

Bucksport Board of Appeals
7:00 P.M., Tuesday, November 27, 2012
Bucksport Town Office
50 Main Street

AGENDA

1. Call to Order

2. Roll Call

W. Kim Delbridge
 Richard Tennant
 Jeremy Daigle

Emery Deabay, Chairman
 Vacant

3. Review and Acceptance of Minutes: Minutes from the February 4, 2012 meeting.

4. Unfinished Business

5. New Business:

- A. A variance appeal to allow a second mobile home to be located on a developed property at 207 Turkey Path. The property is located in the R1DCR District, tax map 10, lot 28.

Applicant: Shirley Grant

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

6. Other Business

7. Adjournment

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7:00 P.M., Tuesday, November 27, 2012
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MINUTES

1. Call to Order: 7:00PM by Chair Emery Deabay

2. Roll Call

W. Kim Delbridge
 Richard Tennant
 Jeremy Daigle

Emery Deabay, Chairman
 Vacant

3. Review and Acceptance of Minutes: Minutes from the February 4, 2012 meeting.

MOTION: (Daigle) To approve the February 4, 2012 minutes as submitted.

SECOND: (Tennant)

DISCUSSION: None

VOTE: 4-0 motion adopted

4. Unfinished Business: None

5. New Business:

- A. **A variance appeal to allow a second mobile home to be located on a developed property at 207 Turkey Path. The property is located in the R1DCR District, tax map 10, lot 28.**

Applicant: Shirley Grant

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

The Chair introduced the application. The CEO conducted a presentation to familiarize the board with the reason a variance was needed. The board was shown pictures of the location where the applicant wanted to install a mobile home. The CEO explained that the application was requesting a variance from the minimum lot size requirement, but a recent survey showed that the lot could meet the dimensional requirement for size. The applicant is still in need of a variance from the minimum street frontage requirement of 300 feet (100 feet per dwelling.) The lot only contains 236 feet of frontage.

The Chair opened the public hearing at 7:08PM.

Shirley Grant stated that an unfinished foundation was being included in the calculations for lot size and street frontage, but she did not believe a foundation was a dwelling. The CEO explained that the foundation was the beginning of a permitted dwelling, and the permit was still in effect. That is why it was included in the calculations.

Abandoning the permit rights for the unfinished dwelling was discussed. Ms Grant indicated that she may be willing to do that if the end result would allow her to obtain a permit for another mobile home without the need for a variance. The CEO stated that a legal opinion would be needed to determine what steps were needed to recognize that the permit was no longer valid.

It was also noted that the driveway providing access for 3 dwellings would be identified as a private street and receive a name. The applicant stated that the proposed mobile home would comply with the 25' setback from property lines, but probably could not be located 25 feet from the private street. A setback variance for this would likely be needed.

Corey Darveau, abutting property owner, stated that he believed his property value will decrease if the applicant is allowed to add another mobile home. He submitted a statement from a real estate agent, and a page from an appraisal as evidence supporting his concerns.

Shirely Grant responded to Mr. Darveau with several accusations and criticisms that were not relevant to the appeal. The Chair asked that she focus on her appeal.

Several unidentified members of the public spoke spontaneously during the public hearing expressing support for the granting of a variance, and expressing frustration in general with land use regulations. The applicant's contractor criticized the CEO for not providing adequate assistance to the applicant.

After hearing no more testimony from the public, the Chair closed the public hearing at 7:51PM.

Because of the uncertainties about the status of the foundation on the property, and the lack of information about exactly what variances, if any, are required, the board considered tabling the application until questions could be answered.

MOTION: (Delbridge) To table the application until the next meeting on December 11, 2012.

SECOND: (Tennant)

DISCUSSION: None

VOTE: 4-0 motion adopted

6. Other Business: None

7. Adjournment: 8:12PM

Minutes prepared by
Jeffrey Hammond
Recording Secretary