. He said the topography of the proposed road could also present challenges in meeting road construction requirements in the Land Use Ordinance. Mr. Reed expressed a concern about the proposed size/layout of Lot #10. He asked about proposed restrictions and deed covenants, and asked if the town would enforce them. He said there had been problems along those lines in the past. Mr. Reed also asked about where Owls Nest Lane ended with regard to the property line.

Sarah Mangs, 34 Owls Nest Lane, spoke next. She noted she is not a direct abutter to the project, but had community-level concerns. She wondered whether the developer had had discussions with Spectrum regarding internet and cable television connectivity and if the infrastructure in place presently could support additional homes. She asked that the developer address that with Spectrum.

Linda Rooney, 19 Owls Nest Lane, spoke next. She asked where a fire pond might be located and if it would serve the entire neighborhood. She said her main concern was the length of the proposed road, and wondered about having an

Questions and discussion about road length and number of lots

Public comment period opens at 4:50 PM

D. Reed speaks about street connections and road conditions

D. Reed also speaks about road layout and lot size/layout, also covenants

S. Mangs asks about internet connectivity

L. Rooney asks about fire pond and entrances/exits

additional entrance and exit for the project.

Bendigo Binns, 54 Owls Nest Lane, spoke next and voiced concern about construction traffic. He said he would prefer that construction traffic be routed via other access points, i.e. through the gravel pit behind Pirate's Cove, noting that many school-age children in the area play around the street, as it is a cul-de-sac at present, especially in the summertime.

B. Binns speaks about construction traffic and concerns

David Mangs, 34 Owls Nest Lane, spoke next and echoed concerns about traffic and topography. Mr. Mangs asked whether there would be an impact on the wells in the area with the addition of the new houses. He said his well is 400 feet deep and draws 8 gallons per minute. He also said he had trouble finding the plans on the town's website.

D. Mangs shares concerns on traffic and wells in area

Bob Bechtold, 42 Stony Brook Way, spoke next and asked about setback requirements. Mr. Mangs returned to the microphone to ask about the requirement for an additional entrance/exit, and how that requirement works. Mr. Binns also returned and spoke about having issues with trucks idling on the road before the sound ordinance kicks in. He asked that construction traffic not enter Stony Brook or Owls Next prior to 7 a.m., and that they instead idle on Route 3.

B. Bechtold asks about setback requirements

Fred Campbell, 55 Owls Next Lane, spoke next. He spoke about erosion taking place already. He echoed what Mr. Binns said about sound issues relating to construction, and said requirements were not being followed in that area.

F. Campbell speaks about erosion and construction issues

Emily Perry, 41 Owls Nest Lane, spoke next. She said her concern was the significant wetland area nearby and the wildlife that lives there.

E. Perry speaks about wetlands

With no additional speakers, the public hearing ended at 5:09 PM.

Public comment closed at 5:09 PM

Replying to public questions, Mr. Johnston said he would not necessarily have all of the answers yet but would work to maintain lines of communications with residents. He said he would continue to explore the 2,000 foot dead-end issue, and take cues from the board and staff on how to interpret requirements. He said he would similarly look for guidance on the second entrance/exit issue. He said the developer would be adhering to town standards for the grading of the road, because the intent is for it to be adopted as a town road, and spoke about why the road is drawn the way it is on the site plan right now.

G. Johnston responds to issues and concerns raised

Mr. Johnston spoke to Mr. Reed's concerns about the layout of Lot #10. He said all lots have had test pits dug on them. Mr. Johnston said existing deeds have been looked at to know what other owners bought into. He addressed the question about where Owls Nest Lane ends with relation to the property line. He also spoke about setback requirements (no-cut zones) on existing lots on Owls Nest. Mr. Johnston said the applicant wants to ensure that covenants are upheld and that modern conveniences such as internet and cable television are available.

He said he has talked with Emera Maine but will reach out to Spectrum as well.

Mr. Johnston said the fire pond would be centrally located and said it would be smart planning to have it be able to serve the neighborhood. Regarding construction traffic, he said they would work with construction crews to find a way to keep the impact on the neighborhood down and were committed to being good neighbors. He said time of day and noise would also be looked at. Mr. Johnston noted that there are conditions in the deeds of residents along Owls Nest and Stony Brook alerting them that future development may occur. He said it is unusual to see that in deeds. He spoke to concerns about road construction.

G. Johnston responds to issues and concerns raised

Mr. Johnston spoke about buffers and no-cut zones, and how he and the applicants were approaching that. He added that the developer is looking at areas where water runs down the hill for a fire pond, and said he is also looking at a fire pond to potentially help address stormwater. He said stormwater and fire ponds have some different typical requirements, however, so that has to be looked at more closely.

Responding to concerns about wetlands and wildlife, Mr. Johnston said the developers had looked at habitat maps and that the lots near the wildlife habitat are the largest by design, to minimize the impact on wildlife, with building envelopes closer to the road rather than the wetlands.

Chair St. Germain raised the issue of what the applicant wants to do with utilities, and said he understood the plan to be to go underground with utilities for a distance and then bring them back up above ground. Mr. Johnston said they would be seeking a waiver, to allow overhead utilities in order to help keep costs down. He said the applicant would consider placing the utilities underground until they got well into the site and then “popping up and going overhead.” He said he thought the language in the ordinance relating to this is unnecessary, in a lot of instances.

Discussion about overhead versus underground utilities

Vice-chair Cough said he assumed that covenants would be in the full application package. Mr. Johnston replied that they would be. Vice-chair Cough asked for information on adjacent subdivision covenants, including Owls Nest and Stony Brook, to be included for purposes of comparison. “I’m not saying I’m going to hold you to them,” he said, but “I’d kind of like to see where you are comparable and where you’re not.”

Vice-chair Cough would like to see covenants for neighboring land

Planning Director Gagnon, in response to an earlier question from Mr. Reed, noted that the town does not enforce covenants and deed restrictions of any kind and that those are essentially private zoning/regulations.

Planning Director: town does not enforce covenants

Chair St. Germain said he would like to consult the town’s attorney for his opinion regarding the 2,000-foot dead-end road issue as well as the issue of the 15-lot subdivision language in the Land Use Ordinance. Chair St. Germain noted

Board wants legal advice on road length and entrance/exit issues

that the application should also address how the requirements for grading on the road and shoulders will be met.

Vice-chair Cough suggested the applicant go to the Town Council to get a sense in advance of whether the town would be amenable to accepting the road, if it were built to town standards, before going through the expense of building it with the assumption that it would be adopted. Planning Director Gagnon noted that there is a road acceptance policy and a process in the Land Use Ordinance regarding how and when to approach the Town Council with a road adoption request. Mr. Johnston said he believes the road is built to standards and then remains private until the owner can prove standards have been met. There is no guarantee the Town Council will accept the road.

Chair St. Germain asked whether the Town Council would accept responsibility for a fire pond and said that while the internet connectivity question is not necessarily relevant to the board, it is of interest to future inhabitants.

Linda Rooney, Owl's Nest Lane, returned to the microphone and asked if the applicant could show residents a larger site plan depicting the proposed building envelopes and include the existing houses, for scale. David Mangs asked if the applicant could notify all neighborhood residents, not just abutters, of developments in the future.

Vice-chair Cough moved to ask staff to schedule a site visit followed by a neighborhood meeting, with the neighborhood meeting at the MDI Bio Lab, if possible. Mr. Fitzpatrick seconded the motion, which passed unanimously (4-0).

Planning Director Gagnon distributed part of the checklist, which was missing from what the board had received in advance of the meeting. Chair St. Germain asked when the application would be ready for completeness review. Mr. Johnston replied that it would likely be ready by April, but said he didn't have the 2020 schedule, which Planning Director Gagnon then provided to him. There was discussion of when it would be best for the board to review the checklist.

Regarding the checklist, Vice-chair Cough said that in reference to item 5C, he would like to have information regarding discussions with the Maine Department of Transportation be part of the exhibit, rather than waive it, which he said would help answer questions that had arisen about entrance and exit.

Chair St. Germain noted that the applicant had requested a waiver on 4C (proposed performance plan and maintenance guarantee). He asked if that would be the part of the checklist where the board would address a maintenance plan for a fire pond, noting that the town would likely be reluctant to accept a fire pond if it did not meet necessary Fire Department standards.

Discussion about town acceptance of road for project

Would town accept responsibility for a fire pond?

Residents ask for larger site plan, more info and more notifications

Motion to have staff schedule a site visit and neighborhood meeting (MDIBL): APPROVED, 4-0

Discussion about checklist for project and when it will return for completeness review

Chair St. Germain also wondered about the impact of the project on groundwater in the area. Mr. Johnston replied that “we have a lot of data on the wells” in the area. He noted the records that are kept for wells and that one had been reported as “low-yield.” He said a four-bedroom home needs a 0.25 gallon per minute well; most wells in the area are 20 gallons per minute, but one is 2 gallons per minute. “We didn’t hear anybody’s well has gone dry,” said Johnston.

Discussion on wells and groundwater testing in the area

Mr. Johnston said working with bedrock wells on Mount Desert Island is akin to “black-box magic.” He explained the difficulties in this work, and said that while he thought bedrock testing could be of “some use” that “the evidence of all these other wells is much more useful than drilling test wells.” He said he would provide more information from the state database on the wells to the board.

Chair St. Germain said staff should give more consideration as to whether item 4C should be a waiver, with regard to a fire pond, but that otherwise “the checklist that is presented looks pretty sound.” Mr. Johnston noted that the checklist was done prior to discussions with the fire chief. Vice-chair Cough added that providing a larger scale plan of the homes and building envelopes, as was suggested earlier by a resident, would be “helpful” and “fairly easy to do.”

Board requests for staff and applicant

c. Completeness Review under Site Plan Review for SP-2019-07 – Triple Chick Farm

Project Location: Off of State Highway 102 — Tax Map 235, Lot 002, encompassing 72.19 acres of land in the following zoning districts: Town Hill Residential Corridor, Town Hill Residential and Stream Protection.

Applicant/Owner: Triple Chick Farm, LLC

Application: Construction of a driveway (over 500 feet in length) to provide for land and forestland management practices, as well as to serve a future single-family residence. Site plan review is required because the driveway will cross a stream in the Stream Protection zoning district.

Completeness Review for SP-2019-07, Triple Chick Farm (stream crossing driveway)

Mr. Johnston stayed at the microphone to represent Triple Chick Farm. He explained that the project, which includes construction of a driveway to a parcel abutting Triple Chick Farm, is before the board because it crosses a Stream Protection district. Johnston noted the plan is to build a residential dwelling for a farm manager, not for workforce housing or multiple dwellings. He explained the layout and location of the project and recounted a history of the site as well.

Engineer Greg Johnston present to represent applicant

Mr. Johnston noted the applicant has been in touch with and obtained necessary permits from the Maine Department of Transportation, Maine Department of Environmental Protection and the Army Corps of Engineers, which he said are included in the packet. There was more discussion of the property and why the project was coming before Planning Board. “It’s a precast, three-sided box culvert,” said Mr. Johnston, “so that the streambed stays intact. That’s the goal.”

G. Johnston speaks about project, site and permits that have been obtained

At 6:01 PM, Chair St. Germain opened the meeting for public comment at and closed it after no residents got up to speak.

Public comment period opened, and closed with no comment

The board then moved on to waivers. There was a discussion about the grade of the road and what Mr. Johnston needed (or did not need) to show with regard to that requirement. Mr. Fitzpatrick said he felt the “package is pretty well assembled.”

Waiver discussion

Mr. Fitzpatrick moved, seconded by Ms. Brooks, to grant the waivers requested in the checklist. The motion then passed unanimously (4-0).

**Board moves to grant requested waivers:
APPROVED, 4-0**

Mr. Fitzpatrick then made a motion, seconded by Vice-chair Cough, to find the application SP-2019-07 complete per Bar Harbor Land Use Ordinance §125-66 and to request staff to schedule a public hearing on the application for Wednesday, March 4, 2020. The motion then carried unanimously (4-0).

**Board moves to find application complete and schedule for a public hearing on March 4, 2020:
APPROVED, 4-0**

Mr. Johnston then said that the standards require that even private utilities that cross a Stream Protection district must be included in a site plan. He said he did not want to have to come back before the board for utilities. “Our intention is to keep the poles within the cleared opening that we’ve already described in the plan,” said Mr. Johnston, noting that there would likely be two poles near the stream. Code Enforcement Officer Chamberlain said it would be “safest” to include the two pole locations as part of the plan; Mr. Johnston agreed to do so.

Discussion about what applicant needs to show for utilities on the site plan

VII. OTHER BUSINESS

Planning Director Gagnon described to the board the need for a possible special meeting for April Post and her family to resolve issues with a property located in a subdivision from the 1980s. Planning Director Gagnon explained that the family is unable to close on the house they recently built because of a subdivision issue that neither the Planning Department nor the family was aware of when the house was built. “We did not know about [this], the applicant did not know about [this],” said Gagnon, adding that she was trying to cut six weeks off of the Planning Board review process for the family, who wants to move into their house, by having a special meeting. “They’re really in a bind,” she said. In response to a question from Mr. Fitzpatrick, she explained that under the town’s Land Use Ordinance the creation of a new lot within an existing subdivision necessitates full subdivision review by the Planning Board (three meetings — sketch, completeness, compliance/public hearing — rather than just one).

Planning Director Gagnon speaks about need to hold special meeting for a unique situation involving subdivision and single-family home

Vice-chair Cough wondered why the family couldn’t approach the council for a consent agreement. Planning Director Gagnon replied that it likely wouldn’t satisfy a title attorney and that these are unique circumstances. Vice-chair Cough said he was fine with scheduling a special meeting. Chair St. Germain said the board would wait to hear from staff and would attempt to schedule a special meeting “at our earliest convenience.” Planning Director Gagnon noted she only wants special meetings for special circumstances on a limited basis.

**Planning Director:
Limited use of special meetings**

VIII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

Chair St. Germain asked board members for their comments and suggestions. He referred to a handout from staff about residential fire sprinklers, and Mr. Fitzpatrick said it was likely that home fire sprinklers would be mandatory within the next decade. Code Enforcement Office Chamberlain noted that sprinklers are no longer as prohibitively expensive as they once were.

Discussion about fire sprinkler requirements

Chair St. Germain noted that a public hearing on Land Use Ordinance amendments was scheduled for February 18, 2020 at the Town Council meeting and said he planned on attending. He encouraged other members to attend.

LUO amendments to be discussed by Town Council

Chair St. Germain asked Planning Director Gagnon to update the board on the progress of the vacation rental zoning advisory group. She said the group has six members and held three “listening sessions” last week, with a total of 210 participants. She said the comments gathered were “very meaningful” and noted that she had stopped taking comments as of January 31, because it was “becoming repetitive.” She said the zoning advisory group was working on setting goals and objectives and would seek the Town Council’s blessing.

Discussion about the vacation rental advisory group and its work, along with recently held listening sessions

Planning Director Gagnon said outreach for the listening sessions was done differently than usual, by sending mailings to all postal customers in Bar Harbor (those with either a physical address or a P.O. Box in one of the three ZIP codes in town). She said this method resulted in a wide variety of input from residents, including many who had never spoken at public meetings on this subject before, and many who do not own vacation rentals. She said it was off to a good start.

In response to questions from Chair St. Germain, Planning Director Gagnon said the group planned to meet on February 6, 2020, and that the group would be “setting regulatory approaches” but would not be writing ordinance language. There was further discussion about how the process would work.

Chair St. Germain asked for updates on upcoming projects. Planning Director Gagnon mentioned two possible projects brought forward by Mike Rogers. Assistant Planner Fuller noted that the Harbor View subdivision by Chris White in Hulls Cove had come to the Technical Review Team for more feedback from staff and said he wasn’t sure when they would be ready for completeness. Planning Director Gagnon also noted that there was a parking lot approved for Bar Harbor Savings & Loan but that the bank is considering making changes to.

Discussion about upcoming projects

IX. ADJOURNMENT

At 6:23 p.m., Vice-chair Cough made a motion, seconded by Mr. Fitzpatrick, to adjourn. The motion then passed unanimously (4-0).

Meeting adjourns at 6:23 PM

Minutes approved by the Bar Harbor Planning Board on April 29, 2020:

5.06.20

Date



Basil Eleftheriou Jr., Secretary
Bar Harbor Planning Board