

September 30, 2019

Daniel Diffin
SME Seavey & Maher Engineers
4 Blanchard Road PO Box 85A
Cumberland, ME 04021

RE: Crooker Construction Zone change Request

Dear Dan:

Prior to your request to attend the Planning Board workshop of September 17, the item was removed from the agenda. In a follow up conversation with you about this, I had stated that I would respond to you with some clear direction in regards to what should be submitted to the Planning Board to have a workshop discussion about the proposed zone change request.

As Crooker Construction LLC transitioned from Mike Abbott being the point person on this request to SME, we had an initial meeting (January 10, 2019) to review where Mike had left off, and what information may be suitable for a future submission. Planning staff suggested answering some basic zone amendment criteria that were compiled by staff. Following this meeting a request was submitted with the intention to be heard in March 2019. Soon after the submission was removed as the Planning Board was prepping for Town Meeting. A follow up meeting occurred in June 2019 with SME to discuss the newly adopted comprehensive plan, and the need for your request to address the new plan. A follow up submission with the addition of addressing the 2019 comprehensive plan was received on July 30th, 2019. The item was reviewed and placed upon the September 17th Planning Board agenda. A review memo (attached to this letter) was drafted and sent to the Planning Board members. The intent of providing the general criteria for zoning amendments were to assist the applicant in making a proposed finding on how their proposal is consistent with the adopted comprehensive plan. This is a finding that the Planning Board should make prior to an extensive review of proposed zoning code amendments.

As the Planning Board had a long separation from discussing this proposal, I had assumed that your submission would be an introduction to the Board with SME, and follow with a more detailed path forward in regards to the anticipated process.

In further discussions with the Planning Board members, they would rather start where Mike Abbott had left off. This was requested due to the fact that they had reviewed much of the previous planning justifications for your proposal, the update on the neighborhood meetings that were conducted, the alternatives analysis that CCLLC had conducted to focus their proposal, and the proposed benefits to the community. So, this all being said, the applicant should prepare a finding of comprehensive plan consistency to be reviewed by the Planning Board, and then prepare for a detailed zoning amendment proposal.

In this regard a proposal for a zoning amendment should include the following from you.

1. A map of all of the property under your control/ ownership
2. A map of the current zoning
3. A map of all of the proposed zoning map amendments

4. Article II Word Usage and Definitions
 - a. Identify any proposed language amendments particularly in 225-6
5. Article IV Establishment of Zones
 - a. Proposed amendments to any sections within this article
6. Article VI Zone regulations
 - a. Proposal for 225-16 use table amendments
 - b. Proposal for 225-17 dimensional requirements
7. Article VIII Specific Performance standards proposed language amendments
 - a. Currently batch plant use do not have performance standards
 - b. Identify further use standards for “industrial” proposed uses
 - i. Landscaping
 - ii. Noise
 - iii. Vibration
 - iv. Wastes
 - v. Air emissions
 - vi. Lighting
 - vii. Hours of operation
 - viii. Traffic
 - ix. Architecture
 - x. Stormwater (see section 225-34)
 1. Groundwater impact?
 - xi. Outside storage
 - xii. Visibility/ buffering
 - xiii. Erosion control (see stormwater?)
 - xiv. Natural resources/ historic sites/ habitat
 - xv. Signage/ advertising
 - xvi. Emergency access
 1. Fire and building safety
8. Article XIV Zone Description proposed language amendments
 - a. If a new zone is proposed new language should be submitted
 - b. If amending an existing zone description ne language should be submitted
9. Other items that may be addressed by the Planning Board as they review a proposal:
 - a. Public notice requirements for permitting activities (see chapter 85)
 - b. Inspection and monitoring of activity
 - i. Records
 - ii. Reporting

After a finding of consistency with our 2019 comprehensive plan, the Planning Board role will be to review a proposed amendment to our existing code. They will step through each section that is addressed by the applicant, receive input, and offer specific feedback. In order to accomplish this, it is recommended that a thorough proposal be submitted. While the list above is not exhaustive, it may serve as a starting place for the Board to have a discussion of what, if any, additional information is needed as this requests proceeds.

Town of Topsham

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Please feel free to contact me if you have further questions.

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