

**TRANSMITTAL DOCUMENT
FOR THE MAY 6, 2020
PLANNING BOARD MEETING**

Issued 05-01-2020	
ITEM	
Cover page with date	✓
Agenda	✓
Minutes for approval	
a. April 10, 2020	No
b. April 29, 2020	No
Site/Neighborhood Notes	
a. Destination Health	No
b. The Farm	✓
c. Schooner Housing	✓
Staff Report	Yes for KOA not the other projects
Decision	✓ (KOA)
Supporting Documents	Applications are posted here https://www.barharbormaine.gov/298/Boards-M---Z
Public Hearing/Compliance Review for Site Plan SP-2020-02 - Bar Harbor Oceanside KOA	✓
Completeness Review for SP-2019-03 — 56 Cottage Street Parking Area Project Location: 56 Cottage Street	✓
Completeness Review for SD-2019-03 — Destination Health	✓
Completeness Review for SP-2019-06 — Theede Pier	✓
Completeness Review for SD-2019-01 — The Farm Subdivision	✓
Completeness Review for PUD-2020-01 - Subdivision/Planned Unit Development (Village)— Schooner Head Housing	✓

Agenda
Bar Harbor Planning Board
Wednesday, May 6, 2020 at 4:00 PM
Council Chambers — Municipal Building
93 Cottage Street

IMPORTANT NOTICE — THIS MEETING MAY BE HELD REMOTELY

1. The public can watch the meeting live on Spectrum channel 1303 or by streaming it online at https://townhallstreams.com/towns/bar_harbor_me.
2. If the town and/or the state declarations of emergency due to COVID-19 remain in effect, the meeting will be held remotely via the online video meeting platform Zoom, instead of in person at the Municipal Building. This decision will be made Monday, May 4, 2020 and posted on the Planning Board's webpage at <https://www.barharbormaine.gov/282/Planning-Board>.
3. If the meeting is conducted remotely, members of the public are welcome to take part in the meeting via a conference call. To make a comment or ask a question on an agenda item during the meeting, call 288-1710 when the item comes up and when prompted enter passcode 0164286 followed by the # sign. The line will be muted until the meeting is open to comments and questions, at which time a staff member will come on the line and announce that comments and questions will be accepted. Anyone wishing to speak must stay on the line until that time in order to be heard. Only a certain number of callers can be on the line simultaneously, so in the event the line is busy, please keep trying until you get through. There will be sufficient time provided for all interested people to get on the line and comment or ask a question.

I. CALL TO ORDER

II. EXCUSED ABSENCES

III. ADOPTION OF THE AGENDA

IV. PUBLIC COMMENT PERIOD

The Planning Board allows up to 15 minutes of public comment on any subject not on the agenda and not a pending application before the board, with a maximum of three minutes per person.

V. APPROVAL OF MINUTES

- a. April 10, 2020
 - b. April 29, 2020
-

VI. OLD BUSINESS

a. Public Hearing/Compliance Review for Site Plan SP-2020-02 - Bar Harbor Oceanside KOA

Project Location: 135 County Road — Tax Map 211, Lot 001, and encompassing ±2.63 acres of land in the following zoning districts: Town Hill Corridor, Town Hill Residential and Shoreland Limited Residential

Applicant: Bar Harbor Oceanside KOA

Owner: Kampgrounds of America, Inc.

Application: To construct a manager’s house and laundry/maintenance facility; to relocate the sewerage dump station, propane filling tank and dumpsters out of the County Road right-of-way and along a new camp road on the site; to demolish the existing old log cabin and other structures on the site; and to close one of the four existing curb cuts on County Road.

VII. REGULAR BUSINESS

a. Completeness Review for SP-2019-03 — 56 Cottage Street Parking Area

Project Location: 56 Cottage Street — Tax Map 104 Lot 327, encompassing ±0.45 acres in the Downtown Village II zoning district

Applicant/Owner: Karol A. Foss

Application: To develop a private, 42-space private parking area at the corner of Cottage and Kennebec streets. The project would use a single entrance/exit from the existing westerly curb cut on Cottage Street. No entrance or exit is planned on Kennebec Street. The project includes construction of a sidewalk-accessible landscaped esplanade along Cottage Street.

b. Completeness Review for SD-2019-03 — Destination Health

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

c. Completeness Review for SP-2019-06 — Theede Pier

Project Location: 481 Eden Street — Tax Map 224, Lot 009, encompassing ±1.73 acres of land in the Village Historic and Shoreland Limited Residential zoning districts (the proposed project is located entirely within the latter district)

Applicant: Frenchman’s Bay Boating Co, Inc.

Owner: Frenchman’s Bay Real Estate Holdings, LLC (Steve Theede)

Application: To construct a new concrete retaining wall fastened to the ledge at the top of the bank with a concrete slab to hold the shore end of a 120’x6’ aluminum pier, with a 10’x10’ transition platform at the end of it to accept the ramp, which is at an angle to the pier. From there, an 80’x4’ gangway extending

to two, 16'x24' timber floats, moored with two granite moorings and chain.

d. Completeness Review for SD-2019-01 — The Farm Subdivision

Project Location: The subject land is located off of Route 3 and Ledgewood Road, on the following tax parcels: Tax Map 207, Lots 43, 44, 56 and 58; Tax Map 208, Lot 81; and Tax Map 214, Lot 4. The land, totaling ±72.78 acres, is in four different zoning districts: Salisbury Cove Corridor District, Salisbury Cove Rural District, Shoreland Limited Residential District and Resource Protection District.

Applicant: The Farm, LLC

Owner: The Heirs of Chauncey McFarland

Application: The applicant proposes to construct a road and extend public utilities to create a 13-lot residential subdivision and retain approximately 30 acres of land in its current undeveloped state.

e. Completeness Review for PUD-2020-01 - Subdivision/Planned Unit Development (Village)— Schooner Head Housing

Project Location: Tax Map 253, Lot 011 on Schooner Head Road; encompassing a total of ±40.24 acres, according to town tax records. The subject land is all in the Village Residential zoning district.

Applicant: Developers Collaborative

Owner: The Jackson Laboratory

Application: To develop a 44-unit residential subdivision in five buildings (one three-story, four two-story) on Schooner Head Road.

VIII. OTHER BUSINESS

- a.** Vacation rentals update from Planning Director

IX. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

X. REVIEW OF PENDING PLANNING BOARD PROJECTS

XI. ADJOURNMENT



Town of Bar Harbor Planning Department Staff Report

Compliance Review & Public Hearing Site Plan SP-2020-02 - Bar Harbor Oceanside KOA

Project Location: 135 County Road — Tax Map 211, Lot 001, and encompassing ±2.63 acres of land in the following zoning districts: Town Hill Corridor, Town Hill Residential and Shoreland Limited Residential

Applicant: Bar Harbor Oceanside KOA

Owner: Kampgrounds of America, Inc.

Application: To construct a manager's house and laundry/maintenance facility; to relocate the sewerage dump station, propane filling tank and dumpsters out of the County Road right-of-way and along a new camp road on the site; to demolish the existing old log cabin and other structures on the site; and to close one of the three existing curb cuts on County Road.

Land Use Districts: Town Hill Corridor, Town Hill Residential and Shoreland Limited Residential

Permitted Use: Campground

Planning Board Meeting Date:

March 4, 2020:	Completeness Review
April 29, 2020:	Compliance Review & Public Hearing
May 6, 2020:	Compliance Review & Public Hearing

Applicable Laws:

Bar Harbor Land Use Ordinance §125-67 General Standards and §125-68 Shoreland Standards

Review Process:

1. Applicant presents application
2. Questions and comments from the board
3. Public hearing
4. Compliance review per §125-67 General Standards, §125-68 Shoreland Standards, and 125-69 Standards for particular uses, structures or activities C. Campgrounds

Staff Comments: Received capacity statement from the Fire and the Public Works departments

Proposed Motions: Move to approve application SP-2020-02 — Bar Harbor Oceanside KOA as it complies with the LUO specifically §125-67 General Standards, §125-68 Shoreland Standards, and 125-69 Standards for particular uses, structures or activities C. Campgrounds



Town of Bar Harbor Planning & Code Department

DECISION

SP-2020-02 - Bar Harbor Oceanside KOA

Date: May 6, 2020
Site Plan: SP-2020-02 - Bar Harbor Oceanside KOA
Project Location: 135 County Road — Tax Map 211, Lot 001, and encompassing ±2.63 acres of land
Applicant: Bar Harbor Oceanside KOA
Owner: Kampgrounds of America, Inc.
Application: To construct a manager's house and laundry/maintenance facility; to relocate the sewerage dump station, propane filling tank and dumpsters out of the County Road right-of-way and along a new camp road on the site; to demolish the existing old log cabin and other structures on the site; and to close one of the three existing curb cuts on County Road.
Land Use Districts: Town Hill Corridor, Town Hill Residential and Shoreland Limited Residential. The project does include any activities in the latter district.
Permitted Use: Campground
Received: February 13, 2020
Notice to Abutters: April 15, 2020
Comment period: Ended on April 27, 2020
Public Comments: None received

The approval is based upon the following submitted plans:

- Sheet 1-2, Site Plan, 4/30/20 prepared by Kiser & Kiser
- Sheet 2-2, Details, 2/10/20 prepared by Kiser & Kiser

To the Code Enforcement Officer: Under the authority and requirements of the Land Use Ordinance §125-61 F, at the properly noticed public hearing on April 29, 2020, by a motion duly made and seconded, it was voted to approve the noted application.

This approval is based upon the following FINDINGS AND CONCLUSIONS OF LAW:

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

Section 125-67 General Standards

	REQUIREMENTS/STANDARDS	NOT APPLICABLE	APPLICABLE/ MET	COMMENTS
A.	Permitted use		✓	
B.	Lot standards		✓	
C.	Height		✓	
D.	Parking requirements		✓	
E.	Parking areas and driveways	✓		
F.	Loading requirements	✓		
G.	Street, sidewalks, and access		✓	
H.	Buffering and screening		✓	
I.	Water supply		✓	
J.	Municipal water supply	✓		
K.	Groundwater		✓	
L.	Stormwater management		✓	Condition #1
M.	Municipal sewer facilities		✓	
N.	Sewage disposal	✓		
O.	Soils		✓	
P.	Landscaping	✓		
Q.	Erosion		✓	
R.	Flood permit	✓		
S.	Air quality	✓		
T.	Refuse disposal		✓	
U.	Dangerous or hazardous materials and wastes		✓	
V.	Vibration	✓		
W.	Wildlife habitat		✓	
X.	Aesthetic areas and physical and visual access		✓	
Y.	Heat	✓		
Z.	Light and glare		✓	
AA.	Noise	✓		
BB.	Signs and advertising		✓	
CC.	Outdoor storage and displays	✓		
DD.	Utilities	✓		
EE.	Fire protection		✓	
FF.	Comprehensive plan		✓	
GG.	Financial and technical capacity		✓	
HH.	Farmland	✓		
II.	Other municipal services		✓	
JJ.	Violations		✓	
KK.	Legal documents	✓		
LL.	Historic and archaeological resources		✓	
MM.	Utilization of the site		✓	
NN.	Natural Features		✓	

3. Based upon the documents received, and accepting the work of the professionals who have prepared the documents, this application meets the requirements of Section 125-68 Shoreland Standards, as presented in the table below:

Section 125-68 Shoreland Standards

	REQUIREMENTS/STANDARDS	NOT APPLICABLE	APPLICABLE/ MET	COMMENTS
B.1	Agriculture	✓		
B.2	<i>Reserved</i>	✓		
B.3	Beach construction	✓		
B.4	Erosion and sedimentation control		✓	
B.5	Mineral Exploration	✓		
B.6	Uses extending over or below the shoreline	✓		
B.7	Lot standards		✓	
B.8	Roads and driveways		✓	
B.9	Subsurface wastewater	✓		
B.10	Soils		✓	
B.11	Seasonal conversion	✓		
B.12	Principal and accessory structures	✓		
B.13	Clearing and removal of vegetation for activities other than timber harvesting		✓	
B.14	Water quality		✓	
B.15	Archeological sites		✓	
B.16	Commercial and industrial uses	✓		
B.17	Parking areas		✓	
B.18	Essential services		✓	
B.19	Private campsites	✓		
B.20	Signs	✓		

4. Based upon the documents received, and accepting the work of the professionals who have prepared the documents, this application meets the requirements of Section 125-6 Standards for particular use, structures or activities, as presented in the table below:

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

	REQUIREMENTS/STANDARDS	NOT APPLICABLE	APPLICABLE/ MET	COMMENTS
C.	Campgrounds		✓	

The applicant is advised of the following:

1. No modifications shall be made to this approval, including changes to the plans, accompanying documents, and/or conditions, without a review for a modification under the requirements in Section 125-88 of the Land Use Ordinance.
2. This permit does not relieve the applicant from any other local, state or federal permits that may be required for this proposed development.

3. Please refer to Article VIII for standards/conditions that will be applied to the construction of this project. No performance bonds are required.
4. Building permits are required for this project.
5. There is an appeal period for any interested party of 30 days to appeal this decision. It is the risk of the applicant to commence construction during this period.
6. Violations of any conditions placed upon this approval are subject to enforcement per Article IX, Section 125-100 B of the Land Use Ordinance.

CONDITIONS:

Condition #1 – Applicant will need to demonstrate that the existing culvert has the capacity to handle the additional stormwater runoff from the development before permits can be issued by the Code Enforcement Officer.

No modifications to this approval shall be made without an application to the Planning Department.

Tom St. Germain, Chair

Date

Planning Board, Town of Bar Harbor

Appeals of this decision may be made to the Board of Appeals pursuant to Section 125-103 of the Bar Harbor Land Use Ordinance within 30 days of this date of this decision.

Planning Board site visit notes — The Farm, LLC subdivision — November 21, 2019

Site visit starting point: Dirt parking area behind 44 Ledgewood Road, 1:00 PM (the site visit started a few minutes after this, while everyone in attendance gathered at the start point).

Attendance:

- Planning Board members: Tom St. Germain and Basil Eleftheriou. Members John Fitzpatrick and Erica Brooks both unable to attend due to work commitments, and member Joe Cough is the applicant for this project.
- Code Enforcement Officer Angela Chamberlain and Assistant Planner Steve Fuller
- Applicant Joe Cough and applicant's representative Perry Moore (along with Mr. Moore's two energetic beagles, Jake and Elwood).
- Abutters Zach and Autumn Soares and Dirk and Robin Erlandsen

Notes

The site visit began with Mr. Moore giving a brief overview of the project. He provided 11x17 copies of a revised site plan, labeled Site Visit Worksheet and dated 11/21/2019 (a copy is attached to these notes), which were given out to those in attendance.

A change to the plan since it was presented at the Planning Board's October 30, 2019 meeting is that the shared driveway proposed to serve several lots on the eastern side of the project (exiting onto Ledgewood Road) is no longer part of the plan. Also, the number of house lots has decreased from 12 to 11, due to some lots being reconfigured with regard to size and shape as the result of a wetlands survey.

Mr. St. Germain asked Mr. Moore if the shared driveway, located on a deeded right-of-way, was being abandoned just with regard to the plan, or if the right-of-way was being legally abandoned. Mr. Moore said it is no longer part of the subdivision submission beyond the property line, but that it remains in place for the abutter who lives at 44 Ledgewood Road (which is not part of the proposed subdivision).

Mr. Moore led those in attendance along the proposed town road toward Route 3, so they could see where it would intersect with the highway. He pointed out orange flags put in place to indicate, generally, where the center line of the new town road (pending it being built to town standards and the town accepting it as such) would be located. Proposed lot lines within the property were marked with yellow flagging, while pink flagging indicated wetland boundary.

In response to a question from Mr. Eleftheriou, Mr. Moore said a vernal pool survey has been done. Mr. Moore said Lot 1 may be enlarged by adjusting its shared lot line with Lot 4. He said it will be a matter of balancing out wetland and upland area.

Mr. Moore noted that the septic tank and pump for Lot 2, where there is already an existing house, will need to be moved for the proposed town road. The leach field already in place will remain where it is.

When the group arrived at the northwestern corner of Lot 7, Mr. Moore explained that this is likely where the applicant will propose putting a fire pond to serve the project. He offered reasons for this: it has favorable topography as it is something of a low point anyway, serving to collect water, and is roughly halfway between Route 3 and the cul-de-sac at the road's end.

Mr. Moore recounted the history of the site, which was both a mining and dump site during the construction of Route 3. That is significant he said, in that fill placed on the site created wetlands because it left no way for water to drain out. Mr. Moore pointed out examples of where fill was placed.

When the group reached the spot where a private driveway will branch off from the main road to access lots 4, 5 and 6, Mr. Moore explained how it had been realigned from the previous plan. He later said the three lots will have a homeowner's association in order to take care of the private driveway/road, and will likely have a shared septic system as well due to the topography and terrain.

Much of the site visit followed an existing gravel travel way. As those in attendance made their way south toward the back lots, Mr. Moore noted a few places where the road that will serve the subdivision will deviate from the existing road in order to meet road construction standards regarding radii and other criteria.

When the group reached the location of the proposed cul-de-sac, Mr. St. Germain as Planning Board chairman asked if any of the abutters had questions. A general discussion of geography ensued, including how far it was to Northeast Creek as well as Hamilton Pond.

Mr. Eleftheriou asked Mr. Moore if a plan could be shown with both the current gravel road(s) and the proposed roads (town and private) to see where they overlap and where they deviate. Mr. Moore indicated he plans to prepare a plan showing existing conditions and a site plan showing proposed conditions; Mr. Eleftheriou indicated he would like to see it on one document if possible.

Returning from the cul-de-sac, the group cut northeast across Lot 7 following an existing gravel road and walked across Lot 3, passing just to the southeast of a vernal pool depicted on the plan and observed on the ground.

An abutter asked if the shared driveway now gone from the plan could be brought back. Mr. Moore said while it is not included in this plan, the owner of 44 Ledgewood Road (outside of the subdivision) also has rights to that right-of-way. There was additional discussion on this as the site visit concluded.

Planning Board neighborhood meeting notes — The Farm, LLC subdivision — Nov. 21, 2019

Meeting location: Dahlgren Hall at Mount Desert Island Biological Laboratory, 159 Old Bar Harbor Road, at 2:00 PM (the meeting started a few minutes late, as the site visit had run a little longer than planned and everyone gathered and got situated in the hall).

Attendance:

- Planning Board members: Tom St. Germain and Basil Eleftheriou. Members John Fitzpatrick and Erica Brooks both unable to attend due to work commitments, and member Joe Cough is the applicant for this project.
- Code Enforcement Officer Angela Chamberlain and Assistant Planner Steve Fuller
- Applicant Joe Cough and applicant's representative Perry Moore
- 10 abutters, nine of whom signed-in on the sign-in sheet:
 - Zach and Autumn Soares — 36 Ledgewood Road
 - Dirk and Robin Erlandsen — 28 Ledgewood Road
 - Judy and Wayne Mitchell — 26 Ledgewood Road
 - Mary Bennoch — 700 State Highway 3
 - Ada G. Hatch and Frank (unsure of last name) — 35 Ledgewood Road
 - One resident who did not sign the sign-in sheet (likely John Jellison)

Notes

Mr. St. Germain welcomed those in attendance and explained that Mr. Moore would be providing information and answering questions during the meeting. Mr. Moore began by, for the benefit of those who were not at the site meeting, explaining the reduction in the number of lots from 12 to 11 because of wetlands.

Likewise, he explained that the proposed access to Lot 9 across Lot 8, from the proposed town road, had been abandoned as had the proposed shared driveway entering from/exiting on to Ledgewood Road. He said all lots will have access either off of the proposed town road or off of the proposed private driveway going up a hill to serve lots 4, 5 and 6. He again said those latter three lots will have a homeowner's association for the road and will also share a septic system.

Mr. Moore said the applicant has retained S.W. Cole Engineering to do groundwater work. He said there are two existing wells on the property, collectively, and that at least three more will be drilled elsewhere on site to determine groundwater adequacy.

Mr. Moore said there are discrepancies relating to wetland location, and that Plisga & Day Land Surveyors have been hired to do a boundary survey and resolve the discrepancies. He said lot lines may end up changing again, based on the results of that work.

Mr. St. Germain invited questions when Mr. Moore had concluded. In response to a question about groundwater, Mr. Moore said surveying work will be done first, followed by road and lot layout, followed by soil test pits for septic systems. After that, it will be clearer where wells should be drilled. He said he did not want to drill wells only to end up being unable to use them.

In response to a question about when the project might come back before the Planning Board, Mr. Moore said the applicant was looking at at least two months from the following week (which would mean February).

Mr. Moore said he knows many people use the subject property now to walk their dogs, etc. He said because the applicant is seeking to have the road accepted as a town road, if it is approved by the town it will remain a place where people can do that because it will be a public way. He said they won't be able to use the whole site, but will be able to use the road. He noted the applicant has talked about doing a walking path to Fresh Meadow and other parts of the site. Mr. Moore said the town does not have to accept the road but said he would be surprised if it did not. He said it will ultimately be a Town Council decision.

There was more discussion about the right-of-way issue (site of former shared driveway). A resident asked again if a secondary road could be put in at a later date. Mr. Moore said that once a lot has been sold, the owner could give right-of-way access across it, but he said he did not see that happening. He said that is why the applicant is proposing to abandon the idea. A resident asked why not abandon it from a legal perspective, rather than just on the plan. Mr. Moore noted again that 44 Ledgewood Road has rights to that same access/right-of-way.

The resident asked about legally abandoning it with regard to lots 3, 7 and 8. Mr. Moore noted that only Lot 3 (and 44 Ledgewood) would be able to use the road, because 44 Ledgewood has that right also and Lot 3 would be the only one in the proposed subdivision to share a common boundary with the properties across which that right-of-way travels to Ledgewood Road.

The question was posed about what happens to the existing gravel (non-right-of-way) woods road over Lot 7. Mr. Moore said it will be up to the buyer of that property.

There was a question about this property and its relation to the Northeast Creek watershed. Mr. Moore showed approximately where Northeast Creek is in relation to the property (off of the site plan) and where Fresh Meadow is as well. He said there was a lot of human activity in and out of Fresh Meadow over the years.

There was a question about water service. Mr. Moore said all houses will be on private wells. He spoke again about the location of the fire pond on Lot 7, and why it works both from topographic and safety (halfway between both ends of town road) perspectives.

There was more discussion about the Northeast Creek watershed. Mr. Moore noted that because of the scope of the project, and because there is more than one acre of impervious surface proposed, the application will have to go to the Maine Department of Environmental Protection for a stormwater permit. Mr. Moore said ditches along the town road will drain into vegetated buffers.

A question was asked about the general timeline for the project and Mr. Moore elaborated on his previous statement. He said he anticipated that the application to the Planning Board would be submitted within the next couple of months. He said the applicant will need to meet with the Town Council prior to that regarding the interest in having the town accept the proposed main roadway as a public way. He said the review by the DEP would be done in tandem with the Planning Board review process (two meetings, if there are no issues or delays — completeness review, then public hearing and compliance review).

There was a question about road length and the town requirement that no dead-end road can be more than 2,000 feet in length. Mr. Moore said this proposed road is 2,400 feet long (he had noted, during the site visit, the approximate location of the 2,000-foot mark). He said there is precedent for modifying that particular standard, however. Mr. Moore said he did not wish to speculate about what might happen in the future (for example, a road being built off of the cul-de-sac further back into the property). He did note, however, that property to the west of this proposed subdivision is owned by the town and has been eyed for development over the years. He said it was possible that a road might come in from that property, if it were developed, and terminate at the cul-de-sac for this project. He noted that was just him thinking out loud.

There was a question about the boundary of Acadia National Park in relation to this project. The park boundary shows up in the location map on the original site plan submitted by the applicant for the October 30 Planning Board meeting, but Mr. Moore asserted that is “flat wrong.” Mr. Moore made it clear the property where this project is proposed is not in the park, although he said beyond that he is not exactly sure where the park boundary legally is.

A resident with property on the southeastern side of the proposed subdivision, in proximity to Lot 9, asked a question about the septic system on that lot in relation to how close it is to Hamilton Pond, which he noted then drains in to Northeast Creek.

The neighborhood meeting concluded at 2:28 PM.

Planning Board neighborhood meeting notes – Schooner Head Housing (PUD-2020-01) - April 24, 2020

Self-guided site visit: Due to the COVID-19 pandemic, and the associated need for physical distancing, this was a self-guided site visit where all (members of the Planning Board and of the public) were welcome to walk the land between April 20, 2020 and April 23, 2020.

Neighborhood meeting: The neighborhood meeting was held remotely via the online video meeting Zoom platform on April 24, 2020 at 10:00 AM.

Attendance:

- **Planning Board Members:** Basil Eleftheriou, Jr. Secretary; Erica Brooks, Member; and Tom St. Germain, Chair joining at 10:19 AM. Member Joe Cough not able to attend and Member John Fitzpatrick is an applicant for this project.
- **Staff:** Steve Fuller, Staff Planner; Angela Chamberlain, Code Enforcement Officer; Michele Gagnon, Planning Director; and Patrick Lessard, Deputy Code Enforcement Officer.
- **Project Representatives:** John Fitzpatrick, representative of Jackson Laboratory; Sarah Nicholson of Woodard & Curran; Mike Lyne of Developers Collaborative; and Nick Aceto of Aceto Landscape.

Notes:

Mr. Fitzpatrick began the discussion by explaining that the Jackson Laboratory has been looking at this site since 2014 as a potential location for housing. He added that 66% of the lab's current staff commutes from off-island. He explained that this proposal is for 44 housing units with planned future phases that would total between 100 and 110 units.

Mr. Lyne spoke and explained that his company, Developers Collaborative, develops market rate and affordable housing across the state of Maine. For this particular project, Developers Collaborative will be the owner and operator of the buildings and the Jackson Lab will remain the owner of the property.

Ms. Nicholson went on to explain the details of the site and the project. She stated that this development would be located on the east side of Schooner Head Road, there are two entrances proposed on Schooner Head Road, a total of five buildings, and 68 parking spaces. She added that the parking and vehicular movement is proposed to be located near the front of the site, closest to the road, with the pedestrian walkways between the parking areas and the units.

Mr. St. Germain asked the applicant to explain the discrepancy in the size of the property. He said that the sign at the site indicated that the site was 27 acres but the application indicated 35 acres. Ms. Nicholson explained that there has since been a boundary survey done and the site is 36 acres total and all documents in the application reflect the correct acreage.

Will Schroder called in and asked how he could submit written comments to the Board. He noted that he had sent an email but was not sure the Board was in receipt of it. Ms. Gagnon noted that she had received the email and would distribute it to the Board and place it in the master application file. She also added that there is an email address that reaches the entire board and comments can be sent via that email.

Dean Read called in and stated his concerns with the plans for the Schooner Head walking path during and after construction. He inquired where it might be relocated and how it would be maintained.

Mr. Fitzpatrick answered that he would be meeting later that day with John Kelly and Gary Stellpflug from Acadia National Park and David MacDonald from Friends of Acadia to discuss this very issue. He added that the intent was to reroute the path location around the planned full build-out area of the entire project.

John Kelly called in and spoke to the trail and agreed that Acadia National Park knew that the path could, and may be, moved at some point but they would discuss the options in their meeting. He also added that he expected to discuss lighting, building height and other site improvements that could impact the surrounding the National Park.

Will Schroder called again and asked what the property tax situation would be and if property taxes will be paid.

Mr. Lynes offered that the plan was to set up an LLC so the intent is that this will be a taxable site and property taxes will be paid.

Mr. Fitzpatrick added that it was worth noting that the Jackson Lab was funding the improvements to the water line from the intersection of Route 3 to the site and will also fund the replacement of an old sewer line in Schooner Head Road.

Mr. Eleftheriou, Jr. asked if there was a full build-out plan that the Board could see. Ms. Nicholson shared a plan of the limits of the project. She noted that there are steep slopes, exposed ledge in areas, and wetlands that dictate where the site can be developed. Their intent is to keep all the development as close to the Schooner Head Road as possible to minimize impacts to sensitive areas.

Susan Boyer of 128 Schooner Head Road called in and asked if the parking was planned near a wetland. She noticed blue flagging that she assumed was the boundary of a wetland. She also asked that the applicant consider limiting the hours for noise.

Mr. Lynes stated that they generally follow whatever noise ordinance regulations the town has in place.

Ms. Nicholson noted that the blue flags are not for wetland spaces, there is no wetland in the area of the parking, the blue flags were used for surveying purposes.

Ms. Gagnon thanked the Jackson Lab representatives for a well-prepared virtual site visit and neighborhood meeting.

Mr. St. Germain closed the public comments at 10:51 AM and the neighborhood meeting concluded at 10:54 AM.

Prepared by Angie Chamberlain and submitted on May 1, 2020.
