

**- PUBLIC MEETING –
Hope Board of Appeals
Meeting at 6:30 PM
Wednesday, March 10, 2021
Hope Town Office
Via Zoom**

Out of an abundance of caution, this meeting will not be open for the public to attend in person.

If you would like to **PARTICIPATE** in the meeting, then please attend via Zoom.

This meeting may be attended via Zoom: <https://zoom.us/j/5851802397>

Meeting ID: 585 180 2397

If you would like to **WATCH** the meeting, then please attend via livestream.

This meeting may be livestreamed: https://townhallstreams.com/towns/hope_me

AGENDA

Call to Order:

Public Comment:

Oath of Office:

- Mary Ireland (7/1/2019 – 6/30/2024):
- John Jensen (2/23/21 – 6/30/2025):
- Bradley Boyd (2/23/21 – 6/30/2025):

Election of Officers:

- Chair:
- Vice Chair:
- Secretary:

New Business:

- Special Exception Application for Site Plan Review Application for Lindsay Pinchbeck (Sweet Tree Arts):

Adjournment:

	4.6.2. INDUSTRIAL USES	DISTRICT		
		HCV	RR	SHV
	Asphalt/Concrete Plant	No	No	No
	Biomass Processing/Refining Facility	PB/BA	No	PB/BA
	Disposal of Hazardous/Leachable Materials	No	No	No
	Solid Waste Landfill other than Agriculture	No	No	No
	Fixed Tank (not mobile) Bulk Oil and Fuel Tank Storage in excess of 1,000 gallons except for on-site heating and cooking purposes	PB	No	PB
	Food Processing Facility/Cannery	PB	PB/BA	PB
	Junkyard/Automobile Graveyard/Automobile Recycling Facility	No	No	No
	Light Manufacturing (Maximum 10,000 square feet)	PB/BA	No	PB/BA
	Light Manufacturing (More than 10,000 square feet and less than or equal to 50,000 square feet)	PB/BA	No	PB/BA
	Lumber Yard, Sawmill	PB	PB	PB
	Sewage Treatment Facility	PB	PB	PB
	Slaughterhouse	No	PB/BA	No
	Warehouses and Storage Facilities	PB	PB/BA	PB
	Wind Energy Facility	No	No	No

	4.6.3. INSTITUTIONAL USES	DISTRICT		
		HCV	RR	SHV
	Athletic/Recreational Facility/Courts and Fields, Commercial/Private Club	PB	PB	PB
	Athletic/Recreational Facility/Courts and Fields, Community/Public	PB	PB	PB
	Cemetery	PB	PB	PB
	Church	PB	PB	PB
	Day Care Facility	PB	PB	PB
	Fraternal Orders and Service Club, Quasi-Public Facility	PB	PB	PB
	Government Facility and Service	PB	PB	PB
	Hospital and Medical Clinic	PB	No	PB
	Municipal Solid Waste Transfer Station	PB	PB	PB
	Museum	PB	PB	PB
	Open Space, Municipal	PB	PB	PB
	School - Commercial, Public and Private	PB	PB/BA	PB

for review may be extended by mutual agreement between the Planning Board and the applicant.

9.2.3.7. Special Exceptions. An applicant for site plan review shall obtain any special exception and/or variances that may be required from the Board of Appeals prior to review by the Planning Board. An applicant may request a pre-application meeting prior to receiving special exception approval.

- 9.2.4.** An application for site plan review shall be submitted at least fifteen (15) calendar days prior to the Planning Board meeting at which the applicant wishes to be heard. Recommendations from the Fire Chief and Road Commissioner shall be solicited prior to the site plan review meeting.
- 9.2.5.** The Planning Board may schedule an on-site inspection meeting. The on-site inspection shall be jointly attended by the applicant or his or her duly authorized representative and at least two Planning Board members
- 9.2.6.** Within sixty (60) days after the date on which the site plan application first appears on the Planning Board agenda, the Board shall act to approve, approve with conditions, continue, or disapprove the site plan application submitted or amended. The time limit for review may be extended by mutual agreement between the Planning Board and the applicant.
- 9.2.7.** An applicant for site plan review shall obtain any special exception and/or variances that may be required from the Board of Appeals prior to review by the Planning Board. An applicant may request a pre-application meeting prior to receiving special exception approval.

9.3. APPLICABILITY

The following shall require site plan review and approval:

- 9.3.1.** The construction or expansion of buildings, including accessory buildings and structures, for commercial use by a total floor area of 1,000 sq. ft. or more, or a lot's alteration of more than ten thousand (10,000) square feet at multi-family residential properties.
- 9.3.2.** Reuse of a commercial building that has been vacant for more than two (2) years;
- 9.3.3.** The conversion of a residential building to a commercial use.
- 9.3.4.** Minor revisions to an existing site plan seeking an amendment to that previously approved site plan.
- 9.3.5.** Any change of use in which the intensity of use – as reflected in traffic generated,

BOARD OF APPEALS**10.3. SPECIAL EXCEPTIONS**

The Board of Appeals shall hear and decide only those requests for special exceptions that are authorized by this Ordinance and which are specifically listed as special exceptions. The Board of Appeals shall decide such questions as are involved in determining whether such special exceptions should be granted; and by majority vote to grant such special exceptions with such conditions and safeguards as are appropriate under this Ordinance. An exception may be granted only if the petitioner has established to the satisfaction of the Board of Appeals that the following criteria are met:

- 10.3.1.** That the proposed use will not have an adverse effect on the natural environment and/or that the site for that use does not have unusual physical characteristics such as topography, soils, lot size or shape which would have an adverse effect on surrounding properties.
- 10.3.2.** That the proposed use would not significantly depreciate the value of surrounding property.
- 10.3.3.** That the proposed use will not create an unreasonable demand for public services, including, but not limited to, public roads, fire protection, police protection, solid waste disposal, sewage treatment, public water supplies, schools, public open spaces and recreational programs and facilities.
- 10.3.4.** That the proposed use would not result in an inordinate amount of pedestrian and/or vehicular traffic at or surrounding the site and/or cause any problems regarding emergency vehicle access.
- 10.3.5.** When put to any other use, a structure originally designed as a dwelling shall not be put to a use that would cause rapid deterioration of the structure.
- 10.3.6.** That the proposed use will not have an adverse effect on surrounding property in consideration of the expanse of pavement, intensity of use and the structure's bulk and material.
- 10.3.7.** That the proposed use will not have an adverse effect on the use and quiet possession of surrounding property owners, including, but not limited to, hours of operation, type of traffic and noise levels at property lines.
- 10.3.8.** The applicant shall provide sufficient information and documentation to assure that the use will meet all applicable performance standards of this Ordinance.
- 10.3.9.** The following Special Exception performance criteria shall be established where applicable:

10.3.9.1. The use of heavy equipment on a regular basis in a residential neighborhood shall not be allowed before 6:00 a.m. and after 6:00 p.m.

10.3.9.2. Landscaping is to be preserved in its natural state insofar as practicable and shall be designed to stabilize slopes and buffer the site where necessary. The Board shall also consider the degree to which landscaping, fencing and other design elements have been incorporated to mitigate adverse effects on surrounding properties.

10.3.9.3. Review by the State Fire Marshall's Office is required for industrial and light industrial uses.



HOPE BOARD OF APPEALS APPLICATION

APPELLANT/APPLICANT INFORMATION (please print)

Name Applicant(s)/Appellant(s) SWEET TREE ARTS

Street Address(s) 4 CHURCH ST, HOPE Map 27 Lot 017

Appellant Mailing Address AS ABOVE

Appellant Tel # 207-542-8008 Fax _____ Email lspinchbeck@sweettreearts.org

Name of Appellants Agent/Legal Rep. LINDSAY PINCHBECK

Agents Mailing Address 619 CAMDEN RD

Agents Tel # _____ Fax / Email as above Cell 207 542 8008

INFORMATION ON PROJECT / ACTION BEING APPEALED OR APPLIED FOR Applying for Special Exception under LUO

Name of Project PURCHASE PENDING ON LOT ^{10.3} APPLYING ~~FOR CHANGE~~

Street Address of Project/Action 293 LUDWIG RD Map: 21 Lot: 005 ~~XXXXXXXXXX~~

Name of Owner COASTAL WORKSHOP INC.

Owners Mailing Address PO BOX 784, CAMDEN ME 04843

Owners Tel. # _____ Fax _____ Email _____

TYPE OF APPEAL REQUIRING REVIEW

(please check off and complete appropriate attached sheet for specific type of appeal)

- Administrative appeals of the order or decision of the Planning Board or Code Officer
- Variances authorized by the Ordinance.
- Ordinance interpretation
- Miscellaneous appeals Special Exception required by LUO 4.6.3 in accordance with LUO 10.3

IMPORTANT INFORMATION FOR APPELLANTS AND APPLICANTS

- Please provide twelve (12) copies of a complete appeal application and supporting documentation
- Please enclose a check for Board of Appeals hearing fee - (see attached fee schedule -)
- The Hope Board of Appeals normally meets on the 4th Monday of the month
- Complete applications must be submitted to the Hope Town Administrator 15 days before a regularly scheduled meeting
- The Appeals Board will schedule a meeting date upon receipt of a complete application, supporting documentation & fee
- Applications that are not complete will be returned to the applicant/appellant by the Hope Town Administrator for additional information.

To the best of my knowledge, all information submitted with this application is true and correct.

Signature of Applicant/Appellant [Signature]

Date Received by Town Administrator _____

HOPE BOARD OF APPEALS APPLICATION

ADMINISTRATIVE APPEALS: To appeal any order, decision, or determination of the Code Officer or Planning Board.

Appeals from Planning Board decisions made under 'Site Plan Review' may be filed by a person aggrieved by that decision. An appeal from the final decision of the Planning Board or Code Officer shall be a modified de novo proceeding.

Note to Appellant: Please provide a detailed description, including supporting documentation and exhibits to support your position that the Code Officer or Planning Board erred in their decision, approval or determination. (please use additional space and documentation to support your appeal)

SWEET TREE ARTS IS HOPING TO PURCHASE
293 LUDWIG RD, the former Coastal
Workshops home. We wish to use the
Space to continue to offer community arts
programming and expand our school
program - Sweetland School. We ask the
Hope Board of Appeals to approve this
approve this special exception
~~change~~ for this commercially
zoned site, to School-Commercial, Public/Private.
We have no plans at this time to make any
changes to the building or systems in place,
nor the land surrounding.
SWEET TREE ARTS IS A REGISTERED NON-PROFIT 501 C-3

IMPORTANT INFORMATION FOR APPELLANTS REQUESTING ADMINISTRATIVE APPEALS

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- Complete applications must be submitted to the Hope Town Office 15 days before a regularly scheduled meeting
- The Town Administrator will schedule a meeting date upon receipt of a complete application, supporting documentation & fee
- Applications that are not complete will be returned to the appellant by the Code Officer for additional information

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10.3. SPECIAL EXCEPTIONS

The Board of Appeals shall hear and decide only those requests for special exceptions that are authorized by this Ordinance and which are specifically listed as special exceptions. The Board of Appeals shall decide such questions as are involved in determining whether such special exceptions should be granted; and by majority vote to grant such special exceptions with such conditions and safeguards as are appropriate under this Ordinance. An exception may be granted only if the petitioner has established to the satisfaction of the Board of Appeals that the following criteria are met:

10.3.1. Will the proposed use have an adverse effect on the natural environment and/or that the site for that use have unusual physical characteristics such as topography, soils, lot size or shape which would have an adverse effect on surrounding properties?

NO CHANGES PROPOSED

10.3.2. Will the proposed use significantly depreciate the value of surrounding property?

NO

10.3.3. Will the proposed use create an unreasonable demand for public services, including, but not limited to, public roads, fire protection, police protection, solid waste disposal, sewage treatment, public water supplies, schools, public open spaces and recreational programs and facilities?

NO

10.3.4. Will the proposed use result in an inordinate amount of pedestrian and/or vehicular traffic at or surrounding the site and/or cause any problems regarding emergency vehicle access?

NO

10.3.5. When put to any other use, a structure originally designed as a dwelling shall not be put to a use that would cause rapid deterioration of the structure. Is this the case for the new proposed use?

No rapid deterioration
for our use. Less time proposed
in building.

10.3.6. Will the proposed use have an adverse effect on surrounding property in consideration of the expense of pavement, intensity of use and the structure's bulk and material?

No

10.3.7. Will the proposed use have an adverse effect on the use and quiet possession of surrounding property owners, including, but not limited to, hours of operation, type of traffic and noise levels at property lines?

Less hours than current
use few evening workshops
and classes.

10.3.8. The applicant shall provide sufficient information and documentation to assure that the use will meet all applicable performance standards of this Ordinance. (See Site Plan Review Information)

Yes, as needed

10.3.9. The following Special Exception performance criteria shall be established where applicable:

10.3.9.1. The use of heavy equipment on a regular basis in a residential neighborhood shall not be allowed before 6:00 a.m. and after 6:00 p.m.

N/A

10.3.9.2. *Landscaping is to be preserved in its natural state insofar as practicable and shall be designed to stabilize slopes and buffer the site where necessary. The Board shall also consider the degree to which landscaping, fencing and other design elements have been incorporated to mitigate adverse effects on surrounding properties.*

Understood + agree

10.3.9.3. *Review by the State Fire Marshall's Office is required for industrial and light industrial uses.*

N/A