

**BRUNSWICK PLANNING BOARD
SEPTEMBER 11, 2012**

MEMBERS PRESENT: Chairman Charlie Frizzle, Dann Lewis, Dana Totman, Richard Visser and Steve Walker

STAFF PRESENT: Anna Breinich

A meeting of the Brunswick Planning Board was held on Tuesday September 11, 2012 at the Municipal Meeting Facility at Brunswick Station, 16 Station Ave. Chairman Charlie Frizzle called the meeting to order at 7:00 P.M.

Public Hearing: The Planning Board will hold a public hearing to consider the rezoning of the west side of Federal Street between Mason and Center Streets, from Town Residential 2 to Town Center 1.

Anna Breinich began by reviewing aerial photographs of Federal Street from 1959 when the municipal building was constructed. She stated that it was zoned similar to Town Center and was called C1, Commercial 1 Zoning District. The C1 District was similar to Town Center 1 (TC1) in uses, impervious surface and dimensional requirements. She stated that the area was zoned C1 from 1969-1986. In 1986 a Comprehensive Plan rezoning was put in place and it became Town Residential 2 (TR2) and took about 5-7 properties and made them non-conforming; they have remained this way. Anna stated that 28 & 30 Federal Street are permitted uses because they are municipal facilities, however the functional use of a recreational facility and office space are not permitted uses within Town Residential 2 Zoning District (TR2). Anna reviewed the Planning Board suggestions from the July 31, 2012 meeting and stated that one suggestion was to rezone the west half of Federal Street and revert it back to the TC1 area; then all the uses would be compatible. The second option was to amend the existing Municipal Facilities Section 306.17, in the Zoning Ordinance which would allow the continued functioning use of Municipal Facilities as a legally established non-conforming use; this was not an option favored by the Town Attorney or the Board.

Chairman Charlie Frizzle opened the public hearing.

Jane Millett, resident of 10 Franklin Street, stated that she has concerns with the lack of transparency and confusion with the new buildings' issues going on. She stated that she has copies of the appraisals and it seems as though the Town of Brunswick is making these changes so that it will have more value for this building. She stated that she does not know if they would be making these changes if it were a private citizen coming before them requesting these changes.

Chairman Charlie Frizzle closed the public hearing.

Charlie Frizzle, in response to Jane Millett's question, stated that the Town's plan to move the Municipal Office to the McLellan Building was a consideration and maximizing the building for Brunswick Development Corporation to take possession when they surrender the property for the

police station. Consideration for how much value to the Town was part of these discussions. Charlie stated the he is not sure that this request is something they would consider for a private citizen but is something they have been asked to do by the Town Council. Charlie stated that what was very important to the Board was that this change was clean and simple; approach one restores all the non-conforming properties on the north end of Federal Street to a conforming status including the Recreation and Town Hall buildings. Dana Totman stated that he does hear Jane's point, but he thinks if there was a critically located site in the town, private or publically owned, that the board had an opportunity to zone in a way that would be in the best interest to the town, then the Board most likely would consider zoning changes. Dana stated that in the interest of keeping in line with Smart Growth and assuring utilization of precious sites in the town appropriately and fully, then the Board should give consideration to rezoning this site. He stated that he paused when Jane pointed this out but realized that this is a site where the zoning change would be of value and interest to the town as a whole not just to facilitate a financial transaction.

Chairman Charlie Frizzle reopened the public hearing.

Marji Greenhut, 10 Noble Street, stated that when Town Hall and the Police Station are emptied, the space is prime, close to downtown and would be a wonderful for low income, affordable, senior housing downtown; this location would give senior citizens the opportunity to walk downtown and be a part of the community instead of shoved to the outskirts. She stated that it is important to incorporate senior citizens into the community and noted that their needs for cars would diminish. She stated that the rooms in Town Hall appear as though they could easily convert into apartments. She hopes that the Planner and all involved would consider the need for centrally located affordable, low income, senior housing where people can get to the wonderful parts of downtown.

Anna Breinich replied to Marji's suggestion by stating that within TC1 apartments are permitted as a dwelling unit with three or more units and would not preclude this type of use if there was someone who wanted to develop this as senior housing.

Jane Millett asked if Anna Breinich could explain what Retail 1 & 2 as well as Service 1 & 2 was; her interest is that she lives in the neighborhood and asks that they be mindful of what goes into this lot. Anna replied that this would still be within the Village Review Zone and would have to follow the VRB Design Standards. Anything that will be built there will need to be compatible as what is in place and if the building remains, the outward appearance can remain the same. Anna stated that Retail Class 1 and Retail Class 2 refers to size of the building; TC1 does allow 100% of the site to be developed, it is the most intensive district, but there are a number of buildings that are in character with the overall downtown area. Anything that happens would, in all likelihood, probably come back to the Planning Board.

Chairman Charlie Frizzle closed the public hearing.

Dana Totman noted that Convenience Store is a permitted use in the TC1 Zone as well as Retail Class 1 and Retail Class 2; Dana asked if someone were to demolish the building with intent to construct a convenience store, what would be the authority to turn such an application down.

Anna Breinich replied that if it meets the requirements of the ordinance then the board would need to approve it but when it comes to Design Standards, whatever is built there would have to be met. Charlie Frizzle noted that dwelling units would most likely come under the purview of the Village Review Board and traffic impact would fall under the Planning Board. Anna added that all of Federal Street is still under the National Register Designated Historic District, and that even though federal, state, or local government does not get involved, it is still a consideration that would be in play with VRB and could be taken to the Maine Historic Preservation Board. Dana asked what the thinking to include the Recreation Building lot was. Anna replied that the two would go at the same time and based on what was occurring at 28 and 30 Federal Street for almost 20-30 years. Charlie replied to leave out the recreation building would leave it within the TR2 Zoning District where it would be non-conforming and stated that it would be wiser to include it in the TC1 Zoning District to allow for a wider variety of possible uses. Dana replied that he understands altering the zone up to 28 Federal Street, but feels that that adding the Recreational Building opens up potential issues. Charlie replied that an applicant would still need to come to the Board for any other use besides recreational; Anna added that the recreation use is not permitted in TR2.

MOTION BY RICHARD VISSER THAT THE BOARD RECOMMEND TO TOWN COUNCIL TO CONSIDER THE REZONING OF THE WEST SIDE OF FEDERAL STREET BETWEEN MASON AND CENTER STREETS, FROM TOWN RESIDENTIAL 2 TO TOWN CENTER 1 THEREBY REFLECTING THE MAJORITY OF EXISTING NON-CONFORMING USE'S ESTABLISHED BY RIGHT BETWEEN 1969 AND 1986, PRIMARILY NON-RESIDENTIAL USE COMPATIBLE WITH RESIDENTIAL USES. SECONDED BY DANN LEWIS, APPROVED UNANIMOUSLY.

Other

- Moving Downtown forum has been moved to 9/20/12 at Brunswick Junior High School from 5:00-7:30
- 9/18/12 Recreation Trails Open Space Management Plan public forum for abutting owners and general public.

Minutes

No minutes were reviewed at this meeting.

Adjourned

This meeting was adjourned at 7:34 P.M.

Attest



Tonya D. Jenusaitis
Recording Secretary