

Bucksport Planning Board
6:30 P.M., Tuesday, March 3, 2015
Bucksport Town Office
50 Main Street

AGENDA

1. **Roll Call**
 Mary Jane Bush Steve Feite George Hanson
 Brian MacDonald Christopher Johnson Edward Belcher
 David Grant
2. **Review and Acceptance of Minutes:** Minutes from the January 6 and February 3, 2015 meetings.
3. **Chair's Report**
4. **Code Enforcement Officer's Report**
5. **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.
6. **Unfinished Business:**
 - A. Continued review of proposed amendments to the Bucksport Town Code Appendix K Land Use Ordinance.
7. **New Business:** None
8. **Administrative Business:** Election of Secretary
9. **Discussion**
10. **Adjournment**

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50 Main Street**

MINUTES

1. Roll Call

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Mary Jane Bush | <input checked="" type="checkbox"/> Steve Feite | <input type="checkbox"/> George Hanson |
| <input checked="" type="checkbox"/> Brian MacDonald | <input checked="" type="checkbox"/> Christopher Johnson | <input checked="" type="checkbox"/> Edward Belcher |
| <input checked="" type="checkbox"/> David Grant | | |

- 2. Review and Acceptance of Minutes:** Review of the minutes from the January 6, 2015 meeting was tabled due to the lack of a quorum of members who attended that meeting. Minutes from the February 3, 2015 meeting were reviewed.

MOTION: (MacDonald) To approve the February 3, 2015 minutes as submitted

SECOND: (Johnson)

Discussion: None

VOTE: 5-0-1 motion adopted (Member Grant abstained because he was not present at that meeting.)

- 3. Chair’s Report:** No report

- 4. Code Enforcement Officer’s Report:** The CEO reported on the following:

1. MMA is conducting training for planning boards on March 30th in Ellsworth. Members interested in attending should let the CEO know as soon as possible. Training will also be available in Bangor in June.
2. The comprehensive plan committee will be restarting their efforts to update the town’s comprehensive plan on March 9th.
3. George Hanson has indicated his interest in staying on the planning board for another term.

- 5. 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.

Mayor David Keene addressed the board about the proposed changes to Appendix K. Mayor Keene stated that changes should be delayed until the comprehensive plan update is completed. He asked the board to consider tabling the changes until then.

Town Manager Derik Goodine addressed the board. He spoke about his interest in pursuing form-based codes as a means for simplifying review requirements for developers. He expressed concerns that the existing ordinance may be too restrictive, with too many ‘shalls’ that make it hard to be flexible. He commented on the importance of having less restrictions for contract zoning, and not stiffening the review requirements for applications. He suggested that provisions should be made to allow the CEO to approve of minor changes to site plans approved by the board. He stated lot size requirements should be less restrictive for subdivisions.

Mayor Keene added that he wanted to be certain that applicants are not faced with unreasonable and costly application requirements. He cited an example of a business owner who was expected to hire a licensed arborist to design landscaping for his lot in the

industrial park and that it would cost \$1500. After discussion about this, it was realized that this never happened, and the claim was an example of how misinformation and exaggerations can lead to conclusions that are not supported by the facts.

6. Unfinished Business:

A. Continued review of proposed amendments to the Bucksport Town Code Appendix K Land Use Ordinance.

The CEO introduced a revised version of the draft ordinance. Several proposed changes were removed from the original draft, with the recommendation that they be taken up at a later date. The removed changes were identified. There were also several proposed changes left in the draft ordinance, in spite of criticism heard about those changes at last month's public hearing. Those changes were also identified.

The board discussed the updated draft ordinance. There was a brief discussion about tabling the entire ordinance until the comprehensive plan update was completed. The CEO also suggested that the ordinance could be further amended to include only the changes affecting who reviews applications and the change that would solve a zoning issue for a citizen. After further discussion, a motion was made:

MOTION: (Bush) To approve the amended draft ordinance dated March 3, 2015, and forward it to the town council for their consideration.

SECOND: (MacDonald)

Discussion: None

VOTE: 6-0 motion adopted

7. New Business: None

8. Administrative Business: Election of Secretary

9. Discussion: The CEO informed the board that changes will be needed in the land use ordinance to reflect changes made by DEP to their shoreland guidelines. A list of changes was handed out to the board. There is not an immediate need to make these changes, but the discussion about the changes may be good to start now.

The board was also provided with a list of land use topics for discussion. Many of the topics come from comments made about the effectiveness of the land use ordinance and whether or not it is living up to expectations.

The CEO spoke about the citizen request made at the last meeting for a sign variance. The board discussed the citizen's issue at that meeting, but, ultimately, did not grant a variance. Instead, the citizen was left with the impression that no enforcement action would be taken if he were to erect the sign advertising his illegally-operated bait shop. The CEO informed the board that, in this case, the land use violation will likely be resolved with an ordinance amendment being proposed, but as a matter of practice, the board should not get involved in enforcement matters. The CEO suggested that, in the future, the board should politely decline to address any request for immediate relief from the enforcement of a land use violation. The board's involvement should be limited to considering if any ordinance changes are warranted.

10. Adjournment: 9:12PM Minutes prepared by Jeffrey Hammond, Recording Secretary