

Bucksport Planning Board
6:30 P.M., Tuesday, September 7, 2010
Bucksport Town Office
50 Main Street

AGENDA

- 1. Call to Order**
- 2. Roll Call**

<input type="checkbox"/> John Daniels	<input type="checkbox"/> Marc Curtis	<input type="checkbox"/> George Hanson
<input type="checkbox"/> Gail Hollowell	<input type="checkbox"/> Rosemary Bamford	<input type="checkbox"/> Edward Belcher
<input type="checkbox"/> David Grant		
- 3. Review and Acceptance of Minutes:** Minutes from the August 3, 2010, meeting.
- 4. Chairman's Report**
- 5. Code Enforcement Officer's Report**
- 6. Unfinished Business:**
 - A. Application for approval of a subdivision on Heritage Park Road. The applicant proposes to establish an 8-lot commercial subdivision with related infrastructure improvements on tax map 3, lot 54-2.
Applicant: Town of Bucksport

A public hearing will be conducted during the review of this application
 - B. Application for approval of a commercial expansion in the ID, IDO, R2, RT15CR and RPO Districts. The applicant proposes to expand and upgrade utility transmission lines and structures in an existing power line corridor.
Applicant: TRC Engineers, LLC, agent for Central Maine Power
- 7. New Business**
- 8. Other Business**
- 9. Discussion**
- 10. Adjournment**

Bucksport Planning Board
6:30 P.M., Tuesday, September 7, 2010
Bucksport Town Office
50 Main Street

MINUTES

1. 6:30 P.M. by Secretary Marc Curtis, acting Chair

2. **Roll Call**

<input checked="" type="checkbox"/> John Daniels	<input checked="" type="checkbox"/> Marc Curtis	<input type="checkbox"/> George Hanson
<input checked="" type="checkbox"/> Gail Hollowell	<input checked="" type="checkbox"/> Rosemary Bamford	<input checked="" type="checkbox"/> Edward Belcher
<input checked="" type="checkbox"/> David Grant		

Staff present : Jeffrey Hammond, CEO

3. **Review and Acceptance of Minutes:** Minutes from the August 3, 2010 meeting were reviewed.

MOTION(Bamford): To approve the August 3, 2010 Minutes, as submitted.

SECOND(Grant)

DISCUSSION: None

VOTE: 6-0 motion adopted

4. **Chairman's Report:** Secretary Curtis advised the board that an annual report of the board has been drafted for review at the end of the meeting.

5. **Code Enforcement Officer's Report:** No report.

6. **Unfinished Business:**

**A. Application for approval of a subdivision on Heritage Park Road. The applicant proposes to establish an 8-lot commercial subdivision with related infrastructure improvements on tax map 3, lot 54-2.
 Applicant: Town of Bucksport**

A public hearing will be conducted during the review of this application

Roger Raymond was present to represent the applicant. Dave Milan, Economic Development Director was also present. Mr. Raymond reported to the board the changes that were required upon completion of their review at the last meeting. The location of sewer and water lines was added. The total size of the parcel was added. Contour lines were added. The direction of surface water flow was added. A statement noting exemption from DEP site law review was added. The board's approval statement was added. Zoning districts were added.

The board discussed the necessity of requiring road design profiles to be recorded with the plat. This was also discussed at the last meeting. Mr. Raymond noted that this would be unprecedented and not necessary. After discussion, the board did not require the recording of road design profiles.

Acting Chair Curtis opened the public hearing at 6:40pm. No public comments were submitted and the public hearing was closed at 6:40pm.

The CEO advised the board that they had completed their standards review at the last meeting and the next step would be to conduct the findings. Prior to that, the CEO advised the board to determine if the application was complete.

MOTION(Grant): To find the application to be complete.

SECOND(Bamford)

DISCUSSION: None

VOTE: 6-0 motion adopted

The board conducted their findings for criteria 1-17 and found the application contained clear and convincing evidence that criteria 1-15 had been met. The board found criteria 16 and 17 to be not applicable. Upon completion of the findings, a motion was made to approve:

MOTION(Bamford): To approve the proposed Buckstown Heritage Park Phase 2 Subdivision.

SECOND(Hallowell)

DISCUSSION: None

VOTE: 6-0 motion adopted

A draft written findings will be prepared for the board's review at their next meeting.

B. Application for approval of a commercial expansion in the ID, IDO, R2, RT15CR and RPO Districts. The applicant proposes to expand and upgrade utility transmission lines and structures in an existing power line corridor.

Applicant: TRC Engineers, LLC, agent for Central Maine Power

Doug Ide was present to represent the applicant. Mr. Ide provided the board with an updated poles table that corrected errors identified by the board at the last meeting. The CEO reminded the board that the application addressed all content requirements except for a survey and surveyor information. The applicant requested a waiver of those requirements.

The board asked general questions about the proposed project. The effects of electromagnetic frequencies were discussed. Mr. Ide stated that numerous studies have been conducted worldwide, but no evidence has been identified that the EMF from power lines causes health problems. Noise concerns were discussed. Acting Chair Curtis reminded the board that further discussion on these topics could be conducted during the standards review.

The board then considered the waiver requests.

MOTION(Grant): To waive the requirement of a survey.

SECOND(Belcher)

DISCUSSION: None

VOTE: 6-0 motion adopted

MOTION(Grant): To waive the requirement of surveyor information.

SECOND(Bamford)

DISCUSSION: None

VOTE: 6-0 motion adopted

The board then proceeded to conduct the standards review. The environment standards were discussed. The ambient air objective was found to be not applicable. The board had no concerns regarding compliance with the remaining objectives for the environment standards. A site visit was not required. Special conditions to ensure compliance were not required.

The special areas standards were discussed. An area of prehistoric importance was noted as being within the project site. The applicant will provide the board with a memorandum from the MSHPC regarding protection of the site. All of the remaining objectives for the special areas standards were found to be not applicable. A site visit was not required. Special conditions to ensure compliance were required as follows: A copy of the MSHPC memorandum must be submitted for the record.

The local areas standards were discussed. The board agreed that the application properly addressed the objectives pertaining to the scale of the project, buffers and screening, effects of EMF, and noise. All of the remaining objectives were identified as not applicable. A site visit was not required. Special conditions to ensure compliance were not required.

The public safety standards were discussed. The board agreed that the application properly addressed the objectives pertaining to drinking water and public safety services. All of the remaining objectives were identified as not applicable. A site visit was not required. Special conditions to ensure compliance were not required.

The specific use standards were addressed. The board noted that there was a specific use standard applicable to the project in Section 13.7.6. The board agreed that the application properly addressed this standard. A site visit was not required. Special conditions to ensure compliance were not required.

The dimension standards were discussed. Setback was found to be applicable. The board agreed that the application properly addressed this standard. A site visit was not required. Special conditions to ensure compliance were not required.

Upon conclusion of the standards review, the board conducted their findings. The board found that there was clear and convincing evidence in the record to support the conclusion that:

1. the applicable environment standards had been met.
2. the applicable special areas standards had been met.
3. the applicable local areas standards had been met. During this finding the board questioned the need for lighting on towers and requested the applicant to provide documentation.
4. the applicable public safety standards had been met.
5. the applicable specific uses standard had been met.
6. the applicable dimensions standards had been met.

Based on the conclusions of the board in their findings, the application was deemed to be approved. A draft written findings will be prepared for the board's review at their next meeting.

Mr. Ide expressed concern that the project could not be completed during the life of the permit and asked if the board could grant a waiver. The CEO noted that the ordinance was unclear about the board's authority to extend the permit life. Legal

consultation should be required. The board agreed. The applicant will be advised of the town's position once legal advice is obtained.

7. New Business: None

8. Other Business: Member Bamford provided the board with a report on the progress being made by the committee formed to develop regulations for mineral extractions.

Acting Chair Curtis provided the board with copies of the draft report of the board for the town report. He explained the content of the report.

9. Discussion: The board discussed the method of adjournment.

10. Adjournment: 8:55pm

Minutes prepared by
Jeffrey Hammond
Recording Secretary