



Long Range Planning Committee Meeting
September 15, 2023
8-9:30 am

Hybrid Meeting:

In Person at Public Safety Training Room & Virtually via Zoom

In attendance: Rick Shinay, Allen Paul, Portia Hirschman, Rachel Hendrickson, Peter Freiling, Marvin Gates, Robyn Saunders, Karen Martin, Autumn Speer, Eric Sanderson

I. Review Minutes August 9, 2023

Motion by Peter Freiling to approve the minutes as written, seconded by Marvin Gates. Motion passes unanimously.

II. Review and discuss recommendations to Ordinance Committee – Chapter 405B Site Plan Standards and Commercial Design Standards Merger/Update – Draft Ordinance Landscape Requirements

Autumn gave an overview of the work done since the last Long Range Planning Committee meeting on the plant list. More native species and a “mature height” matrix were added to the list. In the discussion of the height of plants, Allen Paul asked about width and overgrowth of trees, with Autumn responding there are clearance requirements written into the Ordinance. Street tree requirements can be pursued in the future for appropriate species in the public Right of Way. Rachel added that the Planning Board trusts the Planning Department staff in implementation of the landscape plans presented and clearance, noting that the trees are considered with respect to their relationships to the buildings on a site.

Autumn went on to state several definitions were added, including “bare root plants”. Rick Shinay asked about flexibility if an applicant disagrees with Planning staff on assessment of the landscape plan. Autumn responded there are minimal waivers, as this Ordinance is more prescriptive instead of subjective. It was discussed that the Planning Board typically tries not to get into the extreme details of a plan and more discusses where it wants plantings generally. Robyn Saunders asked about the potential for a peer review by an arborist or landscape architect for the town. Autumn responded staff is capable and the Ordinance includes language that the Planning Board can request a peer review at the applicant’s expense.

Autumn went on to discuss language updated for buffer yards, including between residential and commercial uses, as well as screening for outdoor storage. Rick Shinay requested the “B” be capitalized in the word “board” on page 8. Marvin Gates asked about the availability and cost of native plants, and how that could impact potential landscape plans. He recommended flexibility in this regard, including 60% native species ratio for all trees and shrubs. Rachel Hendrickson added that the timeframe to complete landscaping (page 17 of the packet) in the Ordinance could provide that flexibility. Peter Freilinger asked about periodic review of the approved plantings list, which Autumn indicated staff could update instead of needing to take back to Ordinance Committee if the native or invasive species lists at the state level change. Language was also added to include a table showing plantings required compared to what is proposed. This makes review easier for staff and the Planning Board alike.

The Committee went on to discuss waivers. Rick commented on the introductory sentence to Section S. He suggested it be changed to “the Planning Board may review and approve waiver requests”. Peter Freilinger moved to approve and forward the Ordinance to Council with the changes as discussed, seconded by Robyn Saunders. The motion passed unanimously.

III. Review and Discuss recommendations to Conservation Commission – Chapter 405B Site Plan Standards, New Draft Section - Environmental Standards

Autumn gave an overview of buffering for natural resources (wetlands, vernal pools, etc.). She stated the intent of this review is to look at the framework, with the Conservation Commission to recommend specific distances and parameters after they meet in October. Robyn suggested additions to the “purpose” section to clarify that this is for specific resources and not in response to state or federal stormwater or other environmental requirements. Robyn noted the town can request data from the state illustrating changes in resources to determine if any are deteriorating. Rachel suggested clarification on man made versus natural vernal pools, with Robyn adding the same is true for wetlands (i.e. wetlands created by agricultural activity). Allen Paul asked if the state has definitions for buffering, with staff noting it will check in with the Town Engineer for applicable MaineDEP or Army Corps of Engineer requirements.

Wetland delineation was discussed, with Autumn noting protections via fencing or boulders are often pushed back and the resource impacted. The intent of other Ordinance work is to exclude those resource areas from being included in the the total lot area. Peter Freilinger asked if these were for commercial or residential uses, with Autumn noting this would be for Planning Board reviewed project (site plan, subdivision). Individual single-family homes that do not require subdivision review would be exempt. Once the Ordinance is completed, staff intends to add diagrams to illustrate the required buffering. Peter asked to see similar Ordinances,

as Portsmouth and Cape Elizabeth were discussed to have stringent wetland requirements. Rachel added that a provision should be added to address changes in wetland area, where development causes wetlands to disappear and then that development to expand in the previously wetland area. Provisions around use of the former wetland area should be outlined. Peter discussed the converse, where rising sea levels may create more wetlands. The Committee requested the Conservation Commission review these instances and make a recommendation for language in the Ordinance.

Autumn presented the proposed matrix showing what is permitted in the buffer area for particular resources (vernal pools, streams or brooks, wetlands, vegetated buffer, etc.). The language includes protection via buffer, then a setback for disturbance or construction (typically five feet). Marvin requested to see other examples of protection for marsh areas throughout New England. Robyn suggested the Chesapeake Bay as an example to look at, as it is one of the most well protected waterways in the country. Allen requested Section G for waivers be consistent with other sections of Town Ordinances, including what was just discussed for landscaping.

IV. Public Comment

V. Staff Updates

Autumn noted that the architectural standards discussed in the winter and early spring will be coming back to the Committee. Peter noted mixed uses, and asked on when work will start for the town's other village areas, as the town is currently looking at Eight Corners. Autumn responded that this work will continue through the end of 2023.

Parking standards will also be brought to the Committee in 2024.

Transportation Master Plan open house is Tuesday September 26th in the Public Safety Building.

Karen Martin invited the Committee to the SEDCO Annual Meeting on Tuesday, October 3rd from 5:30 to 7:30PM at the Black Point Inn.

VI. Committee Member Updates

Portia emphasized participation on the Transportation Master Plan open house. Peter noted the strategic plan for the Library will be updated, starting at the end of this year. Rachel added that the Planning Board is having a hearing on Monday, September 18th to consider monthly meeting rather than the current schedule of once every three weeks. Allen Paul updated the Committee that the Appointments

Committee met to appoint members to several groups, which will be discussed at two hearings with Council in the coming weeks.

VII. Adjourn

Peter Freilinger moved to adjourn the meeting, seconded by Rick Shinay. Motion passes unanimously. The meeting was adjourned at 9:30AM. The next Committee meeting is Friday, October 13th.