

**Bucksport Board of Appeals
7:00 P.M., Tuesday, July 12, 2011
Bucksport Town Office
50 Main Street**

AGENDA

1. Call to Order

2. Roll Call

W. Kim Delbridge
 Richard Tennant
 Jeremy Daigle

Emery Deabay, Chairman
 Louis Levasseur

3. Review and Acceptance of Minutes: Minutes from the October 12, 2010 meeting.

4. Unfinished Business

5. New Business:

- A. A variance appeal to allow the construction of a commercial building at 36 State Route 46. The applicant requests a reduction in the required street frontage in the C2 District.

Applicant: Leadbetter Realty Trust

A public hearing will be held during the review of this variance appeal.

6. Other Business

7. Adjournment

Bucksport Board of Appeals
7:00 P.M., Tuesday, July 12, 2011
Bucksport Town Office
50 Main Street

MINUTES

1. Call to Order: 7:00PM, by Chairman Deabay.

2. Roll Call

<input checked="" type="checkbox"/> Jeremy Daigle	<input checked="" type="checkbox"/> Louis Levasseur
<input checked="" type="checkbox"/> Richard Tennant	<input checked="" type="checkbox"/> W. Kim Delbridge
<input checked="" type="checkbox"/> Emery Deabay, Chairman	

Town staff present : Jeff Hammond, CEO and Dave Milan, Economic Development Director.

3. Review and Acceptance of Minutes: Minutes from the September 14, 2010 meeting. The board reviewed the minutes and noted no errors.

MOTION (Levasseur): To approve the October 12, 2010 minutes as submitted.

SECOND (Tennant)

DISCUSSION: None

VOTE: 5-0 motion adopted.

4. Unfinished Business: None

5. New Business:

A. **A variance appeal to allow the construction of a commercial building at 36 State Route 46. The applicant requests a reduction in the required street frontage in the C2 District.**

Applicant: Leadbetter Realty Trust

A public hearing will be held during the review of this variance appeal.

Jeff Leadbetter was present to represent the applicant. The CEO conducted a brief introductory presentation to explain the purpose of the variance request, and to show pictures of the property to the board. The board was advised that the planning board granted approval of the proposed building, subject to the applicant obtaining the required dimensional variance. The variance request is to reduce the required street frontage for the proposed building from 100' to 20'.

Mr. Leadbetter briefly described the project.

The chair opened the public hearing at 7:10PM. No public comments were submitted, and the chair closed the public hearing at 7:10PM.

Upon closing the public hearing, the board conducted the dimensional standards variance review. The following criteria were discussed:

1. The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood.

The applicant stated that the lot is too narrow to provide the required frontage for a second building. The board discussed this, and no concerns were expressed.

2. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties.

The applicant stated that the neighborhood is commercial, and his proposed use will not conflict. The board discussed this, and no concerns were expressed.

3. The practical difficulty is not the result of action taken by the appellant or a prior owner.

The applicant stated that the current street frontage requirement was not in place when the lot was originally developed with a carwash. Further development of the lot had been planned. The board discussed this, and no concerns were expressed.

4. No other feasible alternative to a variance is available to the appellant.

The applicant stated that he is unable to obtain additional street frontage from either abutting lot because of the way they are developed. The board discussed this, and no concerns were expressed.

5. The granting of a variance will not unreasonably adversely affect the natural environment.

The applicant stated that there are no sensitive wildlife habitats in the vicinity. The board discussed this, and no concerns were expressed.

6. The property is not located in whole or in part within a shoreland district.

The applicant stated that the lot is in the C2 District, and not in any shoreland district identified by the town. The board discussed this, and no concerns were expressed. The board discussed this, and no concerns were expressed.

Upon conclusion of their review, the board conducted findings.

MOTION(Daigle): To find that the applicant has proven a practical difficulty in regard to Criterion 1.

SECOND(Tenant)

DISCUSSION: None

VOTE: 5-0 motion adopted

MOTION(Daigle): To find that the applicant has proven a practical difficulty in regard to Criterion 2.

SECOND(Delbridge)

DISCUSSION: None

VOTE: 5-0 motion adopted

MOTION(Daigle): To find that the applicant has proven a practical difficulty in regard to Criterion 3.

SECOND(Delbridge)

DISCUSSION: None

VOTE: 5-0 motion adopted

MOTION(Delbridge): To find that the applicant has proven a practical difficulty in regard to Criterion 4.

SECOND(Daigle)

DISCUSSION: None

VOTE: 5-0 motion adopted

MOTION(Delbridge): To find that the applicant has proven a practical difficulty in regard to Criterion 5.

SECOND(Tennant)

DISCUSSION: None

VOTE: 5-0 motion adopted

MOTION(Tennant): To find that the applicant has proven a practical difficulty in regard to Criterion 6.

SECOND(Daigle)

DISCUSSION: None

VOTE: 5-0 motion adopted

As a result of the board's findings, the variance request was approved. The CEO advised the applicant that a certificate will be prepared, and it must be recorded at the Hancock County Registry of Deeds within 90 days.

6. Other Business: The board conducted elections for the ensuing year.

MOTION (Delbridge): To nominate Emery Deabay as chairman.

SECOND (Daigle)

DISCUSSION: None

VOTE: 4-0-1 motion adopted (Deabay abstained).

MOTION (Daigle): To nominate Richard Tennant as secretary.

SECOND (Delbridge)

DISCUSSION: None

VOTE: 4-0-1 motion adopted (Tennant abstained).

7. Adjournment: 7:35PM

Minutes prepared by
Jeffrey Hammond
Recording Secretary