



WASHINGTON COUNTY
COMMUNITY GUIDED PLANNING and
ZONING PROCESS

Public Outreach Meeting Minutes
BARING PLANTATION
6-8 PM September 27, 2016



Baring Baptist Church - Baring

Attendees:

<p>Community Participants Chris Drew – Baring landowner Donna O’Neill – Baring landowner Ernie Morrell – Baring landowner Janice Morrell – Baring landowner Robb & Jane Cook – Forest City landowner Mike Cyr – Baring resident Joseph Fredette – Baring landowner Sally Doten – Baring resident Mark Hornbrook – Baring Selectman Candy Bridges – Baring resident Greg Bridges – Baring resident</p>	<p>Convenors/Facilitators Judy East, Washington County Council of Governments Sarah Strickland, Strategic Wisdom Partners Dr. Tora Johnson, University of Maine at Machias GIS Service Center and Laboratory</p> <p>Land Use Planning Commission Staff Samantha Horn Olsen, Land Use Planning Commission – Planning Manager, Augusta Karen Bolstridge -</p> <p>UT Planning Committee Members Marie & John Dudley - Alexander Susan Hatton, Sunrise County Economic Council Betsy Fitzgerald, Washington County Manager Dean Preston, Supervisor, Unorganized Territories Crystal Hitchings, DART and WCCOG</p>
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The Powerpoint presentation was revised again with Baring-specific examples of prospective and floating zones. It is posted on the Community Outreach page <http://www.wccog.net/community-outreach.htm>

Attendee demographics:

All Attendees	
Baring: 10 Forest City: 2 UT Planning Committee: 5 LUPC Staff: 2 Conveners/Consultants: 3 Business Owners: 4	
Baring Attendees	Forest City Attendees
Property owners in Baring: 10 Full time residents in Baring: 5 Seasonal residents in Baring: 0 Baring landowners (non-residents): 5	Property owners in Forest City: 2 Full time residents in Forest City: 0 Seasonal residents in Forest City: 2

Community participation / volunteerism among those in attendance included:

Local Emergency Planning Committee: 1
Selectman: 1
Cemetery overseer: 1
Showing up at this meeting – all present

In response to the question of *Why did you come to the meeting this evening*, responses included:

- Curiosity
- To know what current zones are in Baring
- Future landowner in the Unorganized Territories

Please see minutes from Whiting meeting on Sept 20 for summary of first part of meeting and of presentation (posted on Community Outreach page <http://www.wccog.net/community-outreach.htm>)

Comments and questions from the group after presentation included the following.

Q: How are we isolating the issues that Baring residents and businesses have?

A: The online Survey does not distinguish between one UT or another. The purpose of these meetings is to get UT-specific and Plantation-specific input and information.

Q: Are floating zones a type of spot zoning?

A: I would not put it that way; spot zoning occurs when one property owner seeks a zone change for one property or when a municipality or the LUPC changes one property at one time. There is not necessarily any community conversation or benefit. Alternatively, the choice to create a floating zone is based on a set of criteria defined by the community about a) where a floating zone could “land”, b) the acceptable impacts of such a use, and c) the conditions that would have to be met to buffer those impacts on (mostly residential) neighbors.

Q: Would a floating zone be allowed anywhere in Baring?

A: There would be criteria for where it would be allowed to “land”. More intensive uses could be restricted to areas with greater access to primary highways – eg Route 1 or where they would have less impact on residential areas.

Trescott discussed allowing the lower impact, smaller footprint uses on portions of the Bold Coast Scenic Byway that are near the coast (eg. Route 191 in Trescott); and allowing all the uses including the higher impact, larger footprint uses on the Bold Coast Scenic Byway that is less scenic and a more travelled/commercial right of way than along the coast (eg. Route 189 between Whiting and Lubec).

Even when a Rural Business Floating Zone “lands” there are always provisions to reduce the impact on nearby or adjoining residential uses. The small businesses that rely on foot traffic would be located closer to the road and, if in a Scenic Byway corridor, would have architectural standards to ensure that new structures are in keeping with the scenic qualities of the Byway. Alternatively, the higher impact, larger footprint business uses would have greater setbacks, more buffering standards, as well as conditions that keep parking, noise and truck traffic away from (or minimizing impact on) residential neighbors.

NOTE – Trescott residents are getting together before the Oct 18 Planning Committee meeting to further talk about where new prospective and floating zones would be acceptable to them. Judy is providing the Trescott map to assist them in this effort.

Q: Have there been any zoning changes since LURC became LUPC?

A: Not in the kind of comprehensive way we are attempting to do here; could have been a few individual requests.

Q: can't you just leave it the way it is? People have made investments; bank failings; messes things up; it took 2 years to get a permit. In the interim the economy collapsed and we did not get bailed out.

A: The intent of the floating zones tool is to make the permit process more predictable and shorter.

Q: Why not just have different categories? If the proposal is low impact with no concrete, no tar: then

get a permit fast with a turnaround of 2 weeks. If there is a modest impact for instance with slab but no frost wall then the permit takes a month? The cost for getting a permit for the salon was \$5000.

A: Samantha noted that it is tricky in the UT because there is so much land in general Management. So whatever changes you propose do not affect just Baring but would be allowed in all General Management areas (67% of the UT). If there are some uses that are not currently on the list, propose them, but keep in mind that if those uses are proposed for General Management they need to be suitable for vast areas all over the UT. The floating zones tool is intended to provide flexibility over time (when future ideas/proposals are unknown or unknowable), a shorter permit time, and allow more options for small rural businesses.

Q: What is the difference between the new system and LURC? Those were good people, but you had to go to Orono or a long way and there was a long time between meetings.

A: There will be no difference in how you get a permit and who reviews them. The staff and Commission at the LUPC is in essence the same in terms of reviewing and allowing permits. The difference now is this CGP&Z effort to gather community input about changes to allow some future growth.

Q: Why not just change all of the area between Route 1 and the Moosehorn to Commercial Industrial? If the residential landowners don't want that they can change it back.

A: If you change that entire area from Residential to Commercial then you make all those existing residences non-conforming and then limit what they can do on their land and with their homes. You could also significantly change the tax assessment on all of those property owners because taxation is based on highest and best use – in a commercial zone that is higher and could increase property taxes.

Zoning changes conversation – there were several over the course of the evening; they are summarized here:

1. Judy asked Candy Bridges about the Baring gifts (Knock on Wood) property. It is currently in a Residential Zone; Judy suggested changing it to a General Development zone.
 - Candy indicated that the setback from the highway (75 feet) caused problems, required reconfiguring the parking lot and that it was still non-conforming. Rezoning this property to General Development might solve the set back issues.
 - Karen noted that the setback requirements had recently changed (reduced from 75 to 35 feet) and Candy indicated this would help.
 - However there are other uses (like a seating area for food) that would still not be allowed because they would be a different use (requiring a change of use permit) that would not allowed in a residential zone.
 - Judy suggested therefore that this is one area where this process would change the zone from D-RS (residential) to D-GN (general development).

Decision: We did a “thumbs up – thumbs down” vote on this change and all agreed on this change from D-RS to D-GN

2. Judy asked Greg Bridges for more detail on his proposal to add more Commercial Industrial zoning in the area around the airport.
 - Greg indicated that the CI zone should be extended to the power line where the pellet mill was proposed and on other properties to the south of the airport.
 - Karen indicated that the map (Current zoning GIS layer) is out of date and that some of the area Greg is referring to has already changed (from General Management to Commercial Industrial) as a result of the pellet mill proposal. We will get the most up to date zoning layer and look in more detail at the area described.
 - Greg noted that we should make changes to CI where they won't impact existing homes and so that more homes don't get built and become the cause of future conflict.

- There is good clear access to Route 1 in this area and it is far enough removed from natural features and other residences to allow for commercial activities.
- Greg asked if there was still funding in the Culvert Bond program because development was limited there by aging culverts at the airport.
- Judy confirmed that the 3rd of 5 anticipated rounds of culvert Bond funds would be announced sometime soon. Notice will be sent out over the UT stakeholder network.

Decision: We did another “thumbs up – thumbs down” vote on this change and all agreed on this expansion of the CI zone near the airport. We will draft the change in the context of flood zones and other natural features and Baring residents will have an opportunity to see the map changes.

3. Judy asked Mike Cyr if it was necessary to change his property (currently residential) to General Development given his greenhouse operation.
 - There was limited discussion about whether this was allowed/not allowed in a residential zone; could be allowed as a home occupation but not enough specifics to determine yea or nay.
 - Mike indicated that leaving it in Residential made the most sense as he lives there but that the floating zone idea seemed to provide more sense for any future growth.
4. Judy asked Janie and Ernie Morrell about changing the triangular shaped property on Route 1 (currently a Brownfields site with the former tar batch plant and service garage) from General Management to General Development to support resale/reuse after Brownfields cleanup.
 - Some discussion on whether Commercial Industrial made more sense than General Development; Samantha cautioned that the property was too small (bounded by 2 roads) to allow sufficient depth to meet the C-I setbacks.

Decision: We did another “thumbs up – thumbs down” vote on this change and all agreed on this change from General Management to General Development given existing conditions and desire for redevelopment after Brownfields cleanup.

5. Everyone was asked – is there anything about the floating zone concept that makes people nervous?
 - Concerned about the large General Management Area to the north of the concentrated residential area in Baring on the river-side of Route 1. Could a high impact rural business zone “land” there with the floating zone idea?
 - A: Not likely; if you require that the floating zone “land” where there is primary road access. That portion of General Management takes access from the residential streets within the concentrated area of residential development, not Route 1.
 - Concern was expressed that the residential area on the river side of Route 1 remain residential.
6. Everyone was asked – do they see benefits in the floating zone concept?
 - Generally in favor
 - Like the flexibility
 - Like that it is on primary roads
 - Like that it will not “land” just anywhere

Decision – We did another “thumbs up – thumbs down” vote thumbs up on allowing the Rural Business floating zone along Route 1 and Route 191.

Decision – Recreation Support Business seems less applicable to Baring but all agreed to allow it in order to provide future services in the event the rail corridor is turned into a recreational trail corridor. Also that it made sense to allow it on secondary roads not just Route 1 and 191.

Additional Thoughts and Questions:

Q: What is the future of Route 1? Shouldn't it be widened? It would support growth in this corridor.

A: Route 1 is a State Highway in Baring; MDOT has jurisdiction. Also, Judy asked MDOT Regional Planner Fred Michaud about this the following day. Fred was very involved with planning and outreach associated with construction of the new bridge; Fred noted that widening was discussed at the time of the bridge construction but that the Average Annual Daily Traffic (AADT) counts did not justify it then and have declined further since.

Q: A Capital Investment Plan (CIP) comes out of this process – what is the influence of a CIP on road improvements?

A: That is somewhat more complex in Baring because Plantations are not eligible entities to receive TIF funds from the UT TIF. Any road widening projects would go through MDOT's planning and biennial capital budget process; Baring can always provide input to MDOT in those processes. Judy also suggested that it would make sense to plan for internal circulation on a larger Commercial Industrial area (as proposed in the area surrounding the airport) to provide safe site access among commercial sites and minimize the number of access points onto Route 1; this would need involvement and agreement among property owners.

Q: What protections are needed for a larger route 1 footprint?

A: Samantha suggested that any road widening ensure sufficient area for both road width and setbacks associated with any zoning changes. NOTE – in my conversation with Fred Michaud the following day he indicated that there was plenty of room for road widening just not enough AADT volume to justify it. He may have only been thinking of the MDOT right of way so reviewing setbacks on small lots would still be worthwhile.

Meeting started and adjourned with announcements about further input:

- Also (Judy said this at the outset) the Planning Committee (next meeting October 18 from 5-7PM; Torrey Hall Rm 228 UMM) will be making recommendations based on public input received in these 6 meetings.
- The current schedule is to take those recommendations to the County Commissioners prior to them going to the LUPC.
- It is entirely possible to hold another public meeting so that people can review and comment on the final set of recommendations.
- All agreed they would like to see how these decision look on a map and that one more large meeting in a venue like the lecture hall in Science 102 at UMM would be a good idea.

Respectfully Submitted
Judy East