

Planning Board - Public Hearing on Town Centers Ordinance
November 6, 2017 @ 6:15 PM, Town Office Meeting Room

MINUTES

Planning Board Members Present:

Chair Janice Harmen
Jennifer Whyte
Bill Schoppe
Jennifer West - Alternate
Isabel Jackson - Alternate
Excused: Peter Coombs and Gil Rivera

Town Centers Working Committee Members Present:

Tom Tutor
William Boardman - CEO
Janet Anderson - Town Manager
Hanna Kerr
Janice Harmen
Archibald Gillies

Others Present:

John Hossack
Heather Knight
William Spont
Andrew Anderson
Linda Gillies
Terry Cowan
Michael Boardman
Ann Renarde
Eric Tierney
Michael Johnson
Lauren Bruce
Jennifer Bailey
Robyn Anne Congdon
Sandra Oliver
David Pendleton
William Warren

Chair Harmen called the Public Hearing to order at 6:15 PM, and a quorum of the Planning Board was established. The purpose of this Public Hearing is to review and discuss the proposed new ordinance for Town Centers Districts with a second Public Hearing to follow on November 20, 2017 at 6:15 PM. Chair Harmen reviewed the rules for Public Hearing with the audience. She then turned the meeting over to Tom Tutor, member of the Town Centers Working Committee.

Tom Tutor presented an overview of how the proposed ordinance being discussed tonight came to be and “how we got here”. He presented a history of the past three comprehensive plans pointing out that each of them discussed the need for housing options and business opportunities. He reviewed the recent scenarios of lack of housing - teachers, workers, and others not able to stay or move to the island due to lack of housing. He also noted that the village areas were referred to in several of the Comprehensive Plans. He pointed out that Islesboro already has six districts which are state defined areas, namely Resource Protection, Limited Development, Meadow Pond District, Shoreland District, Maritime District and Rural District. He said that Rural District is less restrictive with more “room to do stuff”. He said the goal of the proposed ordinance is to create and encourage higher development density and create and encourage the development of villages similar to The Colony. The ordinance would essentially reduce the 1 ½ acre requirement to 20,000 Sq Feet, reduce the road frontage requirement to 50', and provide for multi-family dwellings.

Chair Harmen reviewed and read from four letters received from citizens regarding their opinions on the proposed ordinance. The letters are attached to these minutes and are made a permanent part of the record. The following letters or e-mail are attached:

1. Letter from Emily Joanne Whitehead dated 10/27/17
2. E-mail from Neil Hoffmann dated 11/1/17
3. E-Mail from Nancy and Neil Hoffmann, dated 10/29/17
4. E-Mail from Nancy Alexander dated 10/26/17

Chair Harmen read from the BOS minutes dated 11/1/17 in which **Terry Cowan** expressed his concern regarding the notification process, that the mailing and the map were unclear. He felt that because of the Maritime District being involved, the language was incorrect and misleading on Page 1, #1 of the Draft #5 where it refers to rezoning the areas outlined in red from Rural (RU) to Town Centers (TC). He also questioned whether the intent was to include the Maritime Activities District noting that if the Town Centers Ordinance is more restrictive this could perhaps be problematic for those in the Maritime Activities District noting in Section 125-9, A, that the governing district would be the one that is more restrictive.

Tom Tutor said that this issue has been raised and discussed at length with town counsel, Sally Daggett. He explained that the Rural Protection District has an overlay of various Districts, including the Shoreland Protection District and the Maritime District as well as others, and that these overlay areas may supercede on part of a lot.

William Boardman said the Maritime Activities District should be removed as it is not allowed under Table of Uses.

Tom Tutor said that the Working Committee gave a lot of thought to groundwater protection issues. All state regulations regarding septic systems and wells must still be adhered to in the Town Centers Districts, all "safeguards are still in place".

John Hossack asked about the potential of sharing a well and/or septic between several houses on the smaller lots and **William Boardman** said that would be allowed provided all setbacks were met not only between the two houses sharing the well or septic but also from any other abutter. **William Boardman** said that easements might be required.

Heather Knight, Principal at ICS, spoke in favor of the ordinance, citing lack of housing for teachers and for families trying to move to Islesboro. She offered advice of perhaps simplifying the material, breaking down questions and answers to make it more easily understood.

Terry Cowan thought that it would be helpful if the Working Committee could outline on their town centers maps the protection districts suggesting that the easiest thing to do might be to take the TC District out of the overlay districts.

Tom Tutor told Terry Cowan that this would be complicated. For example, taking the Shoreland District out of the TC District would be complicated by the fact that the Shoreland District could change in 5 years. Tom said he feels it is clearer to retain districts by lots and let overlay districts remain overlay districts.

William Boardman commented that if we change the TC District to eliminate Shoreland Districts, we would lose lots that would lend themselves to multiple dwelling lots. He said DEP is aware of the proposed ordinance and is happy with the way it is written.

Bill Schoppe asked hypothetically if he had a lot and only part of the property had an overlay of Shoreline Protection, could he still do something on a portion of his lot. The answer from **William Boardman** was yes.

Lauren Bruce said that the three lower proposed TC Districts make sense to her but not the Up Island North Portion. She asked Tom Tutor to explain the reasoning.

Tom Tutor said that the committee felt that the Up Island area would lend itself more to creating small housing lots. There is ample land and better soils with better drainage in the Up Island area as well.

Archibald Gillies said the committee also felt that this area lends itself to a Town Centers District due to recent activity in the Transfer Station Area, namely the Sporting Club and the boatyard.

Anne Renarde said she is a butter to the Up Island North Town Centers District. She has lived there for 30 years and chose to live there because it is in a rural area. She said that it is very important to many of her neighbors that this remain a rural area. She said creating a Town Centers District in that area would be “out of sync with why we are there”.

Robyn Anne Congdon, a butter to the Up Island North Town Centers District, said if PYY shouldn't be in the Town Centers District, then what about IME?

William Boardman said he just realized that IME being Maritime, Cliff Houle being an auto junkyard and the transfer station being municipal are not allowed in the Town Centers Districts according to the Table of Uses.

Archibald Gillies said that the IAP 20-22 acre parcel up island was studied by IAP and was felt to be limited to 8 residential units, but **William Boardman** said that he believes there could be more than 8 residential units, there could be cluster houses.

Robyn Anne Congdon, a butter to the Up Island North Town Centers District, said she lives in this area because it is rural and quiet. She is not in favor of a Town Centers District in this area. She said for families it is more expensive to live up island considering you have to drive down island most likely for work or school. She also noted that per the Table of Uses, it would be allowed for mineral exploration and earth moving in this area.

Michael Boardman asked if the Up Island North Portion was not “a go”, would that hold up the other Town Centers? He is concerned with the dangerous parking situation in the store/post office area and would like to see this addressed.

Bill Schoppe said that there is a “red flag” going up for him regarding the Up Island North Town Centers District because the Town is considering a Fire Substation in that area and is concerned in light of the fact that Bill Boardman said that junkyards, municipal dumps and Maritime activities are not allowed in the Town Centers Districts.

Erik Tierney is not in favor of the Up Island North Town Centers District but is concerned that the possible “no go” for this district would hold up the other three districts.

John Hossack wonders why not at this time just do the two down island districts. He feels this is most logical to him. He also made a point that the Dark Harbor area “closes down” in the winter and the most year round center is the Post Office area.

Isabel Jackson is an abutter to the Up Island North Town Centers District and says she is opposed to establishing a Town Centers District in that area. She feels that there is enough land in the area for development with current ordinance standards - 1 ½ acres per dwelling unit.

Peggy Pike pointed out several items in the ordinance draft that should be changed. On Page 1, #1, it says there are three attached maps. Tom Tutor confirmed that this is a mistake and should say “four”. The second item is J. under Section 125-33. She feels it is unclear as written. She proposed the following “In the Maritime Activities District and/or the Town Centers District lot coverage shall not exceed 70%.”

Chair Harmen thanked everyone for coming and reminded them that the next Public Hearing is on November 20, 2017 at 6:15 PM.

Respectfully submitted

Peggy Pike
Secretary to the Islesboro Planning Board