

Bucksport Planning Board
7:00 P.M., Tuesday, May 15, 2012
Bucksport Town Office
50 Main Street

SPECIAL MEETING 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**
- 4. Chair's Report**
- 5. Code Enforcement Officer's Report**
- 6. Limited Public Forum-**An opportunity for the Public to address the Board on matters related to land use or planning in the Town of Bucksport.
- 7. Unfinished Business:** None
- 8. New Business:**
 - A. Application for approval to occupy an existing storefront with a place of assembly. The Applicant proposes to occupy 124 US Route 1 Suite 1, with a restaurant.
Applicant: Ellis & Guerrette
- 9. Administrative Business**
- 10. Discussion**
- 11. Adjournment**

**Bucksport Planning Board
7:00 P.M., Tuesday, May 15, 2012
Bucksport Town Office
50 Main Street**

SPECIAL MEETING MINUTES

1. Call to Order: 7:00 P.M. by George Hanson, Chair

2. Roll Call

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

Staff present : Jeffrey Hammond, CEO
Dave Milan, Economic Development Director

3. Review and Acceptance of Minutes: The draft minutes from the May 1, 2012 meeting were provided to the board. Review of the minutes will be conducted at the next regular meeting.

4. Chair’s Report: None.

5. Code Enforcement Officer’s Report: None.

6. Limited Public Forum-An opportunity for the Public to address the Board on matters related to land use or planning in the Town of Bucksport.

No comments were submitted.

7. Unfinished Business: None

8. New Business:

- A. Application for approval to occupy an existing storefront with a place of assembly. The Applicant proposes to occupy 124 US Route 1 Suite 1, with a restaurant.
Applicant: Ellis & Guerrette**

David St. Germaine was present as authorized agent for the applicant. John Russell, Subway franchise owner, was also present. The CEO conducted an introductory presentation. The applicant was requesting approval to change the use of an existing retail storefront to a restaurant. The existing land use permit for the property limited occupancies of the building to mercantile, so the board will be amending this permit if the application is approved. The applicant had complied with all initial application content requirements. The CEO noted that no department directors expressed concerns.

The applicant answered a few general questions, and also touched on the parking space requirements by noting the calculations he had conducted and provided to the board.

The Chair inquired if any board member had a conflict of interest or bias regarding the application. Member Daniels advised the board that he had a bias as an abutter. The board discussed the matter and a motion was made:

MOTION(Hallowell): That Member Daniels be recused due to a bias.

SECOND(Bamford)

DISCUSSION: Member Daniels informed the board that he had a presentation and thought it might be advantageous for the board if he conducted the presentation before they decided on the bias issue. After discussion, it was decided that the vote be taken before the presentation.

VOTE: 5-1 (Member Grant opposed) Motion adopted

The chair invited public comments. As an abutter, John Daniels provided the board with a photo presentation. Mr. Daniels pointed out that there were several area businesses in the downtown area that kept their properties nicely landscaped and cared for, but the applicant has done very little landscaping to beautify his property. There are no plantings along the street, and the house next door, also owned by the applicant, is deteriorating due to neglect. A jersey barrier located next to the house is an eyesore. He believed that, if the applicant is interested in having a restaurant located on his property, he should take steps to make it more visually appealing to the public. Mr. Daniels also pointed out that the exit on to Park Street was not well-marked. An exit sign should be placed there.

Mr. St. Germaine expressed confusion and concern that Mr. Daniels' comments were not relevant to the application being reviewed. Dave Milan also spoke on that point. The chair allowed Mr. Daniels to complete his presentation, noting later that the purpose of inviting public comment was to allow members of the public to express their concerns about the property in question. No member of the board expressed concern that Mr. Daniels' presentation was inappropriate.

Dave Milan expressed his support for the application.

Upon conclusion of preliminary discussions, the board commenced their standards review.

Environment Standards: The board determined that no environment standards were applicable:

Special Areas Standards: The board determined that no special areas standards were applicable.

Local Areas Standards: The board determined that no local areas standards were applicable.

Public Safety Standards: The board determined that the following public safety standards were applicable:

The proper management of solid wastes. The applicant stated that a dumpster will be located for the business on the easterly end of the building, where other dumpsters are located. The dumpster will be screened from view of US Route 1.

The safety and sufficiency of streets and sidewalks. The board discussed the concern raised by Mr. Daniels regarding the exit to Park Street. It was decided that the applicant would be required to install an exit sign and edge striping to better identify this exit, which is difficult to see from the parking lot due to the slope. This requirement was supported by the fact that the restaurant would generate more traffic activity at this exit.

Specific Uses Standards: The board determined that the following specific use standard is applicable: Parking in Section 13.15.8.7. The board reviewed the proposed parking to be dedicated for use by the restaurant. 14 spaces would be required. The board compared

this with the parking required for the Family Dollar store and the vacant retail storefront, and determined that adequate parking would be provided for the restaurant.

Dimensions Standards: The board determined that no dimensional standards were applicable.

The board commenced their findings upon conclusion of the standards review.

No environment standards were found to be applicable, so a finding on these standards was not required.

No special area standards were found to be applicable, so a finding on these standards was required.

No local area standards were found to be applicable, so a finding on these standards was required.

MOTION(Curtis): To find that the proposed use has met all applicable public safety standards, subject to the installation of an exit sign and edge striping for the Park Street exit.

SECOND(Grant)

DISCUSSION: None

VOTE: 6-0 motion adopted

MOTION(Curtis): To find that the proposed use has met all applicable specific use standards.

SECOND(Bamford)

DISCUSSION: None

VOTE: 6-0 motion adopted

No dimensional standards were found to be applicable, so a finding on these standards was not required.

Upon conclusion of their findings, the chair advised the applicant that the application had been approved. The CEO will issue a land use permit.

9. Administrative Business: None.

10. Discussion: The CEO advised the board that a property owner wished to install an outdoor wood boiler on his property in the Village District, but the town’s land use ordinance prohibited it. His property was well away from other residential properties, and he wanted to know if the ordinance could be changed to allow outdoor wood boilers under these circumstances. The board discussed the matter, and decided that allowing outdoor wood boilers in any relatively undeveloped portion of the Village District could present a problem if these areas became more densely-developed. The board did not recommend any changes to the land use ordinance.

11. Adjournment: 8:55PM

Minutes provided by
Jeffrey Hammond
Recording Secretary