

Minutes
Design Review Board
Thursday, March 12, 2020 at 6:00 P.M.
Council Chambers – Municipal Building — 93 Cottage Street

I. CALL TO ORDER

Chairman Barbara Sassaman called the meeting to order at 6:00 PM. Present, in addition to Chairman Sassaman, were Secretary Pete Bono and members Pancho Cole and Andrew Geel. Vice-chair Steve Demers was absent due to an emergency work situation. Town staff present were Code Enforcement Officer Angela Chamberlain, Deputy Code Enforcement Officer Patrick Lessard and Assistant Planner Steve Fuller.

II. EXCUSED ABSENCES

Chairman Sassaman noted that Vice-chair Demers's absence was excused. She noted he had written to inform the board he would be absent.

III. ADOPTION OF AGENDA

Cole moved to adopt the agenda, seconded by Geel. The motion then carried unanimously (4-0).

IV. APPROVAL OF MINUTES

a. January 22, 2020

Chairman Sassaman noted that under excused absences, it should have been made clear that Cole's absence was an excused absence. Cole also noted there was a typo in that section, and that "Member Pancho Cole was not presence..." should have stated "Member Pancho Cole was not present...".

Assistant Planner Steve Fuller asked if it was the board's practice to vote on excused absences, and Chairman Sassaman said it was not.

Geel moved to accept the minutes [as corrected, above], and Bono seconded. The vote in favor was 3-0, with Cole abstaining due to his excused absence from that meeting.

b. February 13, 2020

No one offered any corrections on these minutes. **Geel moved to accept the minutes, seconded by Cole. The motion was approved unanimously (4-0).**

V. PUBLIC COMMENT

There was no public comment.

VI. BUILDING PERMIT REMINDERS

Chairman Sassaman reminded those in attendance that anyone receiving a Certificate of Appropriateness from the board that night would need to get a building permit before proceeding with the approved work.

Minutes
Design Review Board
Thursday, March 12, 2020 at 6:00 P.M.
Council Chambers – Municipal Building — 93 Cottage Street

VII. REGULAR BUSINESS

a. Certificate of Appropriateness

Application: DRB-2020-05 (Porch at 59 Cottage Street)
Applicant: Robert Rechholtz
Project Location: 59 Cottage Street / 104-085-000
Proposed Project: Changes to exterior appearance of non-historic building (Add an outside deck, 10'x21', on front of salon at 59 Cottage Street)

Robert Rechholtz was present. Chairman Sassaman noted that members of the board had questions about the application before the meeting and that there was some confusion about what the applicant was intending to do/what the finished project would look like. Those questions were forwarded to Mr. Rechholtz, who noted he had answered them and Assistant Planner Fuller said he had forwarded those responses to the board before the meeting.

Chairman Sassaman led a discussion of the individual issues board members had asked about, and explained Mr. Rechholtz's answers (both in writing and by referring to drawings he had provided). Mr. Rechholtz said he would likely use PVC lattice work, likely in a brown color. There was discussion of what plantings would be done, in season, and where they would be located.

Chairman Sassaman asked if all board members were OK with the proposal, based on what was just discussed. There were a couple of remaining clarification questions, which were answered. Geel asked if Mr. Rechholtz had any plans to enclose the deck at any point and the applicant said he did not. Geel asked why it was being done, and Mr. Rechholtz said the salon needed more room (for people waiting for an appointment, or letting their hair dry) and that this would give it more space.

Cole moved to approve the application as submitted, with the annotations or limitations that were provided [that night] and that weren't in the application with a brown or green (dark) PVC lattice. Geel seconded the motion and it carried unanimously (4-0).

Mr. Rechholtz asked Chairman Sassaman how long she had been on the Design Review Board. "I think Adam was just learning how to dress when I joined, but I'm not sure about that," she said. Cole dated it to the invention of paper. Chairman Sassaman asked Mr. Rechholtz if he wanted any of his photographs back, and he advised her to retain them. "They might be worth money someday," he said.

b. Certificate of Appropriateness

Application: DRB-2020-06 (Siding at Sherman's Bookstore)
Applicant: Jeff Curtis

Minutes
Design Review Board
Thursday, March 12, 2020 at 6:00 P.M.
Council Chambers – Municipal Building — 93 Cottage Street

Project Location: 56 Main Street / 104-528-000
Proposed Project: Changes to exterior appearance of historic building (new siding and paint color on north side and second story of west side, move and double one window, remove three others)

Jeff Curtis was present. He explained this was kind of a “re-application,” because he said he received Design Review Board approval about eight years ago to change the outside color of the building and to move the windows on the second floor. He said he had only done part of that work, however, because he did the work himself rather than hiring someone. He said the goal now was to unify the color of the building, as was presented previously.

Mr. Curtis then spoke about the location of the windows, present and planned. He said the windows on the first floor don’t make sense for Sherman’s, because merchandise can’t be displayed there and also because for most of the summer the National Park Service’s big green school buses park directly in front of them. Mr. Curtis explained this project will also remove the last of the asbestos siding on the two buildings involved. There was discussion of signage, as well, at this time. Mr. Curtis said he would have to come back at a later date for approval of a new sign that he intends to use.

Bono asked a question, referring to page 125:176 in the Land Use Ordinance and language relating to proportionality of windows. Bono read the requirement that “modifications to existing buildings shall maintain the existing proportionality,” and that “modification of the façade of existing buildings to change or eliminate windows shall be done in a manner that maintains the established relationship of windows to wall.” He continued, “the bricking up of windows is discouraged unless the relationship can be maintained in other ways.” Bono said this would be an opportunity to come up with something that avoids a large area without windows. Mr. Curtis said he had considered leaving the windows and putting a wall up on the inside, but said it seemed fake and that he did not like it.

Chairman Sassaman said her opinion was that the windows in question were a later addition that did not go with the original style of the building. She said getting rid of the windows was making the building more in keeping with its original style. She said she didn’t mind the blank space but wished there might be plantings or something else in front of it. Mr. Curtis noted he did not own the land where said plantings or other screening would need to be located. Chairman Sassaman reiterated her opinion that the proposal was “actually an improvement in terms of architectural style.” Cole said if there was not a bus there during the summer he would want to see something in place to fill the space. Mr. Curtis said if there was not a bus parked there he would be more inclined to keep the windows. Bono said he agreed with Chairman Sassaman that the windows in question were not in keeping with the character of the building.

Minutes
Design Review Board
Thursday, March 12, 2020 at 6:00 P.M.
Council Chambers – Municipal Building — 93 Cottage Street

Bono offered two ideas: faux windows, or how a sign might fit in that space “to make it look not so stark.” Discussion continued about windows and signage. Bono asked if the painted board visible between the upper and lower stories on Main Street could be continued around on the north side of the building. Mr. Curtis said he was open to such an idea. Discussion ensued. Geel said he liked the idea, too, and said it would be a low-cost solution. Chairman Sassaman asked about using a dark green below the red painted board, to help break up the expanse of the wall. This idea was received favorably and generated more conversation.

Chairman Sassaman moved to approve the application as submitted, with the addition that the colors on the first floor [of the west side of the building] will be carried around on the first floor of the north side of the building. Cole seconded the motion. Geel asked a question about trim around the windows, for clarification. The motion then carried unanimously (4-0).

c. Certificate of Appropriateness

Application: DRB-2020-07 (Fire Department doors)
Applicant: Town of Bar Harbor (Fire Department)
Project Location: 37 Firefly Lane / 104-401-000
Proposed Project: Changes to exterior appearance of historic building (replacement of three overhead doors to allow for larger vehicles, with the three new doors to match existing fourth overhead door used by ladder truck)

Fire Chief Matt Bartlett was present. He explained the history of the fourth door mentioned in the agenda item above. He said the Fire Department has a new truck on order that will not fit within the existing doors. Chief Bartlett said he got a good price to replace the all three doors at the same time and said he thought that was a better option.

Chief Bartlett explained that replacing the three doors in question will require the removal of the glass above the doors, as was already done with the fourth door. He said the department had hoped that the windows in the three new doors would be in line, horizontally, with the windows on the fourth door. He said the company that made the fourth door can't do the windows in that configuration any more, however. Chief Bartlett explained that will match the existing horizontal imbalance in place right now. He said the department would work to match the trim, however. He said there will be a slight color difference at first because of the fourth door having been weathered already.

Cole moved to accept the application as submitted. Geel seconded it, and the motion carried unanimously (4-0).

**Minutes
Design Review Board
Thursday, March 12, 2020 at 6:00 P.M.
Council Chambers – Municipal Building — 93 Cottage Street**

d. Certificate of Appropriateness

Application: DRB-2020-09 (Artwaves signage)

Applicant: Artwaves

Project Location: 1345 State Highway 102 / 227-033-000

Proposed Project: Installation or changes in sign or awning (Installation of a permanent sign with removable blades for various activities, and parking signage)

[Note: This application was taken out of the order in which it was listed on the agenda because the applicant for application DRB-2020-08 was not yet present at the meeting.]

Margaret Beaulieu was present on behalf of Artwaves, where she is both a student and a board member. She explained that she designed the signage and completed the application. She said the organization received a small grant to do signage work, and plans to use it to replace existing temporary signage. She said the goal is to put something more appropriate and attractive in place.

Chairman Sassaman asked how the removable blades would attach to the main sign. Ms. Beaulieu said she was not exactly sure yet. Chairman Sassaman then asked about lighting. Ms. Beaulieu said she is not sure what Artwaves will be able to afford just yet, but said she believed it would be under 100 watts. Discussion ensued about the proposed lighting. Ms. Beaulieu said whatever is selected would be aiming down and solar-powered. There was agreement that the proposed lighting will not be overly bright.

Geel asked how high the main sign would be. Ms. Beaulieu said she was thinking about six feet. She said it would be back far enough so that it did not block visibility out into the road. The parking signs were discussed; in response to a question, Code Enforcement Officer Angela Chamberlain said the setback for parking signs is 5 feet. Ms. Beaulieu asked where the 5 feet is measured from, and CEO Chamberlain said she did not believe it is specified. CEO Chamberlain advised Ms. Beaulieu to speak with the Maine Department of Transportation, in part to find out where the state's right-of-way is and how far back it goes.

Ms. Beaulieu asked how high the parking signs could be, and CEO Chamberlain said it depends on how close the signs are to the road. Discussion ensued about what would be best for setback and height. Geel asked if there is a streetlight near the driveway. He said if there were a utility pole there, DOT could put a streetlight on the pole.

Cole moved to accept the application as submitted, with the proviso that the applicant also check with the Maine DOT for sign placement. Chairman Sassaman seconded the motion, and it then carried unanimously (4-0).

**Minutes
Design Review Board
Thursday, March 12, 2020 at 6:00 P.M.
Council Chambers – Municipal Building — 93 Cottage Street**

e. Certificate of Appropriateness

Application: DRB-2020-08 (Robbins Motel signage)
Applicant: Diwas Thapa
Project Location: 396 ME-3 / 209-117-000
Proposed Project: Installation or changes in sign or awning (Swap out old signs at both ends of the property with new signs, remove center sign and install new motel sign)

Applicant Diwas Thapa was present. Chairman Sassaman said the application seemed pretty self-explanatory. Mr. Thapa gave board members a revised drawing for the main sign which showed he was proposing to add a lighthouse silhouette to the design. Board members asked about the color scheme and precise placement of the signs.

Cole asked Mr. Thapa if he had checked with the Maine Department of Transportation about how close to the road his signs could be. Mr. Thapa said he had not. He explained that the new signs would not be closer to the road than the existing signs were, however. Chairman Sassaman confirmed with Mr. Thapa that there was existing up-lighting for the two signs on either end of the property and that the up-lighting would remain for those signs. A discussion on lighting ensued. Mr. Thapa said the main sign used to have lighting pointing up from the ground, but that the sign had been removed. There were more questions. As discussion delved into specifics, Cole noted it might not matter given the motel's neighbor: "He's right next to Pirate's Cove," a comment that drew much laughter.

Board members said their concern was lights shining out into traffic. There was agreement among board members that lighting for the main sign in the middle would have to come into compliance since the sign had been taken down and that the new one would be in a slightly different location. Mr. Thapa said he would go with warm light, pointing down and shielded above.

Mr. Thapa asked if he could do the lighthouse logo in the center of the main sign with a color scheme, rather than the black and white design as shown to the board that night. Chairman Sassaman asked what color(s) he was considering, and Mr. Thapa said natural-looking colors, green for the grass, and standard colors for a lighthouse. Cole said he did not think a pink or orange lighthouse would look good; Mr. Thapa said he wouldn't use those unless he found a pink lighthouse somewhere. "There's plenty in Florida," said Chairman Sassaman. Geel asked some additional questions about the proposed color scheme.

Chairman Sassaman moved to approve the application as submitted, with the following conditions: that the newer submission with the lighthouse graphic may be painted in natural colors instead of a silhouette; that the up-lighting on the center sign may not be used again; and that if the applicant wants to light the sign it will need to be lit from above with 3,000-kelvin maximum light temperature and dark-sky

**Minutes
Design Review Board
Thursday, March 12, 2020 at 6:00 P.M.
Council Chambers – Municipal Building — 93 Cottage Street**

compliant light; and that except for the lighthouse graphic in the middle the signs will be white with black letters. Cole seconded the motion, which then carried unanimously (4-0).

VIII. OTHER BUSINESS

Chairman Sassaman recounted how she attended the March 4 Planning Board meeting to discuss possible Land Use Ordinance amendments relating to the Design Review Board (i.e., switching to a map/lot system rather than tying Design Review overlay to zoning districts). She said the Planning Board heard, but didn't really do anything. She noted the idea is to get it on the agenda for a public hearing (in order to eventually get on the ballot). Chairman Sassaman said she wanted to make sure the Design Review Board gets on the Planning Board's schedule for this process.

Assistant Planner Fuller said Chairman Sassaman had sent him some of the language needed for the process. He noted that the Design Review Board was back to meeting twice a month, and that the language and map could be brought back to the board at its March 26 meeting for the board's review. He said the Planning Board would have to hold a public hearing on May 8 in order for any proposed Land Use Ordinance Amendment to get on the November ballot, according to a schedule prepared by the town clerk. *[Note: This is incorrect. A review of the schedule, after the meeting, showed that the Planning Board would have until its meeting in June to hold that public hearing, rather than May.]*

Assistant Planner Fuller said his thought was to have the Planning Board discuss it at the meeting before they held a public hearing. Code Enforcement Officer Chamberlain said perhaps it could be an informal discussion at the end of the Planning Board meeting, so that the Planning Board could give town staff some guidance on how to proceed. Assistant Planner Fuller said it would be good to provide written material to the Planning Board in advance of that meeting. Discussion continued on this subject.

IX. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

Fuller said he thought it likely the board would have applications for its March 26 meeting, though none had been submitted so far, as it is the time of year when people start doing projects on their properties.

It was noted that the board would also like to address internally illuminated signs as part of whatever is put on the ballot for Land Use Ordinance amendments to be considered by the voters of the town.

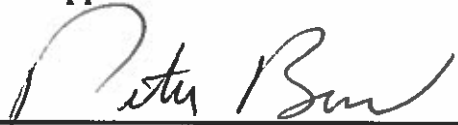

**Minutes
Design Review Board
Thursday, March 12, 2020 at 6:00 P.M.
Council Chambers – Municipal Building — 93 Cottage Street**

X. ADJOURNMENT

At 6:53 PM, Cole moved to adjourn the meeting. Geel seconded the motion, and it then carried unanimously (4-0).

The board then went into a workshop session (see below for details).

Signed as approved:

Peter Bono, Secretary **Date**
Bar Harbor Design Review Board

**Workshop
Design Review Board
Thursday, March 12, 2020, immediately following above meeting
Council Chambers – Municipal Building
93 Cottage Street**

- 1. Design Review Handbook discussion (pages 19-22)**
Following adjournment of the meeting as noted above, the board entered into a workshop session to discuss pages 19 through 22 of the Design Review Handbook. No actions or votes were taken during this workshop session.