

Bucksport Planning Board
6:30 P.M., Tuesday, September 3, 2013
Bucksport Town Office
50 Main Street

AGENDA

1. Call to Order

2. Roll Call

Daniel See

Vacant

George Hanson

Gail Hollowell

Rosemary Bamford

Edward Belcher

David Grant

3. Review and Acceptance of Minutes: Minutes from the August 6, 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. Application for approval of a change of use of an existing commercial building at 528 Millvale Road, tax map 13 lot 94. The applicant proposes to occupy the building with a daycare center. The building was previously occupied by a business office.

Applicant: Erin Marshall dba Little Peoples Daycare, LLC.

- B. Application for approval of an expansion of an existing composting facility at 338 Upper Long Pond Road, tax map 16 lot 13. The applicant proposes to develop an area to store compost prior to transporting it from the facility.

Applicant: Eugene Berry

9. Administrative Business

10. Discussion

11. Adjournment

**Bucksport Planning Board
6:30 P.M., Tuesday, September 3, 2013
Bucksport Town Office
50 Main Street**

MINUTES

1. Call to Order: 6:30 P.M. by Rosemary Bamford, Acting Chair

2. Roll Call

- | | | |
|--|--|--|
| <input type="checkbox"/> Daniel See | <input type="checkbox"/> Vacant | <input checked="" type="checkbox"/> George Hanson |
| <input checked="" 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

3. Review and Acceptance of Minutes: The draft minutes from the August 6, 2013 meeting were reviewed by the board.

MOTION(Hanson): To approve the August 6, 2013 meeting minutes as drafted.

SECOND(Belcher)

DISCUSSION: Minor typographical errors on pages 1, 2 ,4 and 7 were noted and corrected.

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. The high school façade project will begin next spring. Before and after pictures were shown to the board. The architect for the project met with the CEO and offered to conduct a courtesy presentation for the board. The board did not believe such a presentation would be necessary.
2. The building permit for the blast freezer project was issued with the stipulation that only the foundation may be constructed for the time being. The town council authorized this construction to begin prior to the conveyance of the property. Once the deed is issued, the building may be constructed.
3. The ordinance committee has begun a review of the Town Charter, and is also reviewing changes to the parking regulations in Chapter 12 of the Town Code.

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. **Application for approval of a change of use of an existing commercial building at 528 Millvale Road, tax map 13 lot 94. The applicant proposes to occupy the building with a daycare center. The building was previously occupied by a business office.**

Applicant: Erin Marshall dba Little Peoples Daycare, LLC.

The board was informed that Ms Marshall had withdrawn her application due to unforeseen circumstances.

B. Application for approval of an expansion of an existing composting facility at 338 Upper Long Pond Road, tax map 16 lot 13. The applicant proposes to develop an area to store compost prior to transporting it from the facility.

Applicant: Eugene Berry

Eugene Barry was present. Rick Haffner from DEP was also present. The CEO summarized the events leading up to the submission of the application. The expansion project was begun with DEP approval, but Mr. Berry believed that town approval was not required. The project has been completed, so the application review will be conducted after the fact.

Mr. Berry suggested that he was not expanding the compost facility, but simply relocating the compost storage site. The CEO reminded the board that the original site plan they approved in 2001 did not contain any details regarding a compost storage site, though Mr. Berry may have planned to include one. The original DEP permit also did not mention a storage site. Therefore, the current storage site should be considered an expansion and be reviewed. The CEO believed that the planning board should conduct the review because of the risks of impact on a nearby stream that the storage area would be located near. The board agreed.

Mr. Haffner stated that the DEP license for Mr. Berry's facility is being revised to include the new storage area. The construction of the detention ditch surrounding the storage area had to be modified to remove an outlet that had mistakenly been included.

An abutter was present and asked to be allowed to comment. Shane Ginn expressed concern about the large amount of water that runs down the hill toward his property, and he wanted to be sure that pollutants would not find their way into the runoff and adversely affect his property. Mr. Haffner provided Mr. Ginn with his telephone number and invited him to call any time if he detected a problem. Mr. Berry offered the same invitation.

The board then commenced the standards review.

Environment Standards: The board determined that the following environment standards were applicable:

- 1) Soils are suitable for the land use.
DOCUMENTATION: Mr. Haffner described the soils as a Dixfield type and stated that this type is suitable for storing compost on.
- 2) Stormwater runoff from the land use is minimized to the greatest practical extent and adequately managed to reduce the risk of relevant detrimental effects.
DOCUMENTATION: An engineering report stating that post-development runoff from the site will be minimal. The board noted Mr. Ginn's concern expressed earlier, but did not believe any additional documentation would be necessary.
- 3) Soil that may be exposed during any soil disturbance activity of the land use is adequately protected from unreasonable erosion and sedimentation.

DOCUMENTATION: The site is currently seeded and mulched and grass is growing.

- 4) Surface and subsurface waters are adequately protected from the detrimental effects of any water pollutant from the land use.

DOCUMENTATION: The engineer's report.

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

Special Areas Standards: The board determined that no special areas standards were applicable.

Local Areas Standards: The board determined that the following local areas standards were applicable:

- 1) The scale and site features of the land use are consistent with the development patterns in the local area or neighborhood.

DOCUMENTATION: The proposed site improvements as described are similar to the town's sludge spreading site located in the area.

- 2) The land use is appropriately separated and shielded from abutting land uses and public or private ways to adequately mitigate any relevant detrimental effect.

DOCUMENTATION: Abutting properties are sufficiently shielded from view by existing vegetation.

- 5) Any relevant detrimental effects of noise from the land use are adequately mitigated.

DOCUMENTATION: Trucks entering and exiting the site add no detrimental effects of noise.

- 6) Any relevant detrimental effects of nuisance odors from the land use are adequately mitigated.

DOCUMENTATION: Any odors generated from the site will be dispersed without impact neighbors.

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

Public Safety Standards: The board determined that no public safety standards were applicable.

Specific Uses Standards: The board determined that no specific use standards were applicable.

Dimensions Standards: The board determined that the following dimensional standard was applicable:

A minimum setback of 25 feet from property lines for the proposed compost storage area.

The board found that the dimensional standard would be met, as shown on the site plan.

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

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

SECOND(Grant)

DISCUSSION: None

VOTE: 5-0 motion adopted

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

MOTION(Hallowell): To find that the proposed use has met all applicable local areas standards.

SECOND(Belcher)

DISCUSSION: None

VOTE: 5-0 motion adopted

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

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

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

SECOND(Hallowell)

DISCUSSION: None

VOTE: 5-0 motion adopted

Upon conclusion of their findings, the chair advised the applicant that the application had been approved.

- 9. Administrative Business:** Due to Member Bamford's stepping in to serve as Chair for the remainder of the year, a Secretary needed to be elected to replace her. A motion was made:

MOTION(Hanson): To elect Ed Belcher to serve as Secretary.

SECOND(Grant)

DISCUSSION: None

VOTE: 4-0-1 motion adopted (Belcher abstained)

The CEO informed the board that no one missed the recognition for John Daniels at the last council meeting because he was not there. Arrangements will be made to conduct the recognition at the next council meeting, and the CEO will notify everyone.

It was noted that the vacancy on the board needed to be advertised. The CEO will contact the town clerk.

- 10. Discussion:** Chair Bamford raised a concern about DEP's apparent loosening of mining regulations. It was noted that these regulations were for metallic mining, little of which is likely to be conducted in Bucksport.

The board discussed the damaged projector and their frustration at not having use of it for the Berry application review. They asked the CEO to forward their concerns and their desire to have the projector returned to service after any repairs have been completed. They are not comfortable using the projector in its current condition.

11. Adjournment: 8:23PM

Minutes prepared by Jeffrey Hammond, Recording Secretary