

Town of Brunswick, Maine
Shelter Task Force
Wednesday, September 12, 2018
4:00 PM
85 Union Street – Council Chambers

Meeting Minutes

Task Force: Councilor James Mason (Chair), Councilor Kathy Wilson, and Councilor Alison Harris

Staff: John Eldridge, Town Manager; Matt Panfil, Director of Planning & Development

Chair Mason opened the meeting.

Acknowledgement that the meeting was properly noticed: Town Manager Eldridge acknowledged that the meeting was properly noticed.

Adjustments to the agenda: None.

Approval of minutes: Councilor Alison Harris moved, Councilor Kathy Wilson seconded, to accept the minutes of August 29, 2018, meeting. The motion passed unanimously.

Chair Mason: We are trying to move this forward. At the next Town Council meeting, we are bringing forward the recommendation to extend the moratorium. We've had a lot of opportunity to discuss issues, and they have come up several times throughout the process. I would ask that when we open the floor up to questions at various points that we stick with what we are talking about and not old issues. These discussions are truly valuable, but we are trying to move this forward by focusing on the things that are in front of us right now. There will be ample time to have continued input into this process, which includes Town Council and Planning Board review.

Alison Harris: I'm wondering if Jim and Kathy are comfortable with agreeing that we've gotten as far as we can with the definitions, and that we've gotten to a point on recommending zones, so that we can at least send it as a suggestion to Council, so that we can focus on a management plan. To say that we have addressed the first two points of our charge, and we are now ready to move to the third point.

Chair Mason: My plan was to have Matt address quickly the changes to this most recent recommendation, and then if we're ready to move forward as a Task Force and address the management plan then we can all discuss it. There are some changes to our recommendations based on our previous meetings.

Discussion of Zoning Districts and Standards

Matt Panfil, Director of Planning & Development: I've marked the redlined changes to make them easier to find. No changes until page 7, which I tried to summarize last meeting, and we'll talk a little more about possibly. We tried to clarify the meaning of an established single housekeeping unit to make it clear that it is a group that arrives

together as a unit prior to arrival at the facility. We established the amount of apartment-style units permitted within a homeless shelter, non-apartment-style, which was two (2). We added language for staff and accessibility reasons. We also added a new supplementary use standard that we talked about last time; that a shelter can be for youth, adults or adults with children if you're apartment-style, but it can't be for unaccompanied youth and adults at the same time.

Alison Harris: I thought we agreed that we weren't going to address youth shelters because there's a different set of conditions?

Matt Panfil, Director of Planning & Development: My understanding is there are state regulations – I think it might be okay to refer to them in passing. We're not trying to define them. Maybe one of our guests might be able to help us out but it might not even be necessary, the way the youth shelter works with the state. At last meeting we also talked about recommending extending the existing moratorium prior to its expiration.

- Definition changes – I don't think they were too significant.
- Homeless shelter, apartment-style - we talked about adding that language for an established housekeeping unit; that it is established prior to arrival at the facility.
- For homeless shelter, non-apartment-style, we got rid of the sentence "the facility does not offer or minimally may offer separate units consisting of separate sleeping, cooking and bathroom facilities", and we adjusted the text to read "such facility may also provide, in addition to no more than two (2) apartment-style units, intended for staff or guests with accessibility needs", and then we continued on with the list of other uses that may be permitted within that.
- Homeless shelter, resource center – a few minor changes: We talked about apartment, dormitory-style, barrack-style, or any combination, so I included language about any combination of such arrangements. We cleaned up some language to now read: "such facility may also provide, in addition to shelter, support services, etc."

Alison Harris: Non-apartment-style - I still want some clarity in the first sentence. I wish it said: "provide temporary accommodations to homeless adult persons". I understand it seems to be the consensus that we're opening up the possibility that we would also have shelters for minors, but in that case I do want to make sure somewhere we have that clarity – they will not be co-mingling unaccompanied minors and adults in one shelter. I can see it doesn't work with the definitions, but I want it somewhere.

Chair Mason: I understand what you are getting at, but I'm not sure how that would play out in an ordinance, especially in a definition.

Kathy Wilson: The shelter in Waterville has both – the management sets it up with total separation, although I think you have to be careful.

Alison Harris: We have addressed that in the management plan. Single adults and families can be in the same building, as long as there is a procedure for separating them. I just want to make sure that the equivalent of the Cumberland Street shelter doesn't welcome unaccompanied minors as well as single adults.

Kathy Wilson: I agree with you.

Matt Panfil, Director of Planning & Development: I think we can find somewhere to emphasize that point.

- We're okay with the definition changes – the use table has not changed since August 15th.
- We started with the supplementary use standards. Under density, I did some language clean up based on comments. We added “single housekeeping unit” and also clarified that every four individual residents wouldn't be counted as both individual residents and a dwelling unit.
- The last change was regarding the parking study. We changed “shall” to “may” so that it's up to the discretion of the Planning Board whether or not a parking demand study would be required. I did add that language as Item #5 as we talked about at the last meeting.

Alison Harris: I think what we're talking about is a non-apartment-style shelter is either going to be a youth shelter or an adult shelter – it's not going to be combined. Housekeeping units in apartment-style shelters can, of course, include minors under 18 living with appropriate adults. This was not clear to me.

Matt Panfil, Director of Planning & Development: I understand the idea is to prevent unaccompanied youth from being with independent residents – we'll work on some language and get there.

Chair Mason: We had a lengthy discussion last time about the application of the density to zones, and I think that is going to be a question that is going to come up, and I think it will help the Council as they consider any recommendation that went before them if we see some actual numbers. It can be in the recommendation or as a supplement to the recommendation. We had a pretty long discussion about actually applying this to our districts, and thinking on a per acre basis what that actually means. I thought the density limits might be a little too low. As part of any recommendation, I'd like to see it.

Matt Panfil, Director of Planning & Development: I think we could provide a zoning table that shows the density per acre for each of the districts, especially the ones the shelter is recommended for. We can also try to show some examples, and how the density would be applied.

Alison Harris: I agree – I think that would be very helpful. I'm not sure that we, as a Task Force, have reached a consensus on this, but I'm not sure that discussing it further is going to bring us to a consensus.

Kathy Wilson: We may or may not be unanimous. I'm not sure how much more discussion will adjust my thinking too much.

Chair Mason: I think we can put this forward as a general recommendation for the Council. We may disagree with some parts, and I would expect a healthy debate.

Alison Harris: We could call it a basis for discussion for the Council, because it is not an issue that this Shelter Task Force could achieve a consensus on.

Chair Mason: If we're going to be using parcels, I know two parcels I would recommend - the existing sites, so people see if we applied it to those sites, and they were applying for those sites, what would it be? I'm comfortable with that.

Matt Panfil, Director of Planning & Development: I think we do need something that gets to the idea that the recommendations tie in to densities – we're trying to treat it as a similar-type thing, so that the areas that are zoned for more condos or more people – that's reflected in a higher number of permissible individual residents per shelter. It's tied to zoning district and it's tied to lot size. It's not arbitrary. That was the biggest issue I had in doing all the research is the town said – you can't have more than 50 – that's not a lot if you have a 2-acre site, but that's a ton if you have a quarter acre site. They made no differentiation between the two, and that's something we have at least tried to address through this method.

Kathy Wilson: I think moving forward is good. The Council will do whatever they do with it.

Chair Mason: Matt will be there to explain the rationale for his method. Let's add that to the recommendation.

Alison Harris: I would like to take some sort of – it doesn't have to be a vote – but saying that we're done with these two parts of our charge.

- Developing definitions for shelter housing – are we agreed that we have gone as far as we can with the definitions?
- To determine the appropriate zones for the location of the shelter housing – we've come up with a suggestion; we've asked Matt to augment it with some informative data.

If we can say we've done that and are ready to move on to performance standards and other appropriate regulations to govern the operation of shelters, we're a little bit closer to putting this on Council's plate.

Chair Mason: I'm prepared to move that forward, but I'm willing to take brief public comments on these redlined areas.

Public Comment

John Cunningham, Tedford attorney and resident: Definitions – no concern with the intent, but believes there is an unintended error with the last change under homeless shelter, resource center. It used to read “the facility provides, in addition to shelter, support services that go over the accessory use limit”. That's part of what distinguishes a resource center from the other two styles. By taking it out, you're saying that's no longer a distinguishing feature of a resource center. Every shelter will now qualify as a resource center. The fix is either to adjust the wording or go back to the previous wording.

Matt Panfil, Director of Planning & Development: I understand what happened. There was a recommendation to change it to be consistent, without realizing what that

did. We'll definitely address that. I think we could do some language about any or a combination of uses that then goes into exceeding the maximum footage.

John Cunningham, Tedford attorney and resident: If you want a suggestion – “such facility also provides, in addition to shelter, support services, such as....., in excess of the maximum floor area”.

Chair Mason: I feel comfortable saying that is the final recommendation I would like from staff, reflecting the changes we talked about. Let's move on to the management plan.

Matt Panfil, Director of Planning & Development: For the first supplementary standard, the density, in addition to the examples, I can add a note stating that it wasn't a general consensus; maybe the approach is, but the final number is still...

Chair Mason: It's a staff recommendation that we agree in concept with, but we have some differences with how it will play out, and we'd like to put it to Council and start talking about it.

Management Plan: These are issues as part of an application packet going to go before Planning Board. They can be explained however the applicant chooses, but these issues should be addressed.

Matt Panfil, Director of Planning & Development: This is thinking ahead for an application; having this handy for public interest will help to answer questions before the meeting.

Alison Harris: Why are we doing a management plan and how would it apply? We've discussed the fact that there's a whole spectrum between just doing a regular Planning Board application based on size of the building, density and use, and silent on everything else, to a strict licensing program, where relicensing could be required yearly, and if they lost their license they would shut down. On that continuum of requirements is a business plan that would outline the conditions that might be included in a licensing program, but then the question is if it is enforceable – if not, what is the point?

Chair Mason: If we agree to the idea of requiring a management plan as part of an application, that once the application has been granted, there could be a certification that they are complying with the management plan. If they've changed what was a part of their original proposal, that could be part of the certification. It's not the same as a licensing procedure, but it is a means that the entity running the shelter is still following what they said they were going to do when the application came before the Planning Board.

Matt Panfil, Director of Planning & Development: We don't have anything like that existing. The management plan, staff has acknowledged it's not going to be too enforceable. We still saw merit in it, and we have heard from members of the public on record that any shelter may be facing a lawsuit from neighbors, so the idea is to get as much information ahead of time. Staff's ability to enforce it absent licensing would be difficult. Even if you can clearly demonstrate that they're in violation of one or more such things, the remedy to that is a lengthy process in general. The Code Enforcement

process doesn't have the teeth that I think some people want it to have or think it has. It's a difficult process, and a single violation takes a while to remedy.

Kathy Wilson: I do think there should be a management plan, and I understand the enforcement is "iffy". To some degree, we have to trust that the people, if they agree to this, are going to do their best, but if there's no guidance if there's nothing there.

Alison Harris: How would we address this statutorily, as part of the Planning Board application form or would it have to go in the zoning code?

Matt Panfil, Director of Planning & Development: It wouldn't go into the zoning code – it would go into the Conditional Use Permit as a finding.

John Eldridge, Town Manager: Most of what I'm reading in here is a plan upon application. If you want something beyond that, then it's either an enforceable provision that we can include in a plan, or a zoning ordinance, or a licensing, but the way this is written my recollection was that this is to be a plan upon application. If you want some of those other items as enforceable we'd have to call them out to make them enforceable

Alison Harris: Is there any way we can build a reporting mechanism into it without having it turn into a license?

John Eldridge, Town Manager: I think yes, you could require something. There's a difference between being in violation of a zoning ordinance and being in violation of a license. Some of the items that we have in here are checklist items, and I don't know what we're gaining by that. The way it's written is upon application, demonstrate that you have this – we expect you'll have this going forward. If you want to do the grant-type thing where you say this is a condition and there's going to be certification, then you'd have to write it differently.

Matt Panfil, Director of Planning & Development: The intent behind this is for the Planning Board to make sure everything's been thought through, and to provide as much information about operations and common questions as quickly as possible to make sure they've been thought about – there's an awareness of the issues we anticipate being raised based on public reaction at the actual public hearing for the conditional use.

Kathy Wilson: I'm not worried about the Tedford folks, but we have to remember that what we're doing will be in effect for years to come, and we don't know who may come down the line.

John Eldridge, Town Manager: Tell us what kind of activity you want to regulate and we'll figure out a way to either write it in the zoning ordinance or write it in another ordinance or performance standard, but most of these things in here are, as Matt described them are, have you thought about this – they're don't appear to be something you go back and say, do you still have an interior floor plan. Tell us if you have concerns that need to be followed up on, and we can come up with a mechanism to do that.

Chair Mason: One of the concerns I had was the Use Table, and that we were shifting it to the Planning Board, and making sure that there wasn't any level of arbitrariness in it, and for an applicant to know what their application was judged on. To the extent that I think this list provides information to an applicant about what information to put in their application, I'm comfortable with it. As part of this recommendation going forward, it's part of the application

process, and once the application has gone through the Planning Board review process and has been approved, they're up and operating, so we don't need to go back and revisit each one of these factors. It's just part of the application. We talked about a management plan and there have been some concern and comments about whether or not it's enforceable. Maybe we don't call it a management plan – just simply call this Application Factors for Approval or something like that.

John Eldridge, Town Manager: A management plan can be enforceable; certain parts of it. I think we need to separate what it is we think we want the applicant to demonstrate when they're there, and then what we want the operator of the facility to be in compliance with as they go forward. They could be the same thing, but you'd need to specify that the management plan was then enforceable. If you don't want to specify that the management plan is enforceable, then you get to the other things – other language in an ordinance that's enforceable or a licensing requirement that's enforceable.

Matt Panfil, Director of Planning & Development: It seems like most of these, if not all, may be better described as documents submitted as application requirements, rather than management plan. If there's a part of it that requires further enforcement down the road, then maybe we spell that out in another standard as well.

Chair Mason: I am more comfortable in saying that these are application requirements, and the Council may want performance standards.

Alison Harris: Application requirements are fine for me, and I think, along with Kathy's comment about trust and the credibility of the applicant, you just assume that they'll follow through on the things in their application. If they don't, the community will respond.

Chair Mason: Do either of you have any specific points in A-I that you'd like to see addressed?

Alison Harris: Outdoor space, play space for children in an apartment-style shelter, smoking – it's my understanding that this would be unique. Other applicants for other uses submit things like floor plans, maintenance plans and exterior lighting plans – I'm not sure of any other use that requires an outdoor recreation area.

Kathy Wilson: I definitely think we should have that.

Chair Mason: I do not want to require play spaces; I don't want to require that there definitely has to be some type of outdoor services, but having it as part of an application...

Matt Panfil, Director of Planning & Development: Maybe we could put it in such a way that if there's not going to be any, maybe some discussion on how will cigarette butts be disposed of?

Kathy Wilson: Without a doubt, there's a smoking issue. I do think a smoking area that is not going to bother neighbors or pedestrians, and certainly if it's in an apartment-style, the kids have to be protected from the area.

John Eldridge, Town Manager: That's something that is enforceable. If you make a standard, regardless of whether it's in the management plan or not, that's something that can be enforced,

as opposed to when you show up to apply to tell us that you have a communication plan, and just keep it on file. If we know what it is we're trying to achieve, what the purpose is – if it's to prevent smoking around children, we make a standard that says that. If you see it happening, you can enforce it. Some of these other things about application materials and just to see if you've thought it through, that's a different purpose.

Chair Mason: I don't believe you should be smoking around your child, but we don't have any laws preventing it in public spaces or indoors, and I don't want to get into regulating behaviors. The idea of coming to an application with a plan of where people are going to smoke – I'm okay with that as part of an application, but requiring there to be a separation and a plan where you can't smoke around kids? Is putting that into our Zoning Ordinance for this particular type of use...

John Eldridge, Town Manager: There are towns that do that. There are towns that say you can't smoke with your kid in the car, and they passed an ordinance. You can do that kind of thing – maybe it doesn't belong in the Zoning Ordinance, but you can do it and it is enforceable. I'm trying to distinguish between what you think should be provided by an applicant for this use, and what could be different in terms of what you expect in terms of the performance going on with certain things. The only reason I picked smoking was because it was clearly enforceable. I wasn't suggesting that we do it that way.

Matt Panfil, Director of Planning & Development: I think the outdoor space we had initially recommended as its own standard. There wasn't a real consensus on whether or not we did want to require that, so it ended up in the management plan.

Kathy Wilson: Waterville has very strict smoking provisions, not only where, but when. Somewhere it has to be addressed.

Alison Harris: If we think of these as application criteria for Planning Board – I like the idea of saying that there should be a description of outdoor recreation space and how it will be used. Maybe smoking needs to be pulled out of outdoor space. I hesitate to do anything that is not Zoning Board/Planning Board appropriate, and I'm not sure the Planning Board does legislate behavior as much as it legislates the way you design your property.

Matt Panfil, Director of Planning & Development: The intent was never to regulate the behavior – I think this was acknowledgment that any behavior might happen, and it might be best to plan ahead and separate such use.

Andrée Appel, Tedford Board: Town ordinances prohibiting smoking in cars – that would apply to the general population and it would not be directed at a particular resident. I think it would be very different to say to the residents of a shelter that they may not smoke around your children because we think it's not good, but if you live next door in the apartment, you can do whatever you want.

Chair Mason: I'd like to talk about the transportation plan. It says within ½ mile of the applicant's location. What I would like to see addressed in an application is what the plan is to get to all relevant, necessary services. In Waterville, they talked about what was really great is there were these services that were within ½ mile – people can walk. There are other services that are beyond that, that if we were going to have them come up with a transportation plan,

there's no reason to geographically limit it. It's more to focus it on the services themselves. It may be that there are taxi vouchers or access because it's close to public transportation. When we talked about it, it was more about access to service as opposed to what just happens to be close to where you're proposing to go.

Alison Harris: Yes, and particularly because we have such a deficient public transportation system. Close proximity to a bus stop doesn't make a whole lot of sense in Brunswick since there aren't very many bus stops. Even if there were, the funding for our local transport is so fragile, there's no assurance that they're going to be on a regular schedule indefinitely. I like the idea of, given that you're applying to build in this location, how will your guests access essential services?

Chair Mason: I think fewer specifics and just that the applicant has thought about how residents are going to get to essential services. I'm not even sure we need to have a definition of essential services.

Matt Panfil, Director of Planning & Development: This is in the Planning Board's wheelhouse – they probably don't need any prompting for the transportation part of it, but we can work the language and use a basic description.

We've left I blank. I know we talked about requiring some sort of means for someone, but do they have sister organizations that they'll refer people to, can they take in x amount of people in certain circumstances? I think the idea was to make sure that – we're at capacity, the door is closed, find your own way – not requiring for them to provide anything, but they might have resources available for when they're at capacity – how to direct people.

Alison Harris: That needs to be spelled out. There are at least two conditions for turn away. One is you are at capacity, so there is no bed. The other is the guest is unsuited to the facility. Something that just explains what we mean by turn away policy, and it really is just how do you handle this situations – not that they are required to try to place them.

Matt Panfil, Director of Planning & Development: I think something to the effect that a procedure is in place for those two conditions you outlined. We're not saying they're responsible for anyone showing up at their door. For current operators in town, this is not an issue.

Public Comment on 3 and the sub-sections:

John Cunningham, Tedford attorney and resident: Comments – on section F, talking about procedures for screening for sex offenders – I'd suggest adding the word "registered". We do have procedures for checking for registered sex offenders. If we were required to check up on people who were unknown sex offenders, we would probably get into a lot of privacy violations. Outdoor space issue – Please consider the expense of such requirement and how it could have the undesired effect of preventing shelters from opening. Does it have to be available throughout the year - does it have to be plowed and kept warm in the winter?

Chair Mason: I don't think we said that you had to have an outdoor site.

John Cunningham, Tedford attorney and resident: Tell us what you have in mind if you have anything in mind. The wording should be better. Do all of these things apply to every type of shelter – do the apartment-style shelters have this requirement?

Matt Panfil, Director of Planning & Development: I believe they're envisioned as applying to all three, maybe a resource center might have a little bit more description to do in certain circumstances than apartment-style. The outdoor space we can clarify by adding "if any".

Lynne Holland, 13 Lincoln Street: When I see a business, I want to know what the impact is going to be on my neighborhood, whether that business is a restaurant, gym, home business, or whatever. This is a business; granted, it is a service to the community, but I think we need to address it like a business. We don't have any problem as a town telling a business how we want them to impact or not impact their neighbors. We wouldn't allow a restaurant to have smoking because it's against the law, and we wouldn't allow them to have smoking within x amount of feet of their neighbors' doors, using signage as needed.

- Parking – What you have is fine for a residential facility, but when you have a facility with additional services, will you have enough parking for a food pantry?
- Lighting – interior, exterior and Emergency Response – those are all things you would ask of any applicant. Putting them in the application process I think is appropriate, but there are some unique features to think about so any applicant knows our expectations and visions. Whether it's the outdoor space or transportation, I don't think it's too much to spell that out a little bit, not as a requirement, but as something that we are going to be looking at in your application process. Everything is conditional – do they or don't they want that there? Think about it from the neighborhood's point of view. Every neighborhood deserves to understand what the town sees a shelter looking like, so that when the conditional things are met, they know what's coming into the neighborhood.

Craig Phillips, Executive Director of Tedford Housing: One of the issues they've monitored is the supplementary use standards that apply to these particular uses and that may or may not be applied to other uses in the zoning ordinance. We know the zoning ordinance is being done not only for the current but for the future. We can live with a maintenance plan, which is asked of other applicants, but if it's somewhat unique to shelter use, maybe you would want to reconsider why a shelter is being asked when other uses are not. When neighbors call us, we respond, whether it's littering or behavior.

Alison Harris: What Kathy said is appropriate; we're looking for other operators ten years from now, who aren't Tedford and whose reputation we don't know. We just want to inquire about how they maintain their property. Most of the issues on here are the kind I've heard the Planning Board address on their own when applicants come before them. The only thing to me is this rules of conduct and registration process, and potentially the turn away policy, that are unique to a homeless shelter.

Matt Panfil, Director of Planning & Development: My frame of reference when I've been working on this is not Tedford, because I don't have much experience with Tedford, so it is generic or my previous experiences with shelters with poor reputations. It's always been a generic shelter in my mind. With the supplementary standards, they're unique to each use – they're not going to be the same for anyone else. We have 22 or 23 other different uses that have unique requirements of each of them. You may not be required to do the same as a boat marina, but they're not required to do the same as you. It's unique to that use, so that's why it's going to be different, is my take, and we haven't been told otherwise from Council that that's an issue.

Chair Mason: I'd like to go to section 4 or 5 – I don't think we've talked about either of those. Five (5) has been added.

Matt Panfil, Director of Planning & Development: I don't see Courtney (Neff) tonight, but four (4) is the one we've repeatedly had public comment on.

Alison Harris: How does the Village Review Overlay zone relate to GR6?

Matt Panfil, Director of Planning & Development: GR6 is broader than just the overlay zone, and the overlay zone also contains properties that are outside of GR6 as, so you'd have to do a clipping of it.

Alison Harris: In GR6, shelters are limited to buildings identified as contributing resource, but the contributing resources are only in the Village Review Zone?

Matt Panfil, Director of Planning & Development: Correct. This partially goes back to the hotel conversation. The GR6 had an existing shelter there, and the idea that made it seem suitable for someone to come in and operate a hotel in a contributing structure – it might make sense. That's where we've always come from, and we're open to recommendations for or against it.

Alison Harris: This language then precludes building a new shelter on a vacant property in GR6? It precludes, if there's a lost property through fire or demolition by neglect, replacement with a shelter. A shelter can only go into a historic building.

Matt Panfil, Director of Planning & Development: Correct. That would ensure some sort of architectural compatibility. It's the same language, with a change in the uses, that we have for hotel in GR6.

Alison Harris: The question is do we want to limit shelters to existing historic buildings and preclude any possibility of them being built anywhere else? I'm not entirely comfortable with that.

Matt Panfil, Director of Planning & Development: The staff doesn't feel strongly one way or another. It made decent sense to us and that's why it was included.

Chair Mason: We're using the strip mall as an example – there's nothing historic about it – if that was purchased or went into disrepair, why wouldn't that, otherwise it would go through the

Planning Board process and deemed as an appropriate parcel by the Planning Board – why wouldn't that be appropriate then?

Matt Panfil, Director of Planning & Development: I wouldn't say it's entirely been deemed appropriate by the Planning Board. It's only under certain conditions.

Chair Mason: I'm using that parcel again – it's a larger parcel, it has no historic value. If someone entered into a contract for that, to put a homeless shelter on it, and so an application came before the Planning Board for that particular parcel, they couldn't do it. Why not?

Matt Panfil, Director of Planning & Development: The thought is there is certain building stock within that area that could be attractive – the original thought was that it could be attractive for a hotel – well, it was supposed to be an inn or a hotel. They're attractive to be maybe subdivided in the interior, because of size or issues like that. The same way that it would be attractive to make 12 hotel rooms or even buy it and you could turn it into apartments – why couldn't you use that same building and turn it into some shelter uses? Once you're talking about a blank slate for a structure that wasn't deemed to be one of these that is suitable for that kind of use, then you're talking about going back to the straight permitted use list. It's almost recognizing that there are some buildings within that district that are different than almost everything else, and that they are more suitable for a denser use.

Jane Millett, Councilor, District 6: We allowed CEI to come in and tear down Town buildings; we've allowed Bangor Savings Bank to build on a lot where there was a fire. There is precedent for this, and you're talking about areas that are severely restricted in terms of availability for property. I can think of a lot of contradictions, and I'm letting Matt and John know I'm going to take this up with the Village Review Board. We have issues on our street with people that have garage sales all summer long – there are issues where neighbors are upset about regulations that are not being enforced in the downtown area. I think that's a very restrictive regulation.

Alison Harris: Are you suggesting that shelters should not be limited to buildings that are currently contributing resources?

Jane Millett, Councilor, District 6: Right – this is seriously restrictive.

Alison Harris: The good thing about District 6 is that it's actually within walking distance of a lot of important services, so to make it really hard to create a shelter in that district just doesn't make sense to me, given that we're already putting in a lot of other things that we're asking them to consider in terms of the neighbors – lighting, outdoor space. I think District 6 is granted an R (residential) but when you look at Pleasant Street going through the middle of it, and Union and Cushing Streets, it has a lot of commercial property on it already, so it's not a pristine residential neighborhood.

Jane Millett, Councilor, District 6: Let's consider that the Town changed the zoning on lower Federal Street to accommodate a future use of CEI.

Matt Panfil, Director of Planning & Development: Public comment prior to this has been against anything in GR6.

Alison Harris: GR6 is where we've already got a lot of our shelters.

Jane Millett, Councilor, District 6: I don't know that it should be restricted to GR6. Why restrict it?

Alison Harris: I'm inclined to almost eliminate section 4. I don't see why, if it conditionally can go into GR6, it could go conditionally with the same criteria into some other district.

Jane Millett, Councilor, District 6: Just to mention the smoking – I've been approached by people who want me to put into effect something that would prohibit smoking at school bus stops, and I was told by the School Department that was not enforceable. We can't enforce everything, but we need to have some standards and be accountable.

Lynne Holland, 13 Lincoln Street: I think this is what Courtney has been saying from the beginning – GR6 is the only residential district that has conditional use for every kind of shelter that we've talked about. His question has always been – why GR6; why not GR7 or some areas that have much more commercial use than GR6. You talk about Union Street. There are two businesses on Union Street, People Plus and the elderly housing. We're a mixed neighborhood. We're not against being a mixed neighborhood, but I think if we only allow it in one growth residential district as conditional use, that's where it's going to go. We have the highest density of any growth residential district by about 25%. It is a neighborhood of renters, businesses, absentee landlords and people who are not very well off, for the most part. It's not going to be a cohesive neighborhood group, except for our neighborhood association, and that's where you see Courtney coming in. For the most part, if you live on Union Street and you find out there's a shelter going in on Cushing, there's nothing you are going to be able to do. We need to make it equal to all of the districts. The proposed plan for the Cushing Street Facility, many months ago, was more than double the density that this group is talking about, and that's kind of what sparked a lot of this. Just because it's already there doesn't mean it's a good place for it. Is it in keeping with the neighborhood to have a large facility? What is the impact on the neighborhood? Services like the Fire Station will not be right next door anymore.

Kathy Wilson: What do you consider a large facility?

Lynne Holland, 13 Lincoln Street: The one that was proposed several months ago was about an 80-bed facility. If we took all of the people that we have right now and put them in one mixed use facility, we'd be talking 50+ beds. That's a very good question. Should the neighbors get up in arms if it's only another 6-family, 24 person, like they have on Federal Street – with a large yard, lots of parking, a garden, and a smoking area? If something like that were in GR6, it probably wouldn't be the worst thing in the world. If we're talking about a mixed use facility, that might be another animal.

Alison Harris: There are seven other districts where resource centers and shelters are allowed. I don't know why there is this perception that they would all go to District 6, given the scarcity of land there, and when you have your choice of 8 districts. This notion that this is the only district that it's allowed in – there are 7 other districts that can have resource shelters.

Craig Phillips, Executive Director of Tedford Housing: We've come a long way since that original vision design on the Cumberland Street property. Under the current proposed standards, density and units – that being a 7/10 of an acre site – it would allow seven units. The likelihood of finding a site downtown is highly unlikely, primarily due to lot size.

Chair Mason: I think there's a consensus to remove IV.

Matt Panfil, Director of Planning & Development: But to leave it as a conditional use in GR6?

Chair Mason: I think we're not talking about adjusting the table. I think we understand that is going to get discussed when it goes to the Council. Those are the issues why that one particular GR district has all three uses when none of the other GR districts have all three. It is important to note that in the town there are seven others that all three are allowed, and in the GR there are other districts where other uses can happen. I would like to recommend that we take out IV. We've talked about V – the concept is we're not looking to see shelters with unaccompanied youth in the same shelter with adults that are not part of their relations.

Matt Panfil, Director of Planning & Development: I am definitely open to, and I can take a crack at the language. I understand the intent and getting the language to reflect the intent. I'm open to suggestions, but I'll try to take that on myself if that is the direction.

Kathy Wilson: Is it my understanding that the youth has specific state regulations above and beyond anything we're talking about?

Craig Phillips, Executive Director of Tedford Housing: All shelters have a relationship with Maine Housing – that's one level of regulatory oversight. They do annual monitoring and reviews. For youth, there are really only two youth shelters left in the State of Maine. There's an additional level of regulatory guidance from the Department of Health and Human Services.

Kathy Wilson: Just by that, it's dictated, to some extent, what we can do.

Matt Panfil, Director of Planning & Development: Would the state allow for the mixing of unaccompanied minors and adults in the same space?

Craig Phillips, Executive Director of Tedford Housing: I don't know – I can't imagine they would.

Alison Harris: It may be met with “Non-apartment-style shelters may be dedicated for use by either minors or adults. Minors may be included in housekeeping units in the apartments”. Something along those lines.

Matt Panfil, Director of Planning & Development: We can give that a go.

Chair Mason: I would then like to strike Roman numeral IV in its entirety. I think we were talking about addressing a cover memo from the Task Force directly to the Council, and I think some of those issues would be best put into that.

I'd like to take general comments about what we've discussed here, before a final directive from this Task Force.

General Public Comment:

Rob Curtin: Has been in contact with a lot of homeless people during the years, who are at a critical juncture in their lives, and Brunswick has been supportive. He's hopeful that we'll have a facility that we're proud of.

Chair Mason: It is my recommendation that, with the changes we've talked about today, we ask Matt to put together the final recommendation from staff, and the Task Force put forward that staff recommendation to present to the Council. We're going to put together a cover memo. At that recommendation, when it goes before the Council, we will all have a chance to speak. This is, if not a unanimous recommendation, a consensus of the Task Force that the staff's recommendation should be put forward to the Council for the Council to start digging into.

Alison Harris: On page 4, July 18 – I appreciate, Matt, your including my language – because I felt fairly strongly that the conditional should not be seen as a reason to prevent homeless shelters from going forward, but as an opportunity for the advocates for homeless shelters to make their case; not just the applicant, but any supporters. That's why I like the idea of public hearings. I did think there was a little bit – in the middle of the paragraph on page 4 – it's the sentence that says “it was determined that requiring a conditional use permit for any of the proposed shelter uses would have the benefit of transparency through the early notification of the surrounding neighborhood - I'm comfortable with that – and would also allow for a thorough review to insure no adverse impacts to the surrounding... I think no adverse impacts is a little strong, because any new business or new operation going into a neighborhood is going to have some impact. I would consider something like “a thorough review to consider any impacts to the surrounding neighborhood” as opposed to assuming that they're going to be adverse. There are a couple of other little typos at the top of page 5.

Matt Panfil, Director of Planning & Development: Sure. That was not saying homeless shelters themselves, it was kind of conditional uses.

Chair Mason: What might be better is to take it out of your recommendation and include it as an addendum or as supplementary. Here's the recommendation – this is how we got there.

Alison Harris: If leadership is able to put this on the October 1, 2018, Council meeting, we would need to have our materials by September 24th.

Matt Panfil, Director of Planning & Development: I see no issue with that. What I'd like to do is maybe next week send something back to you for your review.

Chair Mason: I'm prepared to send for this recommendation with the changes that we've just talked about and ask leadership of the Council to put it on the next available meeting, with the idea that we're going to have it from staff's recommendations, revised, as well as our cover memo in time for that deadline for the October 1, 2018, Council meeting.

Town Council Chair John Perreault: The Council would be recommending that it go to the Planning Board. There may be brief discussion or a question, but I don't think we're looking at it in depth until it comes back to us. I don't see a problem with that – getting it put on the agenda.

The Task Force unanimously supported bringing the recommendation report and cover memo to the Council at the October 1, 2018 meeting, with action to be decided by the Council.

Chair Mason adjourned the Task Force until directed by the Town Council to meet again, if necessary.