

**Bucksport Planning Board  
Meeting  
6:30 P.M., Tuesday, January 8, 2019  
Bucksport Town Office  
50 Main Street**

**AGENDA**

**1. Roll Call**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Steven Bishop   | <input type="checkbox"/> Steve Feite    | <input type="checkbox"/> George Hanson |
| <input type="checkbox"/> Brian MacDonald | <input type="checkbox"/> Edward Belcher | <input type="checkbox"/> Jay Durost    |
| <input type="checkbox"/> David Grant     |   |  |

Planning Board Chair: Brian MacDonald      Planning Board Secretary: Steve Feite

**2. Review and Acceptance of Minutes:** December 18, 2018 special meeting.

**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:** None

**7. New Business:**

A. Request to review proposed subdivision restrictive covenant amendment.

**8. Administrative Business:**

- A. Second reading of proposed changes to Appendix K.
- B. Public hearing for proposed changes to Appendix K.
- C. Recommendation to Town Council on adoption of proposed changes to Appendix K.

**9. Discussion**

**10. Adjournment**

**Bucksport Planning Board  
Meeting  
6:30 P.M., Tuesday, January 8, 2019  
Bucksport Town Office  
50 Main Street**

**MINUTES**

**1. Roll Call**

<input checked="" type="checkbox"/> Steven Bishop	<input checked="" type="checkbox"/> Steve Feite	<input checked="" type="checkbox"/> George Hanson
<input checked="" type="checkbox"/> Brian MacDonald	<input checked="" type="checkbox"/> Edward Belcher	<input checked="" type="checkbox"/> Jay Durost
<input checked="" type="checkbox"/> David Grant		

Planning Board Chair: Brian MacDonald                      Planning Board Secretary: Steve Feite

**2. Review and Acceptance of Minutes:** December 18, 2018 special meeting.

MOTION: (Durost) To approve the 12-18-2018 minutes as drafted.

SECOND: (Grant)

DISCUSSION: None

VOTE: 6-0-1 motion adopted (Chair MacDonald abstained because he did not attend the 12-18 meeting.)

**3. Chair's Report:** None

**4. Code Enforcement Officer's Report:** The CEO reported on the status of the Christmas tree farm on River Road and the status of the Methodist Church's plans to reuse the former mill fitness center, as approved by the planning board.

**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.

David Keene expressed concern about the board's approval of the use of the former mill fitness center for a church. He stated that he believed the fitness center should not have been identified as a nonconforming use and that the church should have been required to go through contract zoning. He asked the board to reconsider their decision. The board briefly discussed Mr. Keene's concern and, upon advice of the CEO, decided to continue the discussion at the next meeting as an agenda item.

**6. Unfinished Business:** None

**7. New Business:**

**A. Request to review proposed subdivision restrictive covenant amendment.**

Sue Ann Craig was present to discuss her plans to sell her undeveloped lot in the Seekins Subdivision to a couple that wanted to build a one-family dwelling and conduct a home-based business. The document she submitted to the board will address a deed covenant that currently prohibits commercial uses in the subdivision. She inquired if she would need to also submit an amended subdivision plan due to a similar restriction on the plan. The CEO informed the board that a legal opinion from MMA was received and it has been determined that the addition of a home-based business in a dwelling would not be a violation of the subdivision plan restriction that states that lots are for one-family

residential use only. This is because the definition of “one-family dwelling” in the town’s land use ordinance includes a home-based business as part of the dwelling, rather than a separate land use, and the plan does not expressly prohibit that activity in a dwelling. The CEO noted that the business is limited to the dwelling in the Village District and not in an outbuilding. After discussion, a motion was made:

MOTION: (Grant) To find that the Seekins Subdivision plan does not need to be amended to allow home-based businesses in the subdivision.

SECOND: (Feite)

DISCUSSION: None

VOTE: 7-0-motion adopted

## **8. Administrative Business:**

### **A. Second reading of proposed changes to Appendix K.**

The CEO provided a summary of proposed changes to Appendix K.

### **B. Public hearing for proposed changes to Appendix K.**

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

Don White asked why the changes are being made. He asked if the changes were supported by the Comprehensive Plan. He asked about how the change would impact development opportunities and property values. He supports keeping the RP zoning that affects his property in place.

Peter Stewart asked about the idea of allowing residential uses everywhere in the C2 District and not just for one lot, as it is currently proposed.

Richard Rotella asked if a revision to a proposed change zoning change would delay the approval of the proposed amendments to Appendix K.

The CEO read an email received from Joseph Barnett, who supports keeping the RP zoning that affects his property. He values a higher level of protection that is provided with RP zoning.

Ralph Robertson stated that he supports the RP zone changes affecting his property. He also asked about the proposed changes concerning sawmills. He stated that compliance with DEP noise standards would be very difficult to enforce.

The Chair closed the public hearing at 7:36PM.

### **C. Recommendation to Town Council on adoption of proposed changes to Appendix K.**

The board discussed the proposed changes and comments heard during the public hearing. It was decided to vote on the recommendation for each of the 4 sections of proposed changes.

MOTION: (Durost) To recommend that all of the proposed Resource Protection zone changes in Part 1 be adopted by the Bucksport Town Council..

SECOND: (Feite)

DISCUSSION: It was noted that the board believed all or none of the changes should be made, notwithstanding the testimony heard to keep certain areas in RP.

VOTE: 7-0-motion adopted

MOTION: (Durost) To recommend that all of the proposed ID and IDO District land use changes in Part 2 be adopted by the Bucksport Town Council..

SECOND: (Feite)

DISCUSSION: It was noted that public informational facilities was added as an allowed land use. It was further noted that the proposed change allowing indoor recreational facilities would not impact the Methodist Church's allowed conversion of the building occupied with a recreational facility.

VOTE: 7-0-motion adopted

MOTION: (Durost) To recommend that all of the proposed accessibility changes in Part 3 be adopted by the Bucksport Town Council..

SECOND: (Feite)

DISCUSSION: None

VOTE: 7-0-motion adopted

MOTION: (Feite) To recommend that all of the proposed land use changes in Part 4 be adopted by the Bucksport Town Council, with the exception that the proposed zone change affecting one lot be deleted and replaced with a change allowing residential uses throughout the C2 District, and making an amendment to the district definition that reflects the proposed land use changes.

SECOND: (Durost)

DISCUSSION: The board thoroughly discussed the zone change and noted the concern that changing the zone for just one lot could present legal challenges due to spot zoning. The board noted allowing residential uses in the C2 District is supported by the town's Comprehensive Plan.

The board discussed the need to conduct a third reading for the last-minute changes to Part 4. It was decided that a third reading would not be necessary, noting that the Town Council will be conducting two readings of their own before acting on the proposed changes.

VOTE: 7-0-motion adopted

**9. Discussion: None**

**10. Adjournment: 7:54PM**

Minutes prepared by  
Jeffrey Hammond  
Recording Secretary