



**TOWN OF BRUNSWICK**

**ZONING ORDINANCE REWRITE  
COMMITTEE**

28 Federal Street, Brunswick, ME 04011-1583

**MEETING**

**AGENDA**

**TOWN COUNCIL CHAMBERS**

**MCLELLAN BUILDING**

**85 UNION STREET**

**TUESDAY, FEBRUARY 18, 2014**

**4:30 P.M.**

1. Discuss and give guidance on key zoning ordinance topics with consultant.
2. Next meeting date/agenda topics
3. Other business
4. Approval of meeting summaries

It is the Town's practice to allow public comment on agenda items - all are invited to attend and participate.

Please call the Brunswick Department of Planning and Development (725-6660) with questions or comments. Individuals needing auxiliary aids for effective communications please call 725-6659 or TDD 725-5521. This meeting will be televised.

**BRUNSWICK ZONING REWRITE COMMITTEE  
OCTOBER 22, 2013**

**MEMBERS PRESENT PLANNING BOARD:** Charlie Frizzle, Margaret Wilson, and Richard Visser

**STAFF PRESENT:** Anna Breinich, Jeremy Doxsee, Jeff Hutchinson (4:40)

**CLARION ASSOCIATES:** Don Elliot via Skype

A meeting of the Brunswick Zoning Rewrite Committee was held on Tuesday, October 22, 2013 at the Municipal Meeting Facility at Brunswick Station, 16 Station Ave. Chariman Charlie Frizzle called the meeting to order at 4:30 P.M.

**Elect Chair and Vice Chair of Committee**

**MOTION BY ANNA BREINICH TO NOMINATE CHARLIE FRIZZLE TO CHAIR OF THE BRUNSWICK ZONING REWRITE COMMITTEE. SECONDED BY RICHARD VISSER, APPROVED UNANIMOUSLY AMONG THOSE PRESENT.**

**MOTION BY CHARLIE FRIZZLE TO VICE CHAIR OF THE BRUNSWICK ZONING REWRITE COMMITTEE. SECONDED BY RICHARD VISSER, APPROVED UNANIMOUSLY AMONG THOSE PRESENT.**

Don Elliot introduced himself and discussed what he will be doing to assist in the Brunswick Zoning Ordinance rewrite.

**Discuss member expectations for ordinance rewrite**

Charlie Frizzle stated that this item was placed on the agenda per his request; he believes that it is important to capture the suggestions made by the Brunswick Comprehensive Plan on how the zoning ordinance should be shaped in the future. Margaret Wilson replied that in addition to the Comprehensive Plan, she would like to look at simplification of the ordinance and other impacts. Richard Visser replied that he too wanted to simplify the ordinance, cut down the number of zoning districts and clarify procedures. Anna Breinich stated that she was in agreement with what the other members have suggested and added that staff is going to strive for as much public comment and engagement as possible. Jeremy Doxsee also agreed with what the other members had suggested and stated that the focus will mostly be on the downtown area and the growth area with discussions on parking standards and providing specificity as well as flexibility within these standards. Jeremy stated that “in the community development field, it’s about wanting to make a document that can be accessible and understandable by the public and by developers/builders and that can be viewed as development friendly but also affords the protection that the community wants and desires in terms of our resources in the community, historic preservation and the character.” Jeff Hutchinson agreed that the growth district needs to be looked at for consolidation and added that overall the existing ordinance seems to work well. Jeff pointed out

that the Zoning Board of Appeals does not meet very often. Richard suggested looking at the best practices of other communities to see how they may effect and work within Brunswick. Anna stated that she agrees that the ZBA does not meet much but pointed out that there have been many zoning amendments. Charlie reminded members that another area to explore is Form Based Planning.

Members discussed how the meeting minutes should be taken and it was agreed that the minutes should reflect the main points and actions of the discussion as well as public comment.

### **Determine schedules for Committee Meetings and Public Engagement Meetings for first quarter (November 2013 – January 2014) with consultant**

Discussion on meeting schedule. It was decided to set one more ZORC meeting prior to the December meeting with Don Elliot with subsequent meetings to be set as needed.

#### **Tentative Meeting Schedule** – Times, dates and location subject to change

- Zoning Order Rewrite Committee meeting with Clarion via Skype set for Tuesday November 12<sup>th</sup> at 4:30pm.
- ½ day open workshop on December 4<sup>th</sup> with Don Elliot to establish expectations
- Public Comment / Input for Voting Districts to be determined.

Discussion by Don Elliot on what he believes will come out of the public meeting. Don stated that he would generate an outline of the committee's goals, their priorities and leading the public on how this will be different from what they may have participated in before.

Notifications to be sent out to residents 2-3 weeks prior to the meeting.

- Meeting breakfast with the Brunswick Downtown Association on December 4<sup>th</sup> in the morning at the Brunswick Inn.
- Town Boards, Commissions, Committees, meeting thru Skype in November; Anna to poll availability
- November 12 at 7:00 for Planning Board meeting / interview with Don Elliot thru Skype
- Staff Review Committee to meet after the district meetings

Discussion of having voting district meetings the week of December 9<sup>th</sup>.

### **Draft list for stakeholder interviews for December 3-5**

Review of the stakeholder list provided in the packet including but not limited to the development community, existing neighborhood communities, Bowdoin College, Marine Resources Committee, Downtown Master Plan Committee and BTLT.

### **Other Business**

**Adjourned**

This meeting was adjourned at 5:52 P.M.

Attest

Tonya D. Jenusaitis  
Recording Secretary

**BRUNSWICK ZONING REWRITE COMMITTEE  
NOVEMBER 12, 2013**

**MEMBERS PRESENT PLANNING BOARD:** Charlie Frizzle, Margaret Wilson, and Richard Visser

**STAFF PRESENT:** Anna Breinich, Jeremy Doxsee, Jeff Hutchinson

**CLARION ASSOCIATES:** Don Elliot via Skype

A meeting of the Brunswick Zoning Rewrite Committee was held on Tuesday, November 12, 2013 at the Morrell Meeting Room, Curtis Memorial Library. Chairman Charlie Frizzle called the meeting to order at 4:30 P.M.

**Review materials for public engagements sessions.**

Anna Breinich reviewed packet materials including a project summary which has been reviewed by Town staff and prepared by Clarion Associates as well as a publication by Clarion on the key tradeoffs and structures as well as examples of public friendly invites for the zoning input engagement meetings.

Don Elliot reviewed the importance of the project summary document stated that the documents is used to orient people to the project. It talks about the project, who is involved, and lays out work to go.

Don Elliot reviewed the Key Tradeoffs and Structures document and stated that this document is more detailed and presumes more engagement with the process and some understanding of how zoning works. Don stated that the document reviews Form Based Planning and how this is different, Integrative Districts versus a District by District structure inconsistencies and tradeoffs, Broader versus Fined Based Code, code patterns and By Right Development versus Public Hearings on New Development. Don stated that this document may assist the public in determining the type of zoning that they want. Jeff Hutchinson asked Don to provide some examples for people to review and Don agreed. Margaret Wilson suggested that Zoning Maps be posted in the room during the meetings and to include older versions for comparisons.

**Finalize December public engagement schedule – Tentative and subject to change**

- 12/3 in the Morrell Meeting Room at 2:00, Developers and Designers forum
- 12/3 in the Morrell Meeting Room at 3:30 internal meeting with Don, Tom and Anna
- 12/3 in the Morrell Meeting Room at 4:30 series of Boards and Commissions meetings
- 12/3 in the Morrell Meeting Room at 6:00 joint meeting with Brunswick Implementation Committee and the Bicycle and Pedestrian Committee
- 12/3 in the Morrell Meeting Room at 7:00 joint meeting between the Planning Board, Village Review Board and the Zoning Board of Appeals
- 12/4 in the Morrell Meeting Room at 7:30 BDA hosting breakfast forum

- 12/4 at 9:30 individual meeting with MRRA
- 12/4 at Ham House in Bowdoin College at 11:00 to meeting with Bowdoin College
- 12/4 at 12:30 with Angela Twitchell and BTLT
- 12/4 from 2:00 to 5:30 Brunswick Zoning Educational Forum at SMCC at Brunswick Landing
- 12/4 from 6:30 to 8:00 Public Input Session at Brunswick Junior High Cafeteria
- 12/9 at 5:00 Public Input Session at Brunswick Junior High Cafeteria
- 12/11 Public Input Session at MTI at 7:00

Discussion between members on invites, announcements, advertising and distribution.

**Other Business**

No other business.

**Adjourned**

This meeting was adjourned at 5:38 P.M.

Attest

Tonya D. Jenusaitis  
Recording Secretary

**BRUNSWICK ZONING REWRITE COMMITTEE  
JANUARY 7, 2014**

**MEMBERS PRESENT PLANNING BOARD:** Charlie Frizzle, Margaret Wilson, and Richard Visser

**STAFF PRESENT:** Anna Breinich, Jeremy Doxsee, Jeff Hutchinson

A meeting of the Brunswick Zoning Rewrite Committee was held on Tuesday, January 7, 2014 at the Morrell Meeting Room, Curtis Memorial Library. Chairman Charlie Frizzle called the meeting to order at 4:30 P.M.

**Review summary of December 2013 public engagement sessions comments**

Anna Breinich reviewed the December 2013 Public Engagement Draft Summary of Comments provided in the packet which covered stakeholder meetings and public participation meetings. Anna stated that she tried to categorize the comments into two sections: General Comments/Questions and Ordinance Format/Content with subcategories on General, Districts/Overlays Standards, Definitions and Other Sections, Natural Resource/Open Space, Development Review Related, and Public Outreach, Trends/Choices Attendee Survey. Charlie Frizzle noted that this is the first part of the process to gather information needed to assist in drafting the ordinance and noted that this list of comments is a mechanism to show that those comments have been received and have become part of consideration.

Chairman Charlie Frizzle opened the meeting to public comment.

Jane Millett, Town Councilor, stated that the meetings in December were clustered and busy. She stated that the Comprehensive Plan was based on the theme of the Great American Neighborhood and asked how the rewrite will intertwine with other things that are going on in Town. Charlie Frizzle pointed out that they are still in the public input process and feels that once they have a draft, the committee will begin to receive more input. Mr. Frizzle stated that all Committees and Boards within the town have been invited to the meetings or targeted meetings. Margaret Wilson replied that schools are a policy issue but not part of what they are talking about and although many policy issue comments have been made, the Ordinance will not address all of these. Margaret summarized some of the neighborhood issues that were discussed as part of the Comprehensive Plan creation and stated that you can't require any kind of status in places as it may be good for some and not others. Anna Breinich discussed zone use; civic and municipal uses within districts.

Discussion on how to handle some comments and Charlie Frizzle replied that Don Elliot, of Clarion Associates, conducted a very thorough walk through of the town and stated that he would rather wait until he has a chance to review all the comments before deciding how to reply. Anna Breinich replied that Don will be back in Brunswick on January 21<sup>st</sup> and would rather discuss this with him then. Jane Millett expressed that it is really important to invite residents to the meetings.

Anna Breinich reviewed the map provided in the packet focused on the area around Bowdoin College and stated that what they have proposed is that the abutters of the college have a special

meeting to address their concerns and stated that this way it is just the abutting property owners and have identified roughly 100 property owners that they intend to invite to discuss their concerns, what they want to see moving forward and talk about consolidation of these districts. Anna stated that this is an example of how they want to handle this. Discussion on similarly organized neighborhoods within the Town and how to have more involvement without becoming micro managed. Curt Neufeld, of Sitelines, replied that public outreach is very important. Mr. Neufeld discussed Harpswell's creation of Conservation Subdivisions, the issues with the negation of Brunswick's Subdivisions after five years and his concerns with the Cook's Corner Design Plan, specifically the Medical Overlay Zone application.

John Bliss, resident of Bath, stated that he believes that zoning is in response to the automobile and how we have integrated our lives from walkability to the automobile; how we deal with the downtown aspects and differences. Mr. Bliss suggested that someone compile a biography of the literature pertaining to the conflict between automobiles and walking pedestrians.

David Schall, retired physician, discussed the Medical Overlay Zone on Baribeau and the hardship in the marketability of the vacant office spaces. Mr. Schall stated that they need to look at what is practicable and appropriate for the neighborhood in terms of utilizing the facilities that currently exist or are being developed. Margaret Wilson replied that this is why they are having these meetings early on because they want to know about areas that are not working and where the ordinance no longer works. Discussion on the multiple zones within the ordinance and the desire to consolidate.

Jane Millett stated that it is important the Brunswick protects their character. Margaret Wilson asked what the essential character is and how does this get accomplished in the different neighborhoods and fit into the details of the code. Anna Breinich noted that a lot of discussion on character within the Town is within the Comprehensive Plan.

### **Discuss January 21-22 targeted public engagement schedule**

Members discussed the focus of the upcoming Zoning meetings, notification methods and draft outline by Don Elliot to be forthcoming.

Tentative meetings on January 21<sup>st</sup> and 22<sup>nd</sup> with times and locations to be determined.

### **Adjourned**

This meeting was adjourned at 5:46 P.M.

Attest

Tonya D. Jenusaitis  
Recording Secretary

**BRUNSWICK ZONING REWRITE COMMITTEE  
JANUARY 22, 2014**

**MEMBERS PRESENT PLANNING BOARD:** Charlie Frizzle, Margaret Wilson, and Richard Visser

**STAFF PRESENT:** Anna Breinich, Jeff Hutchinson and Don Elliot of Clarion Associates

**CLARION ASSOCIATES:** Don Elliot

A meeting of the Brunswick Zoning Rewrite Committee was held on Wednesday, January 22, 2014 at the Morrell Meeting Room, Curtis Memorial Library. Chairman Charlie Frizzle called the meeting to order at 3:30 P.M.

**Review Annotated Outline with consultant**

Don Elliot introduced the outline, provided a brief history and reviewed the annotated outline via a PowerPoint presentation. Discussion among members on buffering, and objectivity.

Discussion on zoning district and consolidation; Don's goal is to bring the number of districts down to 30. Charlie Frizzle pointed out that MU1 was missing from the list. Margaret Wilson pointed out the inconsistency between the outline and presentation regarding RC; RC should combine CR1 and CR2. Margret discussed the basis for combination behind the

Comprehensive Plan. Jeff asked if any consideration had been given to combining CR1 and CR2 in the Farm and Forest Zones. Anna Breinich replied that there are areas of CR1 and CR2 that are more developed then Farm and Forest and that they will need to take a closer look at.

Margaret Wilson pointed out that the Use Tables are almost identical. Charlie Frizzle discussed his feelings towards the elimination of the Medical Overlay and stated that provisions need to be made for hospitals as their impact will be greater. Don replied that Hospitals can be placed as a *use* within a zone. Per request by Soxna Dice, Planning Board member, Don discussed the difference on when you want to use a Use or overlay. Soxna stated that an outsider may have a difficult time reading the ordinance with all the acronyms. Don agreed and discussed possible alternatives such as the use of an additional letter or number.

In reference to Chapter five of the ordinance, Charlie Frizzle stated that determination of completeness for the Planning Board should be a staff function.

**Discuss public comments received during January public engagement events to date and provided by email since last meeting including an offer for free assistance**

This item was removed as comment was taken during the presentation.

**Next meeting date/agenda topics**

- 1/23 workshop with the sewer district, 7:00pm
- 2/4 College Use abutters meeting, 7:00pm
- 2/18 next ZORC meeting, time to be determined

**Other Business**

**Adjourned**

This meeting was adjourned at 5:14 P.M.

Attest

Tonya D. Jenusaitis  
Recording Secretary