

**Minutes — Design Review Board**  
**Thursday, May 27, 2021 at 4:00 P.M.**  
**Council Chambers (via Zoom) – Municipal Building — 93 Cottage Street**

**Meeting was conducted remotely, via video (Zoom), due to COVID-19**  
**(as authorized under MRSA §403-A, approved by the Legislature via LD 2167)**  
**Meeting was broadcast on Spectrum channel 7 in Bar Harbor**  
**and on <https://townhallstreams.com> (select Bar Harbor from dropdown menu),**  
**where is it also archive for future viewing**

*Present were Chairman Barbara Sassaman, Vice-chair Andrew Geel, Secretary Pete Bono and Member Pancho Cole. The other three seats on the board are vacant at this time.*

*Town staff present included Planning Director Michele Gagnon, Assistant Planner Steve Fuller, Deputy Code Enforcement Officer Mike Gurtler and Planning and Code Enforcement Administrative Assistant Tammy DesJardin.*

**I. CALL TO ORDER**

*Chairman Sassaman called the meeting to order at approximately 4 PM.*

**II. EXCUSED ABSENCES**

*With all four appointed members present, there were no absences to excuse.*

**III. ADOPTION OF AGENDA**

*Mr. Cole moved to adopt the agenda with the modification that none of the minutes be approved as they were not available for the board. Vice-chair Geel seconded the motion, which then carried unanimously (4-0) on a roll-call vote.*

**IV. APPROVAL OF MINUTES**

*Note: these minutes were not available for the board to review in advance of the meeting and as such (see Item III above) were removed from the agenda.*

- ~~a. March 25, 2021~~
- ~~b. April 8, 2021~~
- ~~c. April 22, 2021~~
- ~~d. May 13, 2021~~

**V. PUBLIC COMMENT**

**To make public comment, please email [designreview@barharbormaine.gov](mailto:designreview@barharbormaine.gov).**

*It was noted that no public comment was received prior to the start of the meeting.*

**VI. BUILDING PERMIT REMINDERS**

*Chairman Sassaman reminded the applicant that, if he received a Certificate of Appropriateness from the board, he would still need to obtain a building permit.*

**VII. REGULAR BUSINESS**

- a. Certificate of Appropriateness**
  - Application: DRB-2021-27 (156 Main Street signage)**
  - Applicant: Psychic Readings (Cody Gordon)**

**Owner:** CPSG Properties (Cody Gordon)  
**Project Location:** 156 Main Street (Tax Parcel 104-496-000)  
**Proposed Project:** Installation of signage (signage for psychic readings) and approval of new multi-tenant signage plan

*Cody Gordon was present as the applicant and property owner. He reviewed his application and explained to the board what the application entailed. Chairman Sassaman confirmed that Mr. Gordon had approved the multi-tenant signage plan (he said yes, he had) and she said that would need to be addressed first.*

*Mr. Cole moved to approve the multi-tenant signage plan as presented, which Vice-chair Geel seconded. The motion then carried unanimously (4-0) on a roll-call vote.*

*Chairman Sassaman asked if any board members had questions about the signs themselves. Mr. Cole asked Mr. Gordon whether, given that a sign in question was for psychic readings, he had any inkling of which way the board was going to vote. This evoked the intended laughter from those in attendance.*

*Vice-chair Geel asked if any new lighting was proposed as part of this application, and Mr. Gordon said no, there was not.*

*Vice-chair Geel moved to approve the application. Mr. Bono asked a question about how high above the sidewalk the bottom of the signs would be. This distance was discussed and confirmed (Mr. Gordon said the bottom of the sign would be at least 10 feet above the sidewalk). Vice-chair Geel restated his motion, which Mr. Cole then seconded. It carried unanimously (4-0) on a roll-call vote.*

*Following the vote, Chairman Sassaman complimented Mr. Gordon for the improvements that he has made to his building.*

## **VIII. OTHER BUSINESS**

### **a. Discussion of DRB overlay district, how it is defined, possible LUO amendment**

*Chairman Sassaman said the necessary work for this has largely been done. Assistant Planner Fuller asked her to summarize what the proposal consists of, for the benefit of any members of the public watching.*

*Chairman Sassaman said the DRB Overlay District changes when zoning district boundaries change, as that is what the DRB Overlay District is tied to rather than "the streets that matter." She said the idea is to tie the overlay district to streets/lots (so that lots that fronted on given streets in town would always be in the DRB Overlay District regardless of any changes to land use zoning districts).*

*Chairman Sassaman said the second component is to include any and all National Register of Historic Places (NHRP) properties under the DRB's purview, regardless of where such properties are located within Bar Harbor.*

*Mr. Cole made reference to a March 30, 2017 article in the Mount Desert Islander available online, which referred to some of these changes (as proposed previously).*

*Assistant Planner Fuller spoke to what the process would be moving forward, and explained why at this time the next practical opportunity for this proposal to come to a ballot for vote would be in June of 2022. He said staff is in support of making this the next DRB-related Land Use Amendment proposal, if it is the priority of the board. He went on to speak at some length about the process and the various steps involved.*

*There was discussion of when to bring the proposal to the Planning Board (where the Land Use Ordinance amendment process starts), and agreement that it would be better for all involved to bring it to them ahead of December of 2021.*

*Chairman Sassaman said other than NHRP, she did not believe many properties would be added to the DRB Overlay District and that others, meanwhile, currently within it would be taken off. Assistant Planner Fuller summarized it as prioritizing higher-visibility properties on heavily traveled streets that residents and visitors alike see most often. Chairman Sassaman agreed.*

*Chairman Sassaman said she would like to get started on this as early as possible. Board members agreed that much work has been done and that it feels like it keeps getting sidetracked. "I don't know if I'm going to live long enough to see this get passed," quipped Mr. Cole. Planning Director Gagnon said "as soon as possible" is a relative term in Bar Harbor (especially with regard to Land Use Ordinance items).*

## **IX. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA**

*Chairman Sassaman observed that the next time the board meets (Thursday, June 10) it would be back at the Municipal Building. This followed a recent vote by the Town Council for municipal boards and committees to return to in-person meetings.*

*There was a discussion about vaccinations and wearing face masks/coverings. It was acknowledged that even those who do not have to wear masks (i.e., due to being fully vaccinated) may choose to continue wearing one if they wish.*

*There was a discussion about finding new members for the board. Chairman Sassaman lightheartedly suggested the board make a controversial or contentious decision in order to attract attention and, thereby, possibly new members; staff indicated they did not support this as an appropriate recruitment strategy.*

*This led to a discussion about remote participation in future meetings (i.e., due to sickness, weather or work). It was noted that municipal and/or state legislative bodies would need to vote to authorize this (as has been done already due to the COVID-19 pandemic, though that is not a permanent change). Planning Director Gagnon said it was a question of what the town could manage, logistically, as far as technology and allowing that to happen while maintaining full public access.*

*Vice-chair Geel said the technology is there and that should be taken advantage of. Chairman Sassaman noted many Bar Harbor residents go out of state in the winter, and wondered how technology might allow them to participate year-round (she said the winter travels sometime prevent people who otherwise might be able to serve from serving).*

*Planning Director Gagnon said she would discuss the matter further with Town Manager Cornell Knight. She noted other town boards would face the same issues.*

*Assistant Planner Fuller chimed in with observations on state law and technology matters. He also sought clarification on the town's mask mandate/policy from Planning Director Gagnon, which she provided. Anyone not fully vaccinated will be required to wear a mask. It was reiterated that anyone who wants to wear a mask (even if they are fully vaccinated) is welcome to do so. Discussion continued.*

*There was discussion about members vs. applicants, with regard to whether in-person attendance is required for the latter, and what would need to be done in order to enable that.*

*Assistant Planner Fuller noted there would be a meeting on Thursday, June 10.*

**X. ADJOURNMENT**

*At 4:38 PM, Mr. Bono moved to adjourn the meeting. Vice-chair Geel seconded the motion (Mr. Cole, apparently eager to leave, attempted to offer a third), which then carried unanimously (4-0) on a roll-call vote, with each member voicing their own unique expression of affirmation of the motion.*

**Signed as approved:**



7-8-2021

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**Peter Bono, Secretary**  
**Design Review Board, Town of Bar Harbor**

**Date**