

**BRUNSWICK ZONING REWRITE COMMITTEE  
OCTOBER 29, 2014**

**MEMBERS PRESENT ZONING ORDINANCE REWRITE COMMITTEE:** Charlie Frizzle, Chair; Margaret Wilson, Vice Chair; Richard Visser, Anna Breinich, Jeremy Doxide, and Jeff Hutchinson

**DON ELLIOT OF CLARION ASSOCIATES JOINED VIA ZOOM**

The Zoning Ordinance Rewrite Committee held a work session Wednesday, October 29, 2014 at Town Council Chambers, 85 Union Street.

Mr. Frizzle opened the meeting to the public for comments; seeing none, he closed the meeting to public comments.

**Administrative Items:**

**Review and acceptance of Zoning Ordinance Rewrite Committee meeting summaries:**

- August 7, 2014           Public Draft Introduction meeting with Staff Review Committee
- August 19, 2014       Public Draft Introduction meeting with MRRA, Bowdoin College, B/T Water District, and Brunswick Sewer District
- October 1, 2014       Zoning Ordinance Town wide Public Forum
- October 9, 2014       Zoning Ordinance Rewrite Committee Public Work Session

**MOTION BY MARGARET WILSON TO APPROVE MINUTES OF THE ZONING ORDINANCE REWRITE COMMITTEE MEETINGS HELD AUGUST 7, 2014, AUGUST 19, 2014, OCTOBER 1, 2014, AND OCTOBER 9, 2014, SECONDED BY JEFF HUTCHINSON. VOTE WAS UNANIMOUS.**

**Consultant contract extension update:**

The contract extension was presented to the Town Council a few weeks ago, and they asked for additional information. The extension has been authorized by Town Manager John Eldridge, and the contract has been signed by Clarion and the Town Manager. This extends the contract with Clarion until June 2015.

**Scheduling of joint workshops with Village Review Board and Town Council:**

Ms. Breinich said the Village Review Board would like to postpone their joint workshop with ZORC until after they have their own work session, sometime after November 18, 2014. Nothing has been scheduled with the Town Council to date.

**Next ZORC work sessions:**

- November 12, 2014
- December 3, 2014

**Reviewing the Zoning Ordinance Correlation with Key Actions of the 2008 Comprehensive Plan:**

Ms. Wilson has developed an extensive document that goes through the Comprehensive Plan, highlighting those key action items that have some relationship with the zoning ordinance, and then indicates what has been done with the zoning ordinance rewrite to address those key actions in the Comprehensive Plan. After discussion, it was decided to insert the Comprehensive Plan's Vision statement into this document. Ms. Wilson explained that most of the relevant changes came from the Land Use section of the Comprehensive Plan, and she explained that the importance of this document was to know what the Comprehensive Plan says.

**Jane Millett, 10 Franklin Street**, said livability is not defined; the denser growth in the downtown area encroaches upon people who would like to keep their neighborhood the same.

**Carol Liscovitz, 11 Berry Street**, asked if the draft zoning ordinance was not increasing density to the extent that the Comprehensive Plan was suggesting, and this was affirmed by the Board.

A discussion was held about lot sizes and density.

**Catherine Ferdinand, Bowdoin College**, asked if particular section of the ordinance concerning the area around Bowdoin, was located in the proposed draft. After discussion, it was decided the Committee would try to find where this specific language was located. The general intention of the language is to be more lenient with growth inside campus, and more buffering required as growth encroached on the neighborhood.

**Jane Millett, 10 Franklin Street**, asked if the standard was not in the ordinance, then who makes sure it is met? Ms. Wilson replied that no one would; that is the reason they need to make sure it is included. Mr. Frizzle added that there were also Neighborhood Protection Standards that dealt with this issue.

**Carol Liscovitz, 11 Berry Street**, would like examples included with concepts, because once the ordinance is accepted, any push against building standards by neighborhoods are uphill battles.

Ms. Wilson agreed with Ms. Liscovitz, and Ms. Breinich asked Don Elliot to obtain examples of neighborhood protection with regard to a college area, and images of density to include in the zoning ordinance, in order to show residents the difference between the current ordinance and the proposed ordinance. Ms. Wilson also talked about having a discussion on Neighborhood Protection Standards, and whether the Board is satisfied the way they are now, or do they need to be more specific?

The Board agreed to release Ms. Wilson's document to the public as a draft with the inclusion of the Comprehensive Plan's vision statement.

Ms. Breinich let the Committee know that they now had a list of acronyms to add to the proposed zoning ordinance. Mr. Elliot explained the best way to add this and check for

accuracy, as terms may change. **Alison Harris** suggested adding abbreviations of administrative titles, and to possibly change the title to glossary. Ms. Breinich found that the abbreviated title was defined in the definitions.

**Review general comments on public draft:**

Ms. Breinich mentioned that comments were received from Bowdoin College in an easy to use matrix that included location, section, and comment. Ms. Breinich then added three columns; one for an easy to tackle comment with recommendation to staff and follow up, one with staff recommendations, which was requested by ZORC, for ZORC consideration through a discussion like today, and a column for the actual ZORC response, which will be filled in as they work through the items. There are 23 pages, but it is not just college-related. As they continue working through the ordinance, Ms. Breinich will continue adding text in order to cover all comments received.

**Dustin Slocum, property owner in Brunswick**, asked if the Board could tell him what has changed in the TC-1 district downtown and Bath Road. The Board will give him a copy of the dimensional changes to that district, and explained that very little had changed in those districts. More uses are permitted in the proposed draft ordinance, and minimum lot sizes have been reduced along Bath Road. Ms. Breinich explained that they combined districts so that Bath Road and outer Pleasant Street are the same district, and they took the most conservative standards between the ordinance and the proposed draft ordinance.

Mr. Frizzle explained the steps he'd like to take to address the comments. The staff recommendations requiring clarity and follow up are generally typos, duplicative language, etc., and generally do not need discussion, but they will stop and discuss if necessary. The Committee worked through comments without voting, unless there was a significant policy issue. The items discussed were concentrated on the ZORC response column:

- Section 1.7.2. definitions; Ms. Wilson proposed as a policy issue that all uses be defined, so Mr. Elliot will add definitions for bank, hospital, and vehicle sales, rental and service
- Section 1.7.2 car wash -decided the use was part of fleet maintenance and doesn't need to be listed even as accessory; college facility- Don explained that these were structures associated with the operation of a college, and they would never be able to list them all. After a lengthy discussion, this item will be researched by Ms. Breinich and will be brought back for further review. Ms. Breinich requested Ms. Ferdinand to identify all potential uses for the College before further staff review. The committee will expand and list the definition of college uses to the best of their ability, giving the college as much flexibility as possible, but anything not defined will go through the Special Permit process.
- Page 1 – character-defining feature; this needs to be defined for historic district and historic integrity to align with the Village Review Zone standards, need a definition of historic structure to be consistent with the Secretary of the Interior's standards, and a definition of historic resources needs to be provided by the consultant.
- Lot/parcel definition – an area of land with ascertainable boundaries, all parts of which are owned by the same person, persons, or entities; a lot or parcel shall include both

sections of a lot separated by a public or private way if under the same ownership. The committee is proposing taking out the second sentence.

- Outdoor sales – staff’s recommendation was excluding GC-1 district in addition to GM-6 district restricting outdoor sales. They are permitting outdoor sales in these districts, and it will be rewritten to reflect the inclusion. A discussion about large retail stores using impervious surface for extra retail space was held, and Mr. Elliot replied that language could be added for a time limit or by defining the use categories.
- Outdoor storage – staff is questioning whether the definition is adequate. A discussion was held about possible concerns with storage in the setback area, and clarifying the language. Mr. Elliot warned about any changes made now; this is a very sensitive topic, and he predicts they would receive a lot of feedback whether they restrict or liberalize this section. Mr. Hutchinson will prepare a draft proposal for this item which ZORC will consider in the future. Catherine Ferdinand, Bowdoin College, had specific questions about storing crew gear at their property on Federal Street, of particular concern being GC-4, and this discussion brought questions about the definitions of parking, vehicles and storage. The proposed ordinance disallows storage in most zones, which is a change. Ms. Breinich read the next paragraph of the proposed ordinance, 1.7.2., addresses the vehicle sales and storage, but there is no definition for it. Ms. Breinich has proposed a definition, and the committee may want to consider renaming this use to avoid the confusion with an automobile dealership. Mr. Frizzle told Mr. Elliot what they wanted to achieve, which was allowing vehicle storage for a primary or secondary use, for example, by Bowdoin College, and Mr. Elliot responded that they could separate outdoor storage from the vehicle component. A discussion ensued with audience members about parking vs. storage, which Mr. Hutchinson and Ms. Breinich will look at for further review.

It was determined by the committee that they would probably need more time or more meetings to go over all of the questions, suggestions and comments. They have not even touched on the big policy questions. Mr. Elliot suggested that on questions where Clarion was going to make a change, or questions Mr. Hutchinson and Ms. Breinich think they’ve taken care of, to move those into review rather than into discussion, to narrow down the right-hand column.

**Review ZORC meeting schedule:**

The meeting schedule was discussed, and a mid-afternoon to early evening starting time was thought to give more citizens a chance to attend.

- Meeting for next week; time and day to be determined.
- Meeting November 12, 2014, from 1:00 – 4:00 pm as previously scheduled, then try to move the meetings to the late-afternoon, early evening time.

Attest

Debra Blum  
Recording Secretary