

**MEMORANDUM**

**To:** Don Spann, Chairman  
Planning Board  
**From:** Rod Melanson, Director of Planning  
Andrew H. Deci, Assistant Planner  
**Date:** July 14, 2020  
**Re:** Crooker Rezoning – July 21<sup>st</sup> Meeting

At the June 2<sup>nd</sup> Planning Board meeting, Crooker Construction LLC (CCLLC) reintroduced themselves to the Board via Frank O’Hara and Raegan LaRoche (land use consultants) who are assisting CCLLC with their request to rezone land to facilitate the relocation of their principal operations to land near their quarry on River Road.

After hearing from the landowner’s representatives in regard to how this proposal may potentially conform and be consistent with the updated 2019 Comprehensive Plan, the Board agreed to have them return to a Board workshop to propose a more defined process for the request. This nod to move forward from the Board recognized that prior to a finding of consistency with our comprehensive plan, the Board needed to hear from other stakeholders throughout the community.

Subsequent to the June 2<sup>nd</sup> workshop, the Planning Department has received numerous comments on the proposal, mostly from residents in the vicinity of River Road and the extant quarry site. The comments have been collated into packets, which have been posted weekly to the project’s website (<http://www.topshammaine.com/crooker>).

The landowner’s consultants have drafted a proposed work plan/schedule for the Board’s review and consideration at the July 21, 2020 meeting. The second meeting of each month is proposed to be focused on this project; each month has a different set of topics for discussion and deliberation. This schedule should be seen as a general framework of the process of developing a new zoning district and performance standards—but should not be seen as ‘set-in-stone.’

Ultimately, the Planning Board is steering this process and can require additional meetings or workshops to facilitate the questions, issues, and comments that are necessary to address, in order to come to a conclusion on the applicant’s project. Regardless of the topics or order of discussion, however, publishing a schedule is helpful to both the landowner, staff, and the general public, so as to have everyone prepared for a focused discussion on the topic at-hand. The Board should discuss and propose changes to the schedule as necessary, both now and as the process unfolds.

In addition to the work plan/schedule, the landowner is requesting the Board to consider passing a resolution to commit to facilitate the process. The proposed resolution is different than that which was discussed at the prior workshop—it does not seek any acknowledgement of the issue of consistency. The Board’s decision on comprehensive

plan consistency should be reserved until the end of the proposed process. The applicant's revised resolution is posted to the website; after review and internal discussion, staff recommends modifying the proposed resolution to read:

*The Planning Board agrees to consider the application of Crooker Construction, LLC, for a zoning amendment. The Board will hold a series of monthly meetings in order to review and consider Crooker Construction's proposed amendment and to determine whether the Planning Board will initiate the review process for the proposed amendment for consideration at a future Town Meeting. Any proposed amendment must be consistent with the Comprehensive Plan Update.*

A vote on this resolution is not a legally-required step in the process, but it would satisfy the applicant's desire to have the Board commit to working with them on the development of draft ordinance language. As with other ordinance amendment requests, the act of the Board simply engaging with the applicant or developing ordinance language does not indicate the Board's support for the project, determination of consistency, or intended recommendation to Town Meeting. Those affirmations and recommendations only occur by vote after a public hearing on the ordinance, at the end of the Planning Board's process.