



**TOWN OF BRUNSWICK
NOTICE OF PUBLIC HEARING**

The Town Council will hold a public hearing on November 7, 2022, at 6:30 p.m. in the Town Council Chambers of the Brunswick Town Hall, 85 Union Street to consider and hear comments on the following ordinance.

**EMERGENCY MORATORIUM
REGARDING DEVELOPMENT IN THE MAQUOIT BAY WATERSHED**

The ordinance was adopted by the Town Council on an emergency basis, and effective immediately, on October 17, 2022. It is being considered now for enactment on an emergency and regular basis. The text of the proposed ordinance is too extensive to be included with this notice. In summary, during the pendency of this Moratorium, the Planning Board and Town staff shall neither accept nor approve applications, plans or permits for any development governed by this Moratorium within the Maquoit Bay Watershed Overlay unless the development is the subject of a final plan that has been submitted and for which the Staff Review Committee has completed its review of said final plan prior to October 13, 2022, the date on which this proposed Moratorium was published. This date of applicability shall apply notwithstanding 1 M.R.S.A. § 302.

A full copy of the Moratorium Ordinance and accompanying map of the Maquoit Bay Watershed Overlay is available on the Town's website at: [Public Hearings](#).

Anyone having questions about the proposed ordinance or wishing to obtain copies of the full ordinance and map should contact the Brunswick Town Clerk's or Town Manager's Office during regular office hours during regular office hours (Mon - Weds 8:30 am to 4:30 pm, Thursday 8:30 am to 6:00 pm, and Friday 8:30 am to 3:00 pm).

Emergency Declaration

The Town Council declares the existence of an emergency because the Brunswick Zoning Ordinance may be inadequate to appropriately regulate development within the area defined in the Ordinance and finds that this constitutes an emergency which affects life, health or property in the Town.

This Moratorium shall be in effect immediately upon enactment and shall remain in place for 180 days from the date of enactment.

All interested persons are invited to attend the public hearing and will be given the opportunity to be heard.

INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE COMMUNICATION PLEASE CONTACT THE TOWN MANAGER'S OFFICE AT 725-6659 (TDD 725-5521)

Frances M. Smith
Town Clerk of Brunswick, Maine

TOWN OF BRUNSWICK, MAINE

**EMERGENCY MORATORIUM
REGARDING DEVELOPMENT IN THE MAQUOIT BAY WATERSHED**

WHEREAS, areas of the Town of Brunswick located within the watershed of Maquoit Bay have been designated under the Town's current Comprehensive Plan as designated growth areas;

WHEREAS, areas within the watershed of Maquoit Bay are currently zoned within the GR4 district, in which there is no minimum lot size and density of six (6) units per acre of net site area is permissible;

WHEREAS, within the Maquoit Bay watershed are undeveloped parcels that could support hundreds of dwelling units and/or large-scale commercial development under the current zoning standards;

WHEREAS, the Town's Comprehensive Plan has not been updated since 2008;

WHEREAS, the Town's Comprehensive Planning Committee is currently preparing a revised Comprehensive Plan which it anticipates bringing to the Town Council for approval in Summer 2023 ;

WHEREAS, Maquoit Bay is of central importance to Brunswick's shellfishing industry and the local economy; and

WHEREAS, shellfish are a critical part of the overall marine ecosystem; and

WHEREAS, at its October 3, 2022 meeting, the Town Council received a report from the Town's Coastal Resources Manager regarding a recent shellfish die-off event, which raised concerns about the current and future water quality in Maquoit Bay; and

WHEREAS, the problems currently being experienced in Maquoit Bay are likely due in significant part to nonpoint source pollution, and would likely be worsened by additional development within the Maquoit Bay Watershed; and

WHEREAS, given recent evidence of nutrient pollution within Maquoit Bay and the known relationship between development, paving of roads, lot coverage, and water pollution, and given the fact that Brunswick's Comprehensive Plan and Zoning Ordinance have not been amended to address these pressing concerns to the local ecology and economy;

NOW THEREFORE, be it ordained by the Town Council of Brunswick that a MORATORIUM is hereby imposed for a period of one hundred eighty (180) days on the review or approval of any application in the Town of Brunswick which is located in the Maquoit Bay Watershed Overlay

and which requires Major Development Review pursuant to the Town of Brunswick Zoning Ordinance.

During the pendency of this Moratorium, the Town Council, with the professional advice and assistance of the Town Manager, Planning Department, Conservation Commission, Marine Resources Committee, Maine Department of Environmental Protection, Maine Department of Inland Fisheries and Wildlife, Maine Department of Maine Resources, and such consultants as the Town may employ or engage with to provide further scientific review, shall consider amendments to the Town's Comprehensive Plan and Zoning Ordinance to ensure that development in the Maquoit Bay Watershed Overlay will not cause additional adverse impacts to Maquoit Bay.

For the purposes of this Moratorium, the Maquoit Bay Watershed Overlay shall be defined as any lot or parcel currently zoned in the GR4 district which is wholly or partially located within the Maquoit Bay watershed area. The Maquoit Bay Watershed Overlay shall be as depicted in the map entitled "Maquoit Bay Watershed Overlay" which is attached to this Moratorium and incorporated by reference.

During the pendency of this Moratorium, the Planning Board and Town staff shall neither accept nor approve applications, plans or permits for any development governed by this Moratorium unless the development is the subject of a final plan that has been submitted and for which the Staff Review Committee has completed its review of said final plan prior to October 13, 2022, the date on which this proposed Moratorium was published. This date of applicability shall apply notwithstanding 1 M.R.S.A. § 302.

Emergency Declaration

The Town Council declares the existence of an emergency because the Brunswick Zoning Ordinance may be inadequate to appropriately regulate development within the area defined in the Ordinance and finds that this constitutes an emergency which affects life, health or property in the Town.

This Moratorium shall be in effect immediately upon enactment and shall remain in place for 180 days from the date of enactment.

Proposed: October 17, 2022
Approved: October 17, 2022 (emergency basis)

Public Hearing: November 7, 2022 (emergency and regular basis)



Maquoit Bay Watershed

Growth Zone Boundary

Map of Maquoit Bay Watershed Overlay; see Emergency Moratorium Regarding Development in the Maquoit Bay Watershed, emergency enacted October 17, 2022

