

Minutes
Southwest Harbor Planning Board
April 1, 2010
6:00 p.m. Southwest Harbor Town Office

I. Call to order/Roll call: The meeting was called to order at 6:05 p.m. Present: Lee Worcester, Chairman, Chris Rawls, Vice Chairman, Michael Magnani, Gordon Wissinger, Eric Davis, Ryan Donahue, Bob Bosserman.

Visitors: Kristin Hutchins, Lydia Goetze, Marc Chalfoun, John Pottle, Tim Woodcock, Mark Good

II. Visitors to be heard not on the Agenda: The Comprehensive Plan Committee is preparing draft language to go before the voters. On April 22 there will be a public forum on future land use, policies, issues and recommendations, at the Fire Station meeting room. Planning Board participation would be gratefully appreciated because of their unique perspective. Lydia Goetze will email the proposals being discussed at that meeting to Planning Board (PB) members, and will contact PB members individually to read other proposed changes to the plan. The meeting starts at 7pm and refreshments will be served. There will be twelve topics, which need informed readers to look at them piece by piece. The plan is to have a draft ready for May for public comment, then forward it to the State, have the required hearings and put it to voters in November.

III. Approval of Minutes of March 25, 2010: It was Moved Bosserman, Seconded Donahue, to accept the minutes of March 25th, 2010 as presented. vote in favor: 7 - 0

IV. Public Hearing: Review of Proposed Change to LUO Section XIII: Definitions, and Zones B & C. The Chairman

read the proposed ordinance change, and asked for public comment. Lagrange asked if the A of MRSA is still being used – Tim Woodcock said it is ok either way. Pottle said the recent revision (for citation purposes) eliminated the A. Hutchins asked how the general public will know what this relates to once the multi unit definition is gone. Wissinger pointed out that this is prior to the date of the passing of the ordinance change and those people will know who they are. Woodcock said it is possible for the Planning Board to put in an editor’s note. Wissinger suggested that CEO review the applicants who fall into this category and he can notify those people. Chalfoun asked if he needed to get building permits before this passes. The Chairman said this addition to the Definition section of the Ordinance will protect Chalfoun’s project and allow building permits.

Donahue referenced “building containing” and under building it is referenced structure, and does it need to be cleared up any further. Chairman said at this point it will stand. Discussions will be held on clarifying definitions at a later date

The Public Hearing was closed at 6:23 p.m.

It was Moved Wissinger and Seconded Magnani to move forward to the Board of Selectmen, as written, proposed changes to Section XIII: Definitions and Zones B & C, for inclusion in the June 8 written ballot. Vote: 7 – 0 in favor.

- VI. Review of proposed change to the By-Laws of the Planning Board; Chairman said this is a recommendation to the Selectmen and they may approve or disapprove. Changes to the By-Laws do not have to go to the Town for vote. This change allows the Chair or Vice Chair, if the Chair is not available, to cancel a meeting. It was Moved Bosserman and

Seconded Rawls, to forward the proposed change to the Planning Board By-Laws, to the Selectmen as written for approval. Vote in favor: 7 – 0.

The appeal of Granholm vs Dutra was denied on March 31st. Rawls said minutes had to be reviewed for November and December because the BOA felt the Findings of Fact were not complete enough. In the end, the BOA supported the PB's decision.

VII. Adjournment: The meeting adjourned at 6:40 p.m.