

Bucksport Planning Board
6:30 P.M., Tuesday, August 2, 2016
Bucksport Town Office
50 Main Street

AGENDA

- 1. Roll Call**
 Mary Jane Bush Steve Feite George Hanson
 Brian MacDonald Christopher Johnson Edward Belcher (Chair)
 David Grant
- 2. Review and Acceptance of Minutes:** July 5, 2016 Minutes
- 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**
- 7. New Business:**
 - A. Application for approval of a family cemetery on Moulton Pond Road, Tax Map 21 Lot 23.
Applicant: Steven Houston
 - B. Application for approval of an expansion to the Catholic Cemetery on Silver Lake Road, Tax Map 1, Lot CEM.
Applicant: Saint Vincent de Paul Church
- 8. Administrative Business**
- 9. Discussion**
- 10. Adjournment**

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6:30 P.M., Tuesday, August 2, 2016
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50 Main Street

MINUTES

1. **Roll Call:** The code enforcement officer called the roll. The following members were present (if box is checked):

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

Staff present : Jeff Hammond Code Enforcement Officer

2. **Review and Acceptance of Minutes:** Minutes from the July 5, 2016 meeting were reviewed.

MOTION: (Johnson) To accept the minutes as prepared.

SECOND: (MacDonald)

DISCUSSION: None

VOTE: 3-0-3 MOTION ADOPTED (Members Bush, Hanson and Feite abstained because they did not attend the July 5th meeting, which was cancelled due to the lack of a quorum.)

Minutes from the June 6, 2016 meeting were reviewed. These minutes were not reviewed in July due to the lack of a quorum to hold a meeting.

MOTION: (MacDonald) To accept the minutes as prepared.

SECOND: (Hanson)

DISCUSSION: None

VOTE: 6-0 MOTION ADOPTED

3. **Chair's Report:** No report
4. **Code Enforcement Officer's Report:**
- a. The town council has requested the board to review Section 13.15.8.7 of the town's land use ordinance for possible changes to parking requirements in the downtown area.
 - b. An application for approval of a site expansion at 65 Heritage Park Road has been submitted and will be on the September 6th agenda.
 - c. The ordinance committee will be discussing permit requirements for land use changes, as well as business licensing requirements on August 10th.
 - d. The board of appeals was provided training on board duties and responsibilities on July 26th.
 - e. The Picnic Point project is now complete, and it has received positive reviews.
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.

No comments were received.

6. **Unfinished Business:** None

7. **New Business:**

a. Application for approval of a family cemetery on Moulton Pond Road, Tax Map 21 Lot 23.

Applicant: Steven Houston

Steven Houston was present. The CEO conducted an introductory presentation to explain the purpose of the application and the type of approval needed, and displayed photos of the site. The CEO stated that department directors reviewed the application and no concerns were expressed.

Mr. Houston had no presentation, but answered board questions. Mr. Houston stated that his family has an interest in having their final resting place on their property near Moulton Pond. He expects that the cemetery will be maintained by family members in the future.

After a general discussion about the application, the board commenced their application review.

The board found that there were no applicable environment standards.
The board found that there were no applicable special areas standards.
The board found that there were no local areas standard to be applicable, but noted that an existing cemetery is located next to the proposed location of the family cemetery.

The board found one public safety standard to be applicable (#1), and determined that private water supplies will be adequately protected. No water wells are within 1,000 feet of the proposed cemetery.

The board found that there were no applicable specific use standards.

The board found that there were no applicable dimensional standards. It was noted that state law requires cemeteries to be no closer than 100 feet from a dwelling and 200 feet from a well. The closest dwelling and well is over 1,000 feet from the proposed cemetery location.

Upon completion of the application review, the board conducted the findings.

MOTION: (Hanson) The proposed land use will have no impact on the environment that is contrary to the purposes of the ordinance.

SECOND: (MacDonald)

DISCUSSION: None

VOTE: 6-0 MOTION ADOPTED

A finding was not required for special areas standards because the board determined that none of these standards was applicable.

A finding was not required for local areas standards because the board determined that none of these standards was applicable.

MOTION: (Belcher) The proposed land use will have no impact on public safety that is contrary to the purposes of the ordinance.

SECOND: (Hanson)

DISCUSSION: None

VOTE: 6-0 MOTION ADOPTED

A finding was not required for specific uses standards because the board determined that none of these standards was applicable.

A finding was not required for dimensions standards because the board determined that none of these standards was applicable.

Upon completion of the findings, the applicant was notified that their application had been approved. A permit will be mailed.

**b. Application for approval of an expansion to the Catholic Cemetery on Silver Lake Road, Tax Map 1, Lot CEM.
Applicant: Saint Vincent de Paul Church**

Representatives for the applicant were present. The CEO conducted an introductory presentation, showing photos of the site and zoning information, and explained why the application required Level 2 review. The CEO stated that department directors reviewed the application and no concerns were expressed, except that the public works director expressed concern about the driveway entrance and risks of erosion from water run-off. A culvert needed to be installed. The CEO also informed the board about the clearing violation that occurred last year that is currently being addressed with cooperation of the property owner.

Father John Skeeahan explained the need for the site improvements, which is to increase the number of available burial sites and improve access to the rear of the property. Peter MaCavoy explained his involvement with the project and his efforts to correct the clearing violation.

Member Johnson raised a question of bias or conflict, explaining that he was involved with the Friends of Silver Lake and wanted the board to know this and make a determination if they believed a bias or conflict exists. After discussion about this issue, a motion was made:

MOTION: (MacDonald) To find that a bias or conflict does not exist.

SECOND: (Feite)

DISCUSSION: None

VOTE: 5-0-1 MOTION ADOPTED (Johnson abstained)

The Chair invited public comments on the application.

Paul Bires, a nearby neighbor, expressed his opposition to the project. He described concerns about impacts to the lake, lack of adequate soil depth for burials, and his negative reaction to the tree cutting that took place without permits.

Keith Bires, an abutter, expressed his opposition to the project. He described concerns about potential impacts to his well, impacts to the lake, questions about lot line location, and the lack of a buffer to shield the view of the cemetery from his property.

No other comments were received.

After further discussion and questions, the board commenced their application review.

In their review of environment standards, the board found that a stormwater plan and erosion control plan were needed. The board also found that a revegetation plan was required and noted that a plan had been prepared by a licensed arborist.

The board found that there were no applicable special areas standards.

The board found that one local areas standard was applicable (#2), and noted that screening from abutting properties will be accomplished with existing and planned vegetation.

The board found that one public safety standard was applicable (#1), and noted that the stormwater and erosion control plans would address the protection of the public water supply (Silver Lake).

The board found that there were no applicable specific use standards.

The board found that there were no applicable dimensional standards. It was noted that state law requires cemeteries to be no closer than 100 feet from a dwelling and 200 feet from a well. The closest dwelling is over 100 feet from the proposed cemetery location. There was some question about the distance to the nearest well.

During the discussion about stormwater and erosion control, the applicant expressed concern about the ability to provide the required documentation. They asked if the board would consider accepting the existing site stabilization as adequate stormwater and erosion control. The board decided to conduct a site visit before responding to the request. A site visit was scheduled for Wednesday, August 17th at 6:00PM.

A motion was made concerning further review of the application:

MOTION: (Belcher) To table further review of the application until September 6th.

SECOND: (MacDonald)

DISCUSSION: None

VOTE: 6-0 MOTION ADOPTED

- 8. Administrative Business:** Member Johnson asked if planning board meeting recordings could be posted to the town's website. After discussion about this, a motion was made:

MOTION: (Bush) To recommend that meeting recordings be posted to the town's website.

SECOND: (Feite)

DISCUSSION: None

VOTE: 6-0 MOTION ADOPTED

- 9. Discussion:** None

- 10. Adjournment:** 9:40PM

Minutes prepared by
Jeffrey Hammond
Recording Secretary