

**BRUNSWICK ZONING ORDINANCE REWRITE COMMITTEE MEETING**

**SEPTEMBER 23, 2014**

**MEMBERS PRESENT ZONING ORDINANCE REWRITE COMMITTEE:** Charlie Frizzle, Chair; Margaret Wilson, Vice Chair; Richard Visser, Anna Breinich, Director of Planning and Development; Jeff Hutchinson, Codes Enforcement Officer and Jeremy Doxsee, Town Planner

Mr. Frizzle opened the workshop of the Zoning Board Rewrite Committee taking place in the Town Council Chambers at 85 Union Street, and stated that this meeting had been duly noticed. Tonight's meeting will be focused on reactions to what has been commented on or questioned in previous meetings or by email, and how the Board will begin to address these comments.

Ms. Breinich stated that much of what is talked about at this meeting will prepare for the town-wide public forum tomorrow. She had hoped to have more of an interim draft ready, but with all the comments received, it was decided to hold off on the interim draft in order to get more comments and discuss what has been received, and move forward from there in preparing an interim draft.

**Discussions regarding proposed dimensional standards and uses:**

Ms. Breinich stated that they have received quite a few comments regarding proposed dimensional standards and uses; some of these are just requests for text changes, but some of them are of more substance, addressing consolidations as well. Ms. Breinich would like to discuss tonight whether the dimensional standards as they are now make sense, and whether they need to be making some adjustments at the policy level. The consultant and the Committee were looking for the most conservative dimensional standards and using that standard. They also took a look at the Comprehensive Plan and made modifications based on the recommendations of the Comprehensive Plan itself, and that led to lower lot area requirements but they left densities alone.

Ms. Wilson created a chart listing dimensional standards by district and found that there were 13 different dimensional standards in the growth area in minimum lot area, maximum density, lot width, front setbacks, side setbacks, rear setbacks, impervious surface, building height (minimum and max), and building footprints. It was difficult for her to look at across districts and ask if it makes sense to have a certain minimum lot area in R districts, but have a slightly different one in other R districts, and how do they compare. Ms. Wilson realizes that the most conservative standards were used, but she would like the Committee to look at this from a practical standpoint and determine if it makes sense. Ms. Breinich and Mr. Hutchinson discussed lot sizes and density requirements

**Jane Millett, 10 Franklin Street**, asked questions about lot size and ability to subdivide along New Meadows, which Mr. Hutchinson and Mr. Frizzle answered. Ms. Breinich explained density and dimensional provisions of the grandfathered provision from 2002. Ms. Wilson added that the hope was that CP-1 and CP-2 would not be different.

Mr. Frizzle explained that the reason for most of the different dimensional standards is historic, but unless there is an overwhelming reason to change, he would be content to leave the minor differences alone, although it does make it difficult for staff to interpret. Jeff Hutchinson agreed that it really wasn't a problem for the Codes Office.

Ms. Breinich spoke about impervious surface, which is basically anything but green. She would like to look at what constitutes impervious, especially with the movement towards more the use of pervious materials, and wishes for a sliding scale for using more pervious materials. They have been doing this on a case-by-case basis, but she would like it codified.

Mr. Frizzle pointed out the difficulty with this idea, and the complications, especially since most of the pervious materials are comprised of some percentage of impervious material, so something on a sliding scale that recognizes the difference in those materials is appropriate, but probably hard to create. Ms. Breinich believes there are examples of scales available that they could use. Mr. Frizzle pointed out that the examples would be based on what is exists today, and there could be many more types in the future, and he's not sure how that could be factored in. Ms. Breinich touted the value of promoting the part impervious materials, because they would decrease groundwater runoff. Mr. Hutchinson and Mr. Frizzle suggested the staff could rely on engineering reports for the specific materials used.

**Jane Millett, 10 Franklin Street**, had a question about MU-1 and the impervious surface being 20%, but listed in the proposed ordinance as 80%. Mr. Frizzle replied that the Committee recognizes that the percentage will be less than 80%, and Ms. Breinich believed it was 50%. There was an omission of MU-1 when the ordinance went to the consultant, but that omission will be rectified. Ms. Millett asked for an explanation of how the lines were drawn for the new districts, and Ms. Breinich answered she basically combined districts, and she used parcel lines instead of dividing in the middle of a lot. Ms. Millett's district is now divided, and Mr. Frizzle suggested if her neighborhood is very similar to the next district, she suggest for the districts to be combined. Ms. Millett also asked how the comments from the meetings are to be handled, and if those comments would hold as much weight as written comments, and Ms. Wilson stated they were of equal value. Mr. Frizzle said that some time after the public forum on October 1, 2014, the Committee would be scheduling workshop sessions to begin the task of answering the public questions, comments and suggestions.

**Richard Fisco, 2 Lincoln Street**, says people in the downtown area don't want denser growth or infill, the people in the rural areas don't want to be restricted with their development and the Committee is getting too specific with their ordinance. Mr. Frizzle replied that the ordinance is conforming to the Comprehensive Plan adopted in 2008.

Jeff Hutchinson spoke about new lawn area, and would like to take a closer look at it, and possibly remove it from the draft ordinance, because once a house is build and a CO is issued, it is unenforceable.

**Discuss responding to and incorporation of public comment:**

Mr. Frizzle said one item raised at several of the meetings was the Committee's intent with respect to attributing the comments. They will be incorporating the comments as given, but they would not be attributed. Other people would like to know what their neighbors' comments are. Mr. Hutchinson doesn't need to know who made the comment; they will treat each one similarly and with no bias. Ms. Wilson understands that all of the comments are available to the public, but doesn't believe everyone sending in a comment is aware of that, and she would not like any suspicion that the comments are being edited. Mr. Doxsee sees some value putting a name with a comment.

**Laura Lienert, High Street**, asked when and how comments would be discussed. Mr. Frizzle said after the October 1, 2014 Public Forum, and the Committee will have to come to a consensus with an explanation, no matter how many or few comments received. The Planning Board will need to agree with their decisions, and then the Town Council

**Jane Millett, 10 Franklin Street**, believes all the comments should be attributed, as many people feel strongly about certain aspects of this proposed rewrite and have spoken at these meetings.

Ms. Breinich believes the Committee's responsibility is to discuss comments without regard to the writer, because she wants as much feedback as possible. She has never been asked to attribute comments in any type of process in 30+ years. The comments will be available online.

Mr. Visser would like the commenter to decide whether their comments would be attributed, but Ms. Breinich asked if they would post the comment as not attributable if they declined their name, and that could possibly raise more of an issue.

Jeff Hutchison suggested they keep the copies of comments at the Planning & Development office for public perusal.

Jeremy Doxsee said that with staff time restrictions, it is much easier receive written documents and to cut and paste comments rather than transposing large amounts of writing.

Mr. Frizzle stated that although not unanimous, the Committee members all have some level of comfort with the approach taken thus far, to not attribute comments but to maintain attribution in their records and have the records available to the public.

Ms. Wilson spoke about how the Committee would present the comments and their responses. She is suggested a free-standing appendix, as is in the Comprehensive Plan. Mr. Frizzle believed the comment also needed to have a reference back to the specific section of the ordinance the question is directed to, which, if the writer does not know, then staff or the Committee would need to add.

Ms. Breinich spoke about comments she had been receiving thus far, the format that Bowdoin created and used with their comments, which Ms. Breinich made available to the public with

Bowdoin College's Catherine Ferdinand's agreement, and possibly setting up the comments by chapter. If there are questions that staff can answer, they will take care of those comments and present them for the Committee's review, then offer feedback to Clarion for the interim draft.

A discussion about the number of meetings needed, public input, and the timing of another draft was held. There will be more public meetings after the interim draft is provided, and it is expected there will be more comments, after which the Committee will have a better idea of how much time they will need to review them. There is no real timeline on this process; if the Committee needs more time and more meetings, they will schedule them.

**Jane Millett, 10 Franklin Street**, would like to request another meeting with the Town Core before the next draft is prepared. She wants the ordinance to align with the historic preservation standards.

Mr. Frizzle responded that the Committee would consider scheduling another Town Core meeting some time between the first and second draft.

Mr. Doxsee believes it will take more time to go through the comments.

**Richard Fisco, 2 Lincoln Street**, believes this economic development leads only to prosperity for public-private partnerships, which, in turn, get tax breaks. He would like to know the name of the developer who attended an earlier ZORC meeting.

Mr. Frizzle replied that the Committee has a list of attendees.

**Project schedule/next meeting date:**

**Next meeting: Thursday, October 9, 2014, 1:00 pm;** work session to begin review of comments.

Townwide public forum at Brunswick Junior High at 6:00 pm on September 24, 2014  
Public forum, SMCC at Brunswick Landing, 6:00 pm, October 1, 2014

Mr. Frizzle adjourned the meeting.

Attest

Debra Blum  
Recording Secretary