

Bucksport Planning Board
6:30 P.M., Friday, October 25, 2013
Bucksport Town Office
50 Main Street

SPECIAL MEETING
AGENDA

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

<input type="checkbox"/> Daniel See	<input type="checkbox"/> Vacant	<input type="checkbox"/> George Hanson
<input type="checkbox"/> Gail Hallowell	<input type="checkbox"/> Rosemary Bamford	<input type="checkbox"/> Edward Belcher
<input type="checkbox"/> David Grant		
3. **Review and Acceptance of Minutes:** Minutes from the October 1, 2013 meeting.
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. Public Hearing for a proposed amendment to the Bucksport Town Code, Appendix K Land Use Ordinance, to recognize Auction Houses as an allowed use in the Downtown and Downtown Shoreland Districts.
 - B. Application for approval of an Assembly Land Use at 98 Main Street, tax map 32, lot 36. The applicant proposes to conduct auctions in the lower level of the building.
Applicant: Good Deals Antique Mall
9. **Administrative Business**
10. **Discussion**
11. **Adjournment**

**Bucksport Planning Board
6:30 P.M., Friday, October 25, 2013
Bucksport Town Office
50 Main Street**

**SPECIAL MEETING
MINUTES**

1. **Call to Order:** 6:31 P.M. by Rosemary Bamford, Chair

2. **Roll Call**

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Daniel See | <input type="checkbox"/> Vacant | <input checked="" type="checkbox"/> George Hanson |
| <input 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 October 1, 2013 meeting were reviewed by the board.

MOTION(Grant): To approve the October 1, 2013 meeting minutes as drafted.

SECOND(See)

DISCUSSION: None

VOTE: 5-0 Motion adopted.

4. **Chair’s Report:** No report

5. **Code Enforcement Officer’s Report:** The CEO reported on the following items:

1. Revisions to the town’s flood maps are under way, and the CEO attended a meeting to view the first drafts. It is expected that the final maps will be available in 2014, at which time the town’s floodplain management ordinance will need to be amended.
2. The CEO attended a presentation on the state’s effort to produce up to date orthoimagery, which provides aerial photos that can be used for various governmental purposes. The photos show great detail depending on the resolution. A considerable investment must be made by the town if the detailed images are desired.
3. A subdivision application has been received and should be ready to submit to the board next month.
4. The farmers’ market has moved to an indoor location at 74 Main Street. A permit needed for the move has not been applied for yet.

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 public comments were submitted.

7. **Unfinished Business:** None

8. **New Business:**

A. Public Hearing for a proposed amendment to the Bucksport Town Code, Appendix K Land Use Ordinance, to recognize Auction Houses as an allowed use in the Downtown and Downtown Shoreland Districts.

There was no public testimony on the proposed amendment. The CEO conducted a brief presentation to inform the board about how auction houses are currently regulated in Appendix K. Examples of typical auction houses around the state were shown, including automobile auction houses. The board discussed the possibility of proposing a prohibition of automobile auction houses in the DT & DTS Districts because automobile sales are prohibited, but decided to let the upcoming Comprehensive Plan Update Committee address the issue.

Dave Milan, Economic Development Director, stated that he supported the amendment because auction houses are the only assembly land use that the land use ordinance prohibits in the Downtown and Downtown Shoreland Districts. It was not clear to him or council members he spoke with why the use was prohibited.

Upon conclusion of discussion, a motion was made:

MOTION(See): To recommend approval of the proposed amendment to Appendix K that will allow Auction Houses in the Downtown and Downtown Shoreland Districts, subject to planning board review.

SECOND(Grant)

DISCUSSION: None

VOTE: 5-0 Motion adopted.

B. Application for approval of an Assembly Land Use at 98 Main Street, tax map 32, lot 36. The applicant proposes to conduct auctions in the lower level of the building.

Applicant: Good Deals Antique Mall

Joe Vitale was present to represent the applicant.

The CEO conducted an introductory presentation. No concerns were expressed by department directors. The fire chief did not submit comments.

The application content review found only one missing item, a survey of the property. The applicant will be seeking a waiver of that requirement.

Mr. Vitale described his proposed business activity. He plans to conduct auctions about twice a month on a Saturday afternoon. It would allow vendors in his antique mall in the same building to sell products that are not selling in the shop. The auction house will be limited to no more than 50 people. This will not require a permit from the State Fire Marshal's Office.

Member Grant raised a concern about parking conflicts in the town dock parking lot between auction customers and people using the town dock. Mr. Vitale suggested limiting his use of the parking lot to loading and unloading only. Other customers would need to park elsewhere.

The Chair determined that no member had a conflict of interest or bias related to the project.

The Chair asked for public comment. Dave Milan, identifying himself as a citizen from Orland, stated that it was a good project. No other comments were submitted.

The board then commenced the 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:

- 5) The proper management of solid wastes is adequately protected from any relevant detrimental effects of the land use.

DOCUMENTATION: Waste containers are located inside and emptied by contract.

The board did not believe a site visit was necessary to verify compliance with the public safety standards.

Specific Uses Standards: The board determined that the following specific use standard is applicable: Parking in Section 13.15.8.12. The board reviewed the proposed parking. Parking for up to 16 vehicles for customers and employees is required. Public parking in the area was deemed to be sufficient by the board. Member Hanson noted that there is no assigned parking in the town dock parking lot, so there may be occasions where occupied parking spaces may affect access to the auction house for vehicles delivering or picking up auction items.

The board did not believe a site visit was necessary to verify compliance with the specific use standards.

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

The board considered waiving the requirement of a survey. A motion was made:

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

SECOND(Grant)

DISCUSSION: None

VOTE: 5-0 Motion adopted.

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

No environmental 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 not required.

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

MOTION(See): To find that the proposed use has met all applicable public safety standards.

SECOND(Grant)

DISCUSSION: None

VOTE: 5-0 motion adopted

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

SECOND(Belcher)

DISCUSSION: None

VOTE: 5-0 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 Mr. Vitale that the application had been approved conditionally. The approval will become effective 30 days after the town council adopts the proposed amendment to Appendix K that will allow auction houses in the DT & DTS Districts.

- 9. Administrative Business:** The chair inquired if anyone had shown an interest in filling the vacancy on the board. The CEO indicated that no one has applied for the opening yet.

The chair noted that the board had been asked by the CEO to offer their input on the Comprehensive Plan survey submitted by the Hancock County Planning Commission. The Commission has been hired to assist the town with the Comprehensive Plan update. It was decided to take up the matter at the next meeting. The CEO noted that he had invited input from Dave Milan, but so far had not received any reply.

The chair noted that the projector has now been returned to service after having been checked for electrical problems. Repair of the case is still needed. The CEO was thanked for his assistance in the matter.

Secretary Belcher provided the board with copies of the board's expenditures and revenue to date. The documents will be discussed at the next meeting.

- 10. Discussion:** Member Grant asked if Mr. Vitale's auction house should come under new ownership, would the new owner need to seek approval from the town. The CEO replied that a change of ownership does not require town approval. The business can continue without further review.

Member Hanson noted that he was pleased with how the Royal Ridge Subdivision is being developed. There are nice homes being built. Only a few lots are left to develop.

The CEO noted that there will be no new business at the next meeting, leaving ample time to discuss the comprehensive plan survey and anything else board members may have on their minds.

Board members were encouraged to ask friends and neighbors if they know of anyone that may be interested in serving on the board.

- 11. Adjournment: 8:00PM**

Minutes prepared by
Jeffrey Hammond
Recording Secretary