Office of the Town Manager
100 Main Street
Topsham, ME 04086

Richard Roedner
Town Manager
Phone: 207-725-5821
Fax: 207-725-1731
rroedner@topshammaine.com
www.topshammaine.com

September 14, 2018

Mr. Don Spann, Chairman
Topsham Planning Board

Re: Planning Board authority on re-zoning

Dear Chairman Spann

At the recent joint PB/BoS workshop to discuss rezoning processes, the Board of Selectmen felt that the extent of the Planning Board's authority when it comes to rezoning discussions was not fully clear to the PB members. To that end, the BoS approved sending this letter, in an attempt to make clear what authority the PB possesses when it comes to looking at zoning items.

The BoS feels that the PB has very wide authority when it comes to rezoning, including requesting information necessary for the PB to make a recommendation. This can include (but is by no means limited to) studies of fiscal/financial impacts to the Town generally, fiscal/financial impacts to neighborhoods/residents within/adjacent to an area to be rezoned, impacts on Town or neighborhood character, growth patterns, the desirability of different types of growth in different parts of Town, capacity of regional transportation systems to accommodate the range of uses in a proposed zone, or the broad capacity of infrastructure within an area to be rezoned,

Further, when looking at a map amendment, the PB should consider that it has the full range of authority to draft or amend zoning text with respect to a prospective zoning designation, or to request that language be developed. This could include the typical standards related to noise, setbacks, buffering, time of day restrictions on types of uses, visibility, or any other standard the Board feels is important to review and address.

Several of the Board members indicated that they had been contacted by residents with respect to the rezoning item you have been considering, and they would forward those specific items to me for the PB to consider. As I receive those, I will forward them to you.

In summary, the BoS feels the PB has wide authority to request whatever information it feels is needed to adequately review a rezoning proposal.

Sincerely,

Richard Roedner
Town Manager

c: Board of Selectmen
Planning Board
Planning Dept.