



## Topsham, Maine

# Comprehensive Plan Implementation Committee Meeting

## Minutes

November 14, 2022

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Start Time: 4:30PM (In Person - Town Office Conference Room + Zoom invite by request)

Attendees: Peter Piccarillo (TDI Board), Mark Waltz, Andy Munsey, Joe Feely, Susan Rae-Reeves, Andy Sturgeon, Rick Schultz, Hap Stelling, Angela Twitchell, Derek Scrapchansky

### I. Welcome and Agenda Review

- Hap: would like clarity on scope of recode project. We'll take this up as part of V.

### II. Public comment - none at this time

### III. Administrative Items

- Minutes of October 17, 2022 meeting - no changes - unanimously approved
- Update on Assistant Planner - new planner starting Wednesday, Julie Erdman

### IV. Crooker Rezoning Request

- Clarification scope of request and map
  - Andy Sturgeon gave an update as the brother of Crooker President and CEO Tom Sturgeon, who has submitted a rezoning request to the Select Board. He noted that Crooker attempted and then pulled back on rezoning request in recent years. The 2019 Comp Plan identifies the Crooker quad as an area important for Topsham's development options in the future. The Market Analysis report identifies the area as having an important role also. A letter and map were submitted to the Select Board, and it will be on their December 15 agenda. If they give a favorable review to the request, it will go on to the Planning Board, for a public hearing. The request is to expand the industrial zone, where they already own 200 acres. There is ample area to create buffers in terms of sound, visual, environmental, traffic impacts. Crooker will ask CPIC for a letter of support following the Select Board presentation, and will approach other committees and leaders for support as well. The permitting process is expected to take about 18 months.
- Discussion of how this aligns with the comp plan and CPIC role
  - Andy Sturgeon reported that there will be a few corrections made to the map and letter, these will be available for review one week before the SB meeting. Hap asked why the request was not presented to the Planning Board? It has to do with state law and Topsham's form of government. Attorneys advised

Crooker to go to the Select Board first. State law calls for a public process, with public hearings at a couple of points in the process.

- CPIC's responsibility is to review the details of the request, and examine how it relates to the Comp Plan, as with any such request.

## V. ReCODE Topsham

- Report on 10/20/22 meeting with consultants
  - Hap and Kate had scheduled a meeting with consultants (Kirk and Leslie) and Susan asked for herself and Rick to join. Present: Don Spann, Scott Libby, Tom Lister, Derek and Mark, with Kirk and Leslie joining remotely.
  - Kirk gave an update on the project: complete phase 1 work, into phase 2 work of developing draft for Town's review. Scope called for three drafts, about 90 percent done with draft 1.
  - recap process of the project up to but not including the town center FBC area; this is the area subject to "clean up" and updating the code but not to make any significant changes to the land use code.
  - questioning "where was the request left when Rod left?" - how extensive is form based code.
  - Leslie provided an update on revisions in response to CPIC guidance, captured in a 6/21/22 memo by Kate; the revision was delivered to the Planning Department in August; that revision did not get wide distribution.
  - Questions about how far to advance form based code vs. code cleanup, whether these might be taken separately. Kirk is concerned that it will be problematic if not moved forward together and adopted simultaneously.
  - Pilot sites and test cases - geographic boundary of where form based code would apply was discussed - Hap had suggested limiting the area substantially based on limited staff resources. Should we focus only on test cases/pilot projects - before or after code adopted?
  - suggestion to identify a liaison with CPIC on planning board
  - Derek will speak with Kirk about budget/time frame; get path forward
  - Vision and boundaries of CPIC remain intact at the end of the meeting
  - Planning board leadership thought we would apply form based code to test pilot only, clarified that is not in line with CPIC understanding
- Clarity and scope of ReCODE Project - Hap is seeking clarification from CPIC regarding the scope of work given to consultants for recode project. Hap - Is ReCODE intended to introduce form based code to all areas of Topsham? Discussion of this included:
  - No, FBC is intended to apply only to the center of town growth areas, not beyond. Kirk has now completed drafts of nearly all the clean up/update chapters, which are online, available to CPIC, Planning Board and town staff.
  - Staff not on the same page with consultants about what ReCODE includes. Hap cited an example of problems occurring in the "clean up" chapters beyond growth areas. example: 3.10.2(a) Zoned Rural/commercial, why can't it be changed to Rural? Hap asked this of Kirk, who indicated this kind of change is beyond the scope of work in the RFP and contract. (The Town Manager is currently trying to locate the Contract to confirm that approved scope of work is aligned with Request for Proposal).

- Rezoning with FBC is happening only in the center of Topsham, which aligns with the comp plan. Kirk's work is to eliminate inconsistencies and repetition, update and clean up but not rezone.
- Hap feels the RFP is not clear.
- Outside growth area, Kirk agreed cleanup was included
- Clear discrepancy in Hap's understanding of Kirk's scope specifically on what happens outside of growth areas. Hap would like clarification on the definition of "clean up." Susan referred him to the Project Direction Memo, which spells this out.
- Susan noted that for review/comment on the "clean up" chapters, the Planning Board asked for a manageable amount of material with an executive summary provided monthly, and that is an opportunity to address the problems Hap is noting as they arise.
- Susan will reach out directly to Leslie to arrange meeting at one of next CPIC meetings
- Next steps
  - The Planning Board looks to assign a liaison from to CPIC

#### **VI. Matrix Review Project**

- Progress report
  - have gone through 7 of 9 sections
  - committee needs to review assignments spreadsheet - Angela to review
- Recommendations/next steps at next meeting

#### **VII. Upcoming Topics Year 3 - for committee input/assignments/prioritizing**

- Outreach and communication strategy
  - susan has started to put together communications plan
- Work Plan - Priorities for 2022-2023
- Review assignments - for December meeting