



## Topsham, Maine

# Comprehensive Plan Implementation Committee Meeting

## MINUTES

December 12, 2022

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

Attendees: Mark Waltz, Hap Stelling, Susan Rae-Reeves, Joe Feely, Andy Sturgeon, Rick Schultz, Angela Twitchell, Raija Suomela

Public: Margaret Williams

### I. Welcome and Agenda Review 4:30 - 4:35

No comment or discussion on Agenda

### II. Public comment 4:35 - 4:50

No public comment.

### III. Administrative Items 4:50 - 5:00

- Minutes of November 14, 2022 meeting - review and approval
  - Edits made in Google drive. Non Substantive edits reviewed and accepted by Susan.
  - Andy S. requested 9th line be stricken since “Crooker Information” is not being submitted to DEP (this was an error in the meeting notes).
  - Motion moved, seconded, and unanimously approved to accept minutes with edits made (one absentia Raija since not present at 11/14/22 meeting).
- Date for ReCODE conversation with consultant
  - Schedules of all present polled to select date for meeting with ReCode Consultant. Majority available for Tues 12/20/22 @ 4:00. Susan to contact Leslie, confirm day/time, and send a meeting invite.

### IV. Matrix Review Project 5:00 - 5:10

- Progress report
  - Reported that Susan, Joe, Rick reviewed all items in the Comp Plan Implementation Matrix to identify “Agenda 1, Agenda 2, and Reassigned Items (Bike-Ped Committee)”. Notes have been made in the Google Drive file to highlight topics which should be addressed with Department Heads during the next liaison meeting due to change in priority or current higher level of interest.

- Question was raised on which tab notations were made (answer: By Initiative. Unfortunately this does not auto populate to other tabs, but the file can be formatted to link all tabs to sheet edits..)
- The Matrix and notations are really just a resource to facilitate CPIC and Department discussions.

#### **V. Assignments review 5:10 - 5:20**

- Updates to Department Assignments
  - Angela made a first pass at updates, but noted that updates have been made for all current members. (This was news to some individuals who have since forgotten or were unaware of assignments which is why we are revisiting the teams and assignments)
  - Questions were raised about the high number of assignments some people have and whether this should be limited to 1 or 2, and whether we should consider a single person assigned to departments rather than teams of two+.
  - The only hesitation is removing a person who may be more familiar with a department and losing that insight and connection if that person is the one removed from the assignment. If we go to 1-person per department, we should ensure the assignment is aligned with the CPIC members' strengths.
- Recommendations/next steps
  - Members should notify Angela with requests to maintain certain assignments if they feel strength, familiarity, or connection exists with a certain Department or Committee.
  - Angela will take another stab at revising assignments to reduce the number of assignments and align with requests.

#### **VI. ReCODE Topsham 5:25 - 5:55**

- Exec summary of conversation with Scott Hastings
  - Recorded session is on the Town of Topsham website.
  - Scott was not as strong against Form Based Code (FBC) as expected, but did have some cautionary points and a followup email.
  - The Standish FBC applied to 2 very specific sections of town in 2011, and funding to develop the FBC was obtained from "Grow Smart Maine Grant".
  - Take-away for Topsham is that FBC can be easy to use, but complications arise as it gets too fine grained as it has in Standish. Also becoming problematic in Standish where FBC is attempting to be applied in additional areas beyond the 2 zones it was specifically written for.
  - Ultimately the most common question the Planning Department receives from someone buying or considering a property is "What can my neighbor do?". Our goal should be that this question could be answered in the context of FBC.
  - Take-away message for those present:
    - Susan indicated that based on Scott's discussion, Topsham is "on the right track" pursuing FBC for Topsham Center intentional growth area.

- Andy indicated that there seems to be a “fear” of FBC in the development community, but Scott eluded that FBC can be simplified.
    - Joe indicated that Scott described FBC not so much Do/Don’t specifics, but an “idea” that can be simplified or made complex if made fine-grained.
- Review of 8/8/22 revision of Town Center Draft Code (Article 2)
  - Revised Article 2 provided by Leslie includes edits in pink
  - Distribution of the updated documents was made through a 10/20/2022 email from Kate Burch. These have not been posted to Google Drive, but Riaja will update, post, and organize the documents in Google Drive. (this has been completed and is available in the Zoning Recode folder)
  - Comments on revised Article 2 include:
    - Would be a lot easier to relate to if the zone map is available
    - Where and when will XXX items be addressed.
    - Section 2.10 - add citation referencing the section or page where descriptions are included in the 2019 Comp Plan (this could address footnote)
    - Use of “Administrative Exceptions” and “Exceptions” is prevalent throughout the document, but where is the exception process defined?
    - What is the difference between “special permits” versus “administrative exceptions” versus “conditional use”?
    - Section 2.40 - if “tiny houses” are permitted does this article prevent them from being on wheels?
    - Confirm that definitions are consistent through all Articles of the Code, and identify which Article definitions appear (is that section ready for review?)
    - Section 2.40.8 - Trash/Recycle garnered a fair bit of discussion wondering if Figure 2 is missing and multiple places where front entry acceptance of recycling has recently existed (Hannaford, Bootleggers, next to DMV). Question raised on distinction between trash/recycle as a business operation versus a byproduct of the business and how this would be handled as an exemption.
    - Concern raised that cross references are problematic when reviewing code. In order to figure out context, you need to redirect to multiple sections instead of having information embedded (even if it is duplication). Believe this to be a combination of reviewing Article 2 in isolation without complete Articles in hand, and an issue with hard-copy review in lieu of reviewing and electronic version with active links.
    - Section 2.40.9.C - Indicates that Town needs to Accept Easement. In some cases the Town may not want to accept the easement, so suggested edit to requiring an offer of easement.
    - Section 2.50.1.C.2 - Conditional use permitted by Planning Board?
    - Per footnote, the Town needs to identify Front Streets on the GIS map layer.
    - Why is a special permit needed in all zones for Civic Buildings and Suburban Storefronts? This seems to be an impediment to development

when we should be welcoming development. Would the “special permit” limit desire to develop even though it may not be as scary as “Not Allowed”.

- Table 2.7.0 - 4:12 roof pitch is very low and almost better to be a flat roof for aesthetics. Suggest 6:12 instead.
- Documentation of questions and concerns, clarification needs
  - Clarify purpose of this meeting is it “Discussion of Project & Scope” or is it “Feedback on Article 2”?
  - For conversation with Leslie, we need to focus on: What information or feedback does Leslie need from the Town that she would have previously received from Kate?
  - Town Manager has tasked Hap with reviewing the Market Basket application as a “Test Case using FBC” - This was first CPIC had heard of this and not sure if this is in progress or in consultant scope? Hap indicated that Leslie has not responded to emails or attempted contact from Hap.
  - CPIC members and Town Staff are encouraged to add comments to the Revised Article 2 pdf located on the Google Drive to provide further feedback.
  - Meeting Notes will be used to provide Leslie with a compiled list of comments.

Meeting adjourned at 6:10 pm