

PLANNING BOARD MEETING  
March 4, 2010  
Southwest Harbor Town Office  
6:00 p.m.

MINUTES

I. The meeting was called to order at 6:00 p.m. Present: Lee Worcester, Chair; Chris Rawls, Vice Chair; Bob Bosserman, Gordon Wissinger, Don Lagrange, Code Officer; Mike Magnani, Eric Davis. Excused: Ryan Donahue

Visitors: Susan Buell, Kristin Hutchins, Jean Marshall, Mike Mansolilli

II. Visitors to be heard not on the agenda: Jean Marshall said there are minutes of the January 7<sup>th</sup> meeting which in the notice of decision refers to: unless future ordinance change permits. She does not recall that being discussed and would like the phrase removed from the Finding of Facts. Walsh will listen to the tape and confirm one way or another.

III. Review of Ordinance Changes

Section III ( c ) ( 2 ): Board discussed comments from the prior Public Hearing and determined that the majority of the comments did not support this amendment. It was Moved(Worcester) and Seconded (Davis) that the Board accept the changes to Section III C 2 with the recommended change to , or laterally towards the side lot lines, and with that change, accept this proposed LUO change and move it to the Board of Selectmen. Discussion: CEO does not expect there are enough areas that have the room to make this expansion that it will be an overwhelming problem. Vote 4 – 2. Motion passed

Section VI ( c ) Addition of Item 8 will read: Any new driveway opening off a private road may require a culvert as determined by the CEO or Public Works Director, sized accordingly to the SWH Road Ordinance standards. The owner of the property being served by the driveway shall be responsible for the installation, maintenance and future replacement of the culvert. Moved Wissinger and Seconded Bosserman. Vote: 6 – 0.

Section VI (D): Erosion and Sedimentation Control. The change in item D. 1. shall read: All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions shall require a soil erosion and sedimentation control plan in accordance with the current Maine Erosion & Sediment Control BMP's(Best Management Practices). Moved Wissinger, Seconded Magnani Vote 6 – 0

Section VI (M): Road Standards: It was moved that the section be approved and moved to the town Moved Wissinger, Seconded Davis: Vote 6 – 0.

Section VII (M) – Standards for Special Activities: Subsection 3, under M. Motel, Hotel, Boatel, Cabins, Cottages, etc. shall read: 3. Efficiency Unit – Includes a food preparation area only serving that unit. If the occupant of the unit is in residence for more than 6 months, the unit must meet the minimum residential floor space requirement for each Zone and, except in Zone A, the minimum lot size requirement under multi-family. Moved Rawls and Seconded Bosserman. Vote: 6 – 0

Section VII. Sit Plan Review B 2 Strike J and K as indicated in the proposed LUO changes. This to be moved to the Board of Selectmen. Moved Magnani, Seconded Wissinger, Vote: 6 – 0

Section X Storm Drainage Construction Standards: Moved Wissinger and Seconded Bosserman to move these changes forward to the Board of Selectmen as presented. Vote 6 – 0

Section XI Road Ordinance – Additional Improvements and Requirements: It was Moved Bosserman and Seconded Wissinger to approve item D with the addition of (Best Management Practices) after BMP'S in item D. Move to the Board of Selectmen. Vote in favor 6 - 0

Subdivision Ordinance Section IV Subsection B (3) (t) Preliminary Plan and Subdivision Approval: It was Moved Bosserman and Seconded Davis that this ordinance change be moved to the Selectmen as recommended. Vote: 6 – 0

Section XIII: Definitions : Wissinger stated he heard a very strong objection to this change as it was presented. Worcester agreed. The public expressed a desire to have the number of buildings on a lot no more than could be done on a single family lot. The Board after reviewing the proposed ordinance change agreed that the definition of Multi Family be: A residential building containing 2 or more dwelling units.

It was Moved Davis to present as originally written. No second

It was Moved Wissinger that the PB leave the multi family as defined in the proposed ordinance change and the definition of multi unit be removed from Section XIII: Definitions and to change Zone b and Zone c so that the term multi-unit be deleted seconded Rawls, and moved to the Board of Selectmen. Vote 6 – 0

Bosserman suggested forming a committee of planning board members and comp plan members as well as members from outside the committees to work on Land Use Ordinance changes. Hutchins supported. Worcester said it is the charge of the Planning Board, and although they may invite others to join in the work of revising the Ordinance.

It was Moved Wissinger and Seconded Rawls to adjourn the meeting at 8:35 p.m.