

Crooker Proposal to relocate facility

Can Crooker rezone property?

Topsham's Zoning Ordinance has no provision for an individual to request property to be rezoned. The only methods laid out in the code are for the Select Board to request the Planning Board investigate a rezoning, for the PB to initiate a rezoning, or for staff to bring a rezoning proposal to the Planning Board. In all cases, following public meetings and public hearings, the vote to rezone property is up to Topsham residents via a vote, generally at Town Meeting.

What is Crooker seeking?

In 2018, Crooker approached the Planning Board with a proposal that would entail rezoning land in and around the River Road area, along the Androscoggin River and between River Road and Rt. 196. The Planning Board informed Crooker that before it would initiate a rezoning proposal to bring to Town Meeting, it wanted Crooker to meet with neighbors, and that the Board would hold a series of workshops, open to the public, where information could be requested and presented. While several workshops were held, and Crooker held at least two meetings with neighbors, there was never a point where the Planning Board was in a position to identify specific issues that it needed more information on.

What is the Planning Board's Role?

On an annual basis the Planning Board will review and amend land use ordinances that they have found in need of updating as part of their authority under the Town Code. After receiving a request from Crooker Construction, the Planning Board agreed to meet and discuss the request as a public workshop item, informing Crooker that further information and public input are necessary elements of the zoning amendment process. The Planning Board workshops were held as public meetings where much of the workshops consisted of hearing from Crooker in regards to their intent for the zoning request, as well as allowing for public comment. Under its authority to propose amendments to the land use ordinance, the Planning Board has currently taken no action on this request. At this point there is no proposal for re-zoning being proposed by any town official or board to bring to Town Meeting.

What is the Select Board's role?

Until the Planning Board makes a recommendation to the Select Board for Town Meeting action, the Select Board has no formal role in the process, unless it decides to make a request to the Planning Board. The Board did hold a workshop with the Planning Board on the overall issue, and made it clear that the Planning Board had the authority to request any information from Crooker that it deemed necessary to evaluate Crooker's proposal.

Will the Town hold a special Town Meeting to consider this proposal?

The Select Board will not schedule this item for a Town Meeting, other than the annual May Town Meeting.

Will environmental impacts and resources be considered by the Planning Board?

The Select Board made it clear to the Planning Board that it had the authority to request environmental resource and impact information from Crooker as part of this process.

What other information did the Select Board tell the Planning Board it could request?

The Select Board made it clear to the Planning Board that it could request any information needed to fully evaluate this proposal, including, but not limited to: environmental resources, noise impacts, traffic capacity and impacts, economic impacts, property value impacts, etc.

What are the economic benefits to the Town if Crooker relocates?

There are many potential economic impacts to Topsham of Crooker relocating, but at this time, the extent of those impacts are not know. For instance, a new facility built elsewhere in Town would likely have a higher value than the current facility. Impacts to adjacent residential neighborhoods would depend on where a facility is located and how it is designed. Vehicle Excise tax fees could change based on a different manner of operating (off-road versus on-road vehicles). Long-term redevelopment of Crooker's existing location could have a higher or lower value than the present facility.

Will my house lose value?

The market value of any specific parcel or building is contingent on many things. To make a judgement on value prior to knowing what the final outcome is premature, and will ultimately be determined by the market place.

Why can't the Town just say 'no' and stop this whole process?

Town officials, boards and committees represent all residents of Topsham. To unilaterally say 'no' before all the facts are known and understood, while it may meet the needs/desires of one group of residents, may not meet the needs/wants of another group. The best way to approach this is to hear from all parties, generate as much factual information as possible, and then make an informed decision. Ultimately, if the proposal moves forward, the final decision will be made by the voters of the Town of Topsham.

Why wasn't I notified of the Planning Board meetings?

The Planning Board works under a set of rules established by the State, and by the Town. Those rules include when public hearings are held, how far from a project notice is given, how testimony is heard by the Board members, what information can be requested, and in the case of an actual project review, what standards apply. For instance, the requirement of a public hearing is part of a rezoning process. When it is merely language being changed, there is no specific notice to individual residents required. When map changes are proposed, the requirement is that all people in an area to be rezoned are notified. When it comes to a project review, the requirement is generally 200' beyond a project's property lines.

Why don't you just send out notices to more people?

Again, the requirements are spelled out in State Statutes. Can a town do more than the statute requires? Yes it can, but it runs the risk of creating a variable standard. For instance, if a proposal requires notice of 200', and the Board says for Project A, 200' is sufficient, but Project B should be 350' and Project C should be 500', then it runs the risk of becoming arbitrary in its notice requirements, which would jeopardize any permits it grants. It would also run the risk of being accused of being deceptive in who is notified, and making a choice as to which neighbors deserve notice or not. To be safe, and to maintain the integrity of the process, adherence to the rule is the best option. All hearings are advertised, and all agendas are posted on our web page. Residents can also request agendas be emailed to them via the Town's web page.

What is TDI's role in this process?

Topsham Development, Inc. is the Economic Development Committee for the Town of Topsham. While TDI has no formal role in the process, it does have an interest in the overall economic health of the Town. To end, TDI made an offer last summer to host a town-wide informational meeting, with questions and answers, so that all residents of Topsham would have the opportunity to learn about this project. Since that decision was made, the process before the Planning Board came to a standstill, and TDI is not working on any town-wide meeting at this point in time.