

Bucksport Planning Board
6:30 P.M., Tuesday, March 4, 2014
Bucksport Town Office
50 Main Street

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 Hollowell	<input type="checkbox"/> Rosemary Bamford	<input type="checkbox"/> Edward Belcher
<input type="checkbox"/> David Grant		
- 3. Review and Acceptance of Minutes:** Minutes from the February 4, 2014 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 from residential to commercial at 25 Mechanic Street. The applicant proposes to occupy the first floor of the existing building with a licensed therapist office and art classes. The current recognized use of the first floor is a one-family dwelling. The second floor is also currently occupied as a one-family dwelling and will not be changed.

Applicant: Laurie Brooks
- 9. Administrative Business**
- 10. Discussion:** Concerns about the permitting process.
- 11. Adjournment**

**Bucksport Planning Board
6:30 P.M., Tuesday, March 4, 2014
Bucksport Town Office
50 Main Street**

MINUTES

1. **Call to Order:** 6:30 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 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 February 4, 2014 meeting were not reviewed by the board. The CEO informed the board that a portion of the minutes was inadvertently omitted. A corrected version was handed out and the board was asked to table the review until the next meeting.

4. **Chair’s Report:** No report.

5. **Code Enforcement Officer’s Report:** The CEO reported on the following:
1. The meeting was being recorded with accessory microphones due to an equipment malfunction.
2. A request has been submitted to the Town Council to approve the purchase of a new opaque projector to replace the damaged one in the council chambers.

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.

Audience members asked for clarification about what could be discussed. Bill Walters, 20 Mechanic Street, began to express concern about the upcoming application, but the Chair asked him to wait until the appropriate time. Another audience member wondered if this was the appropriate time to talk about concerns about permitting, but it was explained that the topic will be addressed during discussion. The CEO informed the audience that, at any other meeting, this would be the appropriate time to address general concerns like this.

7. **Unfinished Business:** None

8. **New Business:**

A. Application for approval of a change of use from residential to commercial at 25 Mechanic Street. The applicant proposes to occupy the first floor of the existing building with a licensed therapist office and art classes. The current recognized use of the first floor is a one-family dwelling. The second floor is also currently occupied as a one-family dwelling and will not be changed.

Applicant: Laurie Brooks

Laurie Brooks was present.

The CEO conducted an introductory presentation. The applicant was requesting approval to change the use of a space in an existing residential building at 23 Mechanic Street to a

commercial use. No changes to the site or interior of the building were proposed. The board was shown photos of Mechanic Street and it was noted that the Town Code does not restrict on-street parking. An audience member disagreed and described a no parking sign near the dentist office at the lower end of the street.

The applicant had complied with all initial application content requirements, except for providing a survey of the property. No abutters have expressed concerns about the location of property lines, so the applicant will be requesting that the survey submission be waived. The CEO noted that an abutter had contacted him to ask that residents and visitors to the property not park on his property. This was done in the past when the building was under different ownership.

The CEO noted that no department directors expressed concerns, except that the public works director stated that vehicles parked on the street during snow removal would be towed.

The applicant described her business. She also corrected the street address identified on the agenda. The correct address is 23 Mechanic Street. The front room on the first story will be used by the therapist. Clients generally are dropped off, so parking requirements will be minimal for that business. Art classes are held one evening a week in the rear area of the first story. She described plans to widen the driveway to allow vehicles to easily park side by side. She also plans to instruct her students not to park on the street. Parking in the driveway is allowed, but there is also public parking nearby in the Masonic parking lot.

The Chair inquired if any board member had a conflict of interest or bias regarding the application. No member responded in the affirmative.

Member Hanson noted that the commercial use has already been established, and he asked if there have been any parking issues. The applicant replied that there has been none.

The chair invited public comments.

Bill Walters stated that on-street parking is a concern. The street is used by fire vehicles and the street is narrow. It is a busy street. On-street parking could block his driveway and diminish his view of on-coming traffic. Parking should be limited to one side only. Snow removal efforts should be stepped up to prevent narrowing of the street. The upper part of the street is dark, so street lights should be installed if on-street parking will take place. He supports having businesses come to Bucksport, but there are concerns on this street.

Bell Ryder, Mechanic Street, stated that the parking restriction sign applies to the area in front of the dentist office only. She also stated that there is ample public parking available. Dave Milan added that the sign was probably installed 30 years ago to prevent parking problems for the post office and dentist office.

Paul Hanson suggested using the garage for parking and installing reflectors to mark the neighbor's property line. He supports the application.

Upon conclusion of preliminary discussions, the board commenced their standards review.

Environment Standards: The board determined that no environment standards were applicable.

MOTION(Grant): A site visit is not required

SECOND(See)

DISCUSSION: None

VOTE: 6-0 motion adopted

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

MOTION(See): A site visit is not required

SECOND(Hallowell)

DISCUSSION: None

VOTE: 6-0 motion adopted

Local Areas Standards:

The Chair asked if art classes would be held outdoors. The applicant responded that if classes were held outside, it would be at a different location.

The board determined that no local areas standards were applicable.

The Chair noted that board members did not believe a site visit was needed.

Public Safety Standards:

The Chair inquired about waste disposal. The applicant replied that waste would be disposed of at the transfer station.

Member Hanson asked if the safety and sufficiency of street and sidewalks should be addressed due to the parking concerns expressed by abutters.

The Chair recognized Bill Walters who continued to express concerns about parking on Mechanic Street and possible impacts to fire and rescue vehicles. The CEO noted that he had discussed this with the Fire Chief and he did not express any concern.

The Chair recognized Dave Milan, Economic Development Director, who stated the parking regulations were currently being reviewed by the town, and Mr. Walters would be welcome to share his concerns with the Ordinance Committee.

Member Hanson stated that he would agree to find this standard not applicable, provided that the CEO pass along the parking concerns identified this evening to public safety officials. The CEO advised the board that he would see that was done.

The board determined that no public safety standards were applicable.

The board agreed that a site visit was not required.

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. The land use ordinance requires 8 spaces for the existing and proposed uses. It was noted that the existing driveway and nearby public parking satisfied the parking requirements.

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, but they would need to act on the requirement of a survey. A motion was made:

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

SECOND(Grant)

DISCUSSION: None.

VOTE: 6-0 Motion adopted.

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

No environment 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.

No public safety 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 specific use standards, and has provided adequate parking.

SECOND(See)

DISCUSSION: None

VOTE: 6-0 motion adopted

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

Upon conclusion of their findings, the chair advised the applicant that the application had been approved. The CEO will issue a land use permit.

9. Administrative Business: None

10. Discussion: Concerns about the permitting process.

The Chair noted that the Bucksport Economic Development Committee (BEDC) has expressed concern about the permitting process. The CEO explained that he had asked a question about a concern proposed for inclusion in the Comprehensive Plan which stated that permitting should be simplified to expedite the process for applicants. Due to the lack of time to fully explore this concern at that time, it was thought that inviting the committee to share their concerns with the Planning Board would be an appropriate way to discover what the concerns were.

The Chair opened the discussion by informing the audience that the goal was to better understand the concerns of the permitting process and that personal attacks would not be tolerated.

Dave Milan began by explaining the role of the BEDC. He then read a prepared statement. He stated that he was representing the committee with his comments. Mr. Milan explained that a survey of the committee resulted in a highlighted concern that the permitting process may need to be simplified to allow faster reviews of business

applications. He went on to say that he is not convinced that meeting with the planning board was the appropriate forum to debate whether the land use ordinances should be amended, but he is present this evening out of respect to the board's invitation. Mr. Milan stated that it is his opinion that the board's duty is to simply review applications with the rules they are given.

Mr. Milan stated that it is the opinion of many that the land use ordinance is overly cumbersome and it is extremely difficult for users to learn what is needed to obtain a permit for their land use. Mr. Milan believes that the ordinance should be simple enough for the average citizen to find out for themselves what is permissible and what is not, what they need for a permit and what they don't, and whose opinion counts and whose doesn't. He stated that he finds it difficult himself to understand the land use ordinance.

Mr. Milan suggested that the process could be simplified by having only applications involving subdivisions, major projects and industrial land uses be subject to planning board approval. All others could be reviewed by the CEO. He further suggested that uses proposed in approved subdivisions, such as the Buckstown Heritage Park Subdivision, should not have to be subject to review, especially if the proposed use would be located in an existing building.

Mr. Milan concluded by suggesting that permit fees should be streamlined so that applicants don't feel like they are being nickel and dimed when they apply for a permit. There is one fee for submitting an application and another required for reviewing the application. He asked if permits are being required to be good stewards of the land and to protect abutting property owners, or simply to generate revenue for the town.

The Chair noted that the board shares some of those concerns, including addressing changes needed regarding who should conduct application reviews. She also noted that the planning board does have the responsibility of developing ordinances. The CEO explained that the planning board is authorized by the Town Code to develop zoning ordinances and maps and to review those proposed by others, so having this meeting is appropriate and helpful for the board to learn about the concerns and to propose changes where necessary.

Kathy Coogin was recognized. She supported a simplification of the process. She suggested that a checklist would be helpful and asked that the process be collaborative rather than adversarial.

Dave Milan added that he has heard dozens and dozens of time from applicants that the review process was painful.

Paul Hanson was recognized. He suggested that applicants get a negative response from the code enforcement officer when they propose their business plans.

Gene Berry was recognized. He noted that he couldn't get a certificate to occupy his septage dewatering facility until he installed safety railings to prevent kids from falling into his septage holding tanks. He stated that sometimes it takes a year to get an application approved. Mr. Berry also opined that his after the fact approval of an expansion of his composting facility should have been reviewed by the CEO, who determined that it was subject to planning board approval.

Belle Ryder was recognized. She stated that we need to encourage people to see Bucksport as a good place to be. She acknowledged that town governments move much slower than businesses, and that we should do the best we can to deal with this conflict. She suggested that uses be identified in each zone and that the CEO determine the

appropriate type of review. She noted that the review process in place now is not that bad for big projects, but for small projects it can be time-consuming.

Cindy Kimball was recognized. She stated that she thought the town needed to improve their customer service. She said that this meeting was a good way to share how to make things better. She noted that she was told time and time again that bringing a business to Bucksport was difficult. Being business friendly is seen by some as a joke. She encouraged the board to make changes so that business owners will want to come to Bucksport.

Mayor David Keene was recognized. He noted that the job of the CEO is very difficult. The CEO can do a thousand things right, but if one applicant is dissatisfied, that is the one you will hear from. He believes that everyone is on the same page and efforts should be made to impress upon outsiders that Bucksport is a good place to do business. Mayor Keene also said he was concerned about the proposal to simplify the permitting process because that suggests that shortcuts would be appropriate. He does not support shortcuts but does support any change that would make the process more efficient and user friendly. He stated that he was pleased that this meeting was taking place and that a dialogue has begun to find ways to make Bucksport a better place for everyone.

The Chair concluded the meeting by saying that she was pleased with the turnout and hearing the comments. She agreed that a checklist would be appropriate and paper copies should be made available at the town office. It was reiterated that a positive approach to the permitting process is desirable. She noted that the discussion would continue at future meetings of the board.

11. Adjournment: 8:02PM

Minutes prepared by
Jeffrey Hammond
Recording Secretary