

February 5, 2013

Mr. Charles Frizzle
Chair, Brunswick Planning Board
28 Federal Street
Brunswick, ME 04011

**Subject: Background Information related to proposed
Brunswick Landing Subdivision**

Dear Mr. Frizzle:

Given the various assertions and comments made at the last Planning Board meeting, I would like to offer the following background information regarding the redevelopment of the former Naval Air Station and the necessity of the proposed subdivision plan.

The process for planning and redevelopment of the former NAS Brunswick began over seven years ago. The predecessor of MRRRA, the Brunswick Local Redevelopment Authority (BLRA), underwent a comprehensive 18 month process to develop the Reuse Master Plan for the base. This involved an extensive public participation process with over 20 public meetings, plus visioning sessions, planning exercises and tours. The BLRA engaged a team of nationally renowned planning and environmental consultants for the development of this Plan, which was adopted in December of 2007 and was overwhelming accepted by the mid coast community. The Brunswick Town Council accepted the Plan as a component of the Town Comprehensive Plan in early 2008 (see attached Reuse Master Plan Summary).

The Reuse Master Plan focuses on environmental sustainability and smart growth development for the former base properties. It includes a land use disposition program for the 3,300 acres involving:

- 1,000 acres for a public airport and surrounding natural resource protection;
- 1,100 acres for mixed-use, residential, education, commercial and industrial activities (MRRRA has since conveyed 245 acres under the housing areas); and
- Over 1,200 acres set aside for conservation & recreation.

Following the acceptance of the Plan, MRRRA staff worked with the Town staff to develop a Zoning Ordinance that reflected the adopted Reuse Master Plan. This document was adopted by the Brunswick Planning Board and Town Council in early 2009. MRRRA also engaged the firm of WBRC Architects to develop design standards for the redevelopment effort, which was approved in 2010.

The Navy contracted with the firm of Ecology and Environment to prepare the Environmental Impact Report (EIS) on the Reuse Master Plan. This extensive analytical and public process took well over a year and found that the Plan, as implemented, would have no adverse impact on the environment. (It should be noted that with the EIS process, the former Navy base is one of the most comprehensively studied parcels of land in the State of Maine.)

There were several mitigation measures recommended in the EIS, one of which applies to the lot 9 area that was planned for office development, adjacent to the airport along Bath Road. This recommendation requires that we should consult with Maine IF&W and DEP as we consider specific development on this parcel. We have already complied with this recommendation in one instance regarding the location of the new wildlife fence for the airport. Planning Board member Steve Walker participated in that meeting as a representative of the Maine Department of Inland Fisheries & Wildlife.

With respect to lot 9, we concur that portions of this parcel do indeed contain sensitive bird habitat that should be avoided in any development activity. With that in mind, this parcel is being included in the wildlife studies associated with the Airport Wildlife Management Plan that is being developed by the USDA and Hoyle, Tanner Associates. Upon completion of this work that parcel may very well be transferred to the airport property to provide for a more uniform management of that resource. However, it should be noted that it still needs to be a lot in order to be conveyed to any other entity.

Since the Zoning Ordinance was approved, MRRA proposed, the Planning Board recommended, and the Town Council has approved several minor amendments to the Reuse Master Plan map and Zoning Ordinance. It should be noted that none of these amendments relaxed any development standards or expanded development envelopes to areas planned for conservation or those containing sensitive plant or animal species. These amendments included:

- Changing the Plan and zoning designation of the former trailer park area (27.5 acres) from Residential to Community Mixed Use;
- Changing the Plan and zoning designation of a 5 +/- acre parcel near the airport from Community Mixed Use to Business and Technology Industries; and
- Amending the Zoning Ordinance to allow non-aviation manufacturing in the Airport zone, create a light-manufacturing use in the Community Mixed Use zone and to allow temporary non-office uses in existing buildings in the Professional Office zone.

MRRA complies with all the appropriate State site law, and air and storm water permits that were transferred from the Navy by DEP to us. Also, we have received several new DEP site law amendments and Town of Brunswick permits for the Mölnlycke, T-hangar and wildlife fence projects. In addition to our existing storm water permit, we have complied with all new storm water regulations on development projects. In fact, the Mölnlycke project was approved as a less intensive development than what previously existed on that site.

It's important to understand that the redevelopment of the former base poses some very unique planning challenges, that don't exist elsewhere in the community. Of the property that has and will be transferred to MRRA, the vast majority is in an already built state and essentially acts as a functional subdivision; with 27 miles of established roadways, over 15 miles each of electric lines, water lines, sewer lines and storm drains, and over 240 major buildings comprising over 1.5 million square feet. However, in the eyes of the law, it is still only considered one lot. In order to be able to market, sell or otherwise convey these properties, we must establish workable lots and gain subdivision approval for the land outside of the airport property. It should be noted that no property within the airport can be sold; it can only be leased.

MRRA has engaged Wright-Pierce Engineers to prepare our Subdivision Plan and submitted it in good faith in consultation with the Town and DEP. This proposal represents approximately 50% of the economic conveyance property that will eventually come to MRRA. Following several meetings with the Town staff and the Staff Review Committee, and a Planning Board meeting to review the sketch plan, we were very surprised, when at the last Planning Board meeting one member announced that he had numerous issues with our submittal. Had we had prior notice of these concerns, we could have addressed them prior to that meeting and been more prepared. (These concerns have been answered in a supplemental letter from Wright-Pierce.)

MRRA fully understands that approval of the subdivision plan does not dismiss the review of specific development projects within the various lots by the Town and DEP, as they are proposed, nor does it release MRRA or any future property owner from compliance with all applicable federal, state or local land use regulations and/or restrictions. A number of parcels on the former base are encumbered with protective deed covenants, including, but not limited to, the prohibition on the use of groundwater without DEP concurrence. In addition, on some portions of the property (where historic industrial uses occurred), MRRA, in conjunction with DEP, has developed and implements a materials management plan to manage soil excavation processes.

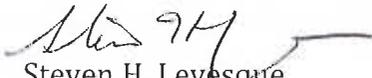
It's also important to note that all properties, when conveyed to MRRA from the Navy, are determined to be environmentally suitable for reuse through a document called a Finding of Suitability for Transfer (FOST). These FOSTs are prepared by the Navy and reviewed by the Maine DEP and the EPA, and document any and all known environmental issues associated with the subject property and clean-up activities (if any), and serve as the basis for any protective covenants or land use controls for specific parcels. These FOSTs are part of every deed that transfers property on the former base. This process protects the Navy and all subsequent property owners.

In summary, MRRA is implementing the Reuse Master Plan as envisioned, and we are being good stewards of the land and the environment. We are meeting all applicable federal, state and local land use and environmental laws and regulations. We have done everything asked of us in this process and have spent thousands of dollars to develop this

Plan. There are several significant real estate transactions and proposals that are anxiously awaiting final approval to be concluded.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Steve H. Levesque", with a long horizontal flourish extending to the right.

Steven H. Levesque
Executive Director

Enc.

cc: MRRA Trustees
Anna Breinich, Director of Planning and Development
Jan Wiegman, Wright-Pierce