

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JULY 13, 2016
TOWN COUNCIL WORKSHOP WITH AVESTA HOUSING – 6:30 P.M.
REGULAR MEETING – 7:00 P.M.

NO NEW BUSINESS SHALL BE TAKEN UP AFTER 10:00 P.M.

- Item 1.** Call to Order.
- Item 2.** Pledge of Allegiance.
- Item 3.** Roll Call.
- Item 4.** General Public Comments.*
- Item 5.** Minutes: June 15, 2016 – Regular Meeting.
- Item 6.** Adjustment to the Agenda.
- Item 7.** Items to be signed: a. Treasurer’s Warrants.

***Procedure for Addressing Council** [Posted in Chambers.]

Order No. 16-042, 7:00 p.m. Public Hearing and second reading for an amendment to the Town of Scarborough Official Zoning Map to rezone the parcel located off of Southgate Road identified as Map U37 Lot 3A as shown on the Town Assessor’s Map from the General Business District (B3) to the Industrial District (I)

Order No. 16-043, 7:00 p.m. Public Hearing and second reading for an amendments to the Town of Scarborough Zoning Ordinance regarding multi-family housing allowances and standards in the Town’s Residential Districts

OLD BUSINESS: None at this time.

NEW BUSINESS:

Order No. 16-048. Act on the request for a Mass Gathering Permit from Beech Ridge Speedway for a Mass Gathering Permit for the Nitro Circus, located at 70 Holmes Road scheduled for Saturday, August 27, 2016.

- Item 8.** Non Action Items.
- Item 9.** Standing and Special Committee Reports and Liaison Reports.
- Item 10.** Town Manager Report.
- Item 11.** Council Member Comments.
- Item 12.** Adjournment.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JULY 13, 2016
REGULAR MEETING – 7:00 P.M.

Order No. 16-042. Move approval on the second reading for an amendment to the Town of Scarborough Official Zoning Map to rezone the parcel located off of Southgate Road identified as Map U37 Lot 3A as shown on the Town Assessor's Map from the General Business District (B3) to the Industrial District (I)



TO: Scarborough Town Council
FROM: Karen Martin, SEDCO Executive Director
DATE: May 26, 2016
SUBJECT: Zoning Map Change

Mr. Raymond Labonte is seeking a change to the Scarborough Zoning Map which would move a property located on Southgate Road (Map/lot U037003A) from B3-General Business to I-Industrial.

The lot, which Mr. Labonte has under contract, borders the industrial zone to the South and abuts the property where Alere is located.

Mr. Labonte would like to build a single building with five units of flexible space designed for small manufacturers and other businesses needing a mix of warehouse/office style space. Each of the units would have an overhead door, an entry door, office space, restroom and warehouse space. The units would be similar to the condominiums that are across the street at 3 Southgate Road.

The types of uses that typically occupy the units at 3 Southgate would not be allowed in the B-3 zone. The demand for industrial space is high throughout the region, not just in Scarborough. And while demand is high, supply is very low.

Mr. Labonte is very familiar with the need for flex space and the types of businesses attracted to this style of industrial space. He currently runs his business out of space at 3 Southgate. Once the new building is complete, Mr. Labonte plans to move into one of the new units on his property.

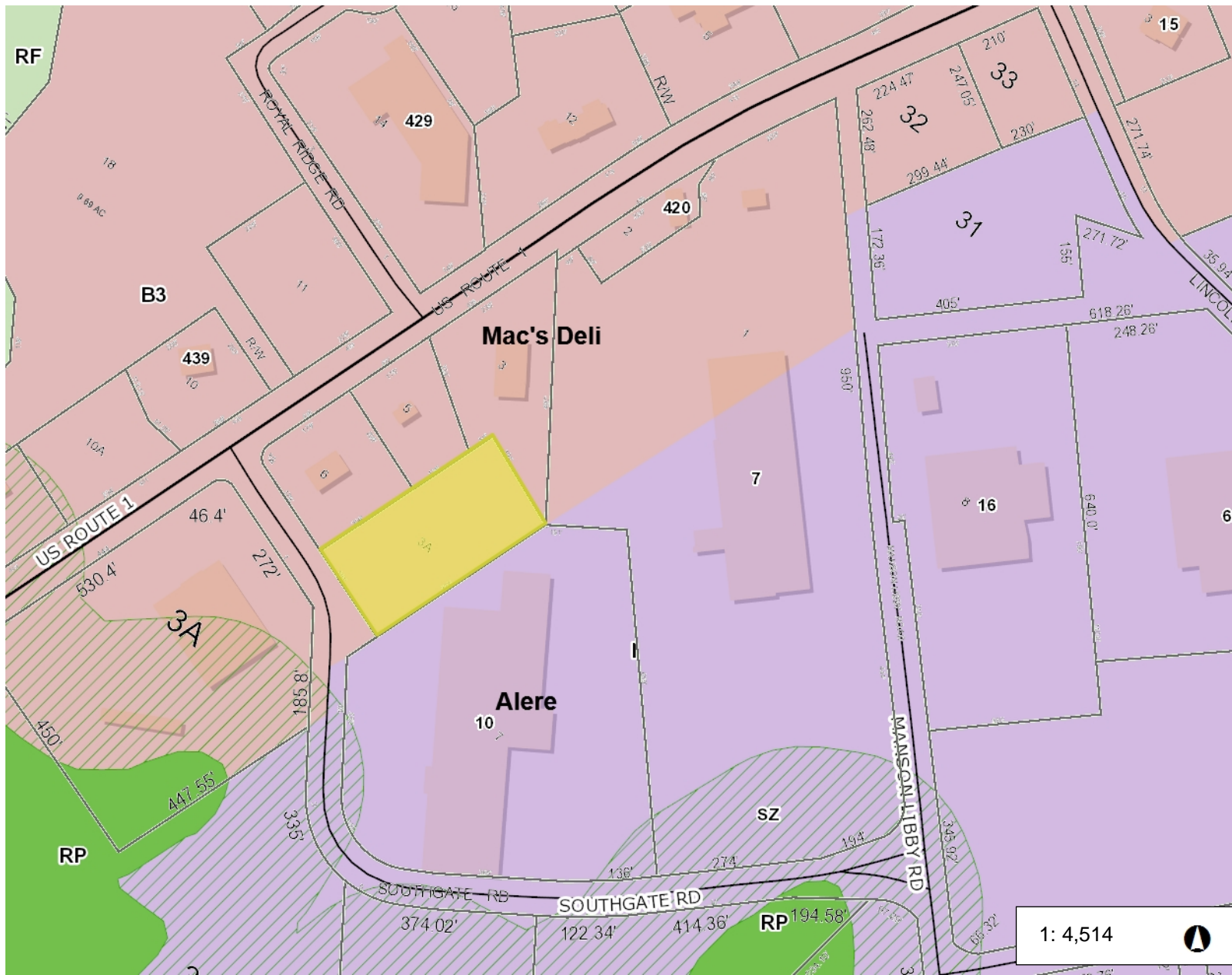
The Long Range Planning Committee reviewed the request for the zone change at their May 20th meeting. The Committee unanimously supported the project concept and the change to the zoning map.

Should the change to the zoning map be approved, this project would return to the Planning Board for site plan review.

This type of space, catering to the smaller manufacturers and businesses, would be a great addition to Scarborough and the proximity to other industrial users ensures compatibility.



Labonte Zone Change



Legend

- Address Points
- Parcels with Owner Info
- Parcels with Owner Info
- Roads
 - MTA
 - MTA
 - MDOT
 - PUBLIC
 - PENDING PUBLIC; PRIVATE; PF
 - CEMETERY; NOT YET BUILT; P.
- Industrial Overlay
- Economic Development Over
- Contract Zones
 - Contract Zone 1
 - Contract Zone 2
 - Contract Zone 3
 - Contract Zone 4
 - Contract Zone 5
 - Contract Zone 7
 - Contract Zone 8
 - Contract Zone 9
 - Contract Zone 10
- Shoreland Zoning
- Stream Protection Zoning
 - Stream Protection Overlay
 - Stream Protection 2 Overlay

Notes

Map/Lot U037003A on Southgate Road

5/26/2016

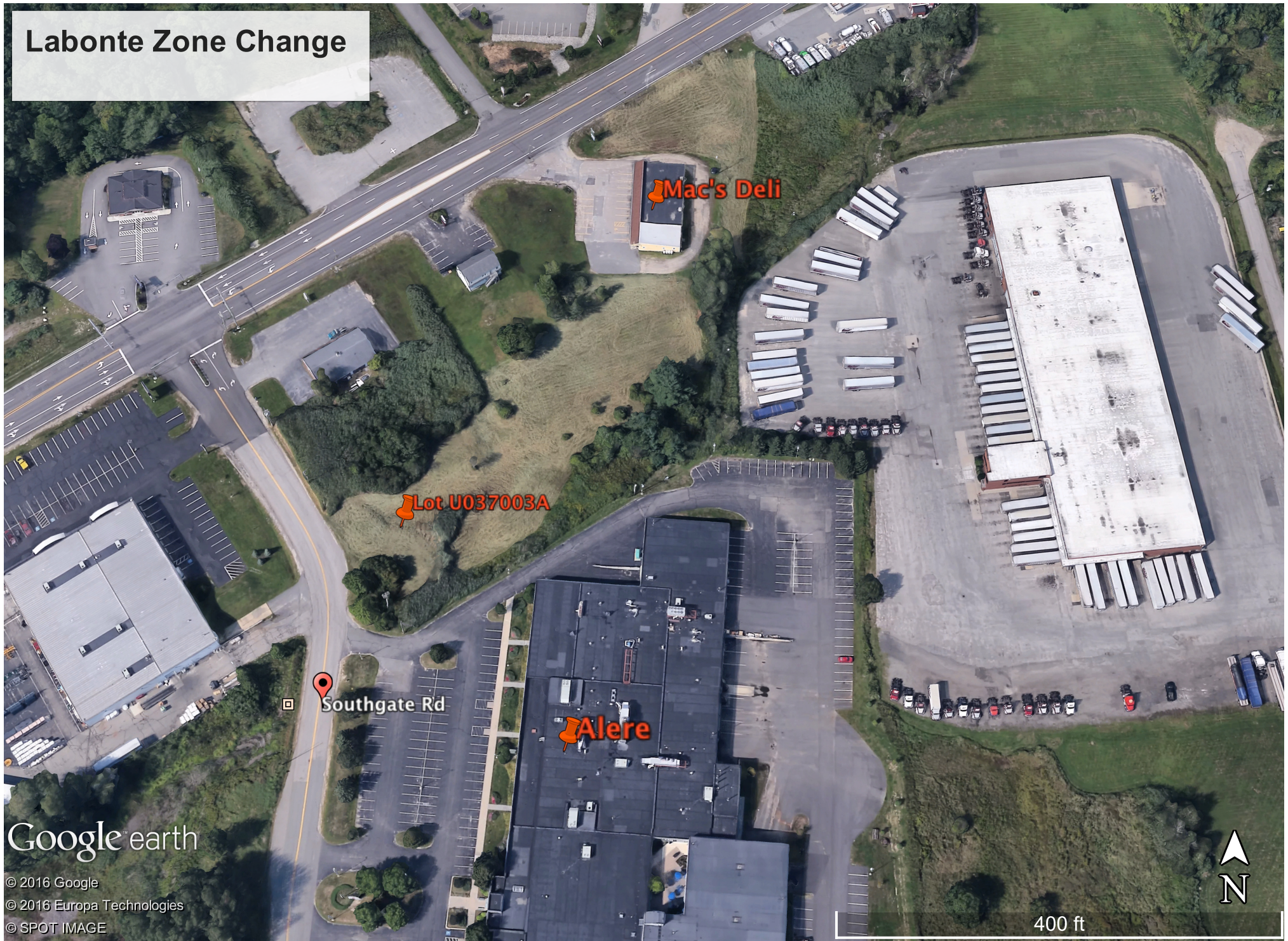
0.1 0 0.07 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
Town of Scarborough, Maine

Disclaimer

This map is a user generated static output from the Town of Scarborough internet mapping site (WebGIS) and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Labonte Zone Change



Google earth

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400 ft

Town of Scarborough, Maine

Planning Board

June 27, 2016

PORTION OF MINUTES

5. The Planning Board will conduct a public hearing to receive comment on an amendment to the Town of Scarborough Official Zoning Map to rezone the parcel located off of Southgate Road identified as Map U37 Lot 3A as shown on the Town Assessor's Map from the General Business District (B3) to the Industrial District (I)*

Karen Martin, Director of SEDCO, explained to the Board that Mr. Raymond Labonte is seeking to change the property located on Southgate Road, Map U37, Lot 3A from B3, General Business to I, Industrial. Ms. Martin explained that Mr. Labonte would like to construct a single building with five units designed for manufacturers and other businesses needing a mix of warehouse/office space. Ms. Martin explained that this use is not allowed in the B3, but demand is high for this type of industrial space.

Mr. Mazer opened the public hearing. There was no public comment. Mr. Mazer closed the public hearing.

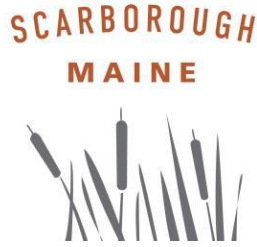
Mr. McGee asked if the abutters had been notified. Ms. Martin stated that they had been.

Mr. Mazer made a motion for a positive recommendation to the Town Council; Ms. Auglis seconded the motion.

Vote was unanimous 5-0.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JULY 13, 2016
REGULAR MEETING – 7:00 P.M.

Order No. 16-043. Move approval and second reading for an amendments to the Town of Scarborough Zoning Ordinance regarding multi-family housing allowances and standards in the Town's Residential Districts



To: Town Council Members and Tom Hall, Town Manager
From: Dan Bacon, Planning Director
Subject: Zoning Amendments Regarding Multi-Family Housing in the Town's Village Residential Districts
Date: May 26, 2016

Dear Town Councilors,

As you likely recall, earlier this year you reviewed and approved a zoning amendment to enable multi-family housing (buildings with three or more dwelling units) to be regulated in our TVC District (Town and Village Centers) by physical size (maximum building footprint, height, setbacks etc.) rather than number of dwelling units. This was prepared for you by the Long Range Planning Committee and was intended to enable more flexibility around the number and size of individual dwelling units within a multi-family building, while ensuring these buildings and their size, form and impacts remain in keeping with the zone and environment they are in. This change was in large part encouraged to enable a wider range of housing choices, price points and affordability for our residents.

Like with the TVC District amendments, the Long Range Planning Committee has crafted similar amendments that are now proposed for the Town's village residential districts. These districts include the Village Residential 2 (VR2), Village Residential 4 (VR4), and Traditional Neighborhood Development Overlay (TND) which are generally located in the vicinities of Oak Hill and Dunstan.

In these districts currently multiplex housing (3 to 8 units per building) and townhouses are already permitted, but are regulated by the number of units per building. For the same goals as the prior amendments (different unit sizes, bedroom counts, and price points), the LRPC is proposing that these village residential districts also allow multi-family housing regulated instead by size, with a maximum building footprint of 7,500 square feet per building.

In addition, these buildings would continue to be subject to all of the other existing space and bulk requirements of the zone such as height, setbacks, parking requirements, and perhaps most importantly, overall residential density. In crafting these amendments the

LRPC spent considerable time discussing building size and scale and determined that 7,500 square feet of footprint was the right size to ensure these multi-family structures would be appropriate for these developments and neighborhoods. As a reference point, two of the four buildings at the Camperdown Elm condominium development on Black Point Rd in Oak Hill are approximately 7,500 square feet in footprint (see aerial image below), so they are a good representation of what this amendment allows for. Further, the two townhouses in Dunstan Crossing are both approximately 10,000 square feet in footprint, and are therefore larger than what is proposed.

The other proposed amendments included in this Order are housekeeping clarifies in our residential zones. I look forward to reviewing this further with the Council at your First Reading. Thank you.



May 26, 2016

Proposed Amendment to the Zoning Ordinance Regarding Multi-Family Housing in the Town's Residential Zoning Districts

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following amendment to the Zoning Ordinance of the Town of Scarborough, Maine, be and hereby are adopted:

1. Amend SECTION XV.B. VILLAGE RESIDENTIAL 2 DISTRICT (VR2) as follows (additions are underlined; deletions are struck through):

C. PERMITTED USES

1. Single family detached dwellings exclusive of mobile homes.
2. Two-family dwellings.
3. Multiplexes (permitted with a minimum parcel size of five (5) acres).
4. Townhouses limited to no more than eight (8) dwelling units per building (permitted with a minimum parcel size of five (5) acres).
5. Multifamily dwellings limited to a maximum building footprint of 7,500 square feet (permitted with a minimum parcel size of five (5) acres).

E. SPACE AND BULK REGULATIONS

1. The following Space and Bulk Regulations are applicable to subdivisions reviewed by the Planning Board under the Scarborough Subdivision Ordinance after June 1, 2005:
 - a. Minimum lot dimensions and yard requirements:

Housing & Use Type	Lot Area (square ft.)	Lot Frontage (ft.)	Lot Width (ft.)	Front Yard (ft)	Rear & Side Yard (ft.)
single-family	5,000	30 <u>40</u>	40	5	15 ¹
two-family	7,500	50	60 <u>50</u>	5	15 ¹
<u>multifamily.</u> multiplex	15,000	70 <u>75</u>	80 <u>75</u>	5	15 ²
townhouses	15,000	70 <u>75</u>	80 <u>75</u>	5	15 ²
non-residential ³	15,000	70 <u>75</u>	80 <u>75</u>	5	15

2. Amend SECTION XV.C. VILLAGE RESIDENTIAL 4 DISTRICT (VR4) as follows (additions are underlined; deletions are struck through):

C. PERMITTED USES

1. Single family detached dwellings, exclusive of individual mobile homes
2. Two-family dwellings
3. Multiplexes (permitted with a minimum site-parcel size of five (5) acres~~-required~~)
4. Townhouses limited to no more than eight (8) dwelling units per building (permitted with a minimum site-parcel size of five (5) acres~~-required~~)
5. Multifamily dwellings limited to a maximum building footprint of 7,500 square feet (permitted with a minimum parcel size of five (5) acres).

E. SPACE AND BULK REGULATIONS

1. The following Space and Bulk Regulations are applicable to developments reviewed by the Planning Board under the Scarborough Subdivision Ordinance:
 - a. Minimum Lot Area, Dimensions and Yard Standards

Housing & Use Type	Lot Area (square ft)	Lot Frontage (ft.)	Lot Width (ft.)	Front Yard (ft)	Rear & Side Yard (ft.)
single-family	5,000	50	50	5	15 ¹
two-family	7,500	50	50	5	15 ¹
<u>multifamily,</u> multiplex	15,000	75	75	5	15 ^{2 & 3}
townhouses	15,000	75	75	5	15 ^{2 & 3}
non-residential ⁴	15,000	75	75	5	15

3. Amend SECTION XVI.A. TRADITIONAL NEIGHBORHOOD DEVELOPMENT OPTION OVERLAY DISTRICT (TND) as follows (additions are underlined; deletions are struck through):

C. PERMITTED USES

1. Any use permitted in the R-4 Residential District.
2. There may be 1,000 sq. ft. of floor area for retail sales, community use or a combination of the two per every 50 dwelling units within the development. The retail sales establishments shall not exceed 1,000 sq. ft. per unit of occupancy and there shall be no more than 2,000 sq. ft. of retail sales in any one building.
3. The retail sales, community use or other non-residential uses allowed in the R-4 Residential District may be located in a standalone building(s) or

May 26, 2016

as part of a mixed use building(s) that include other non-residential or residential uses.

4. Multifamily dwellings limited to a maximum building footprint of 7,500 square feet.

5. Townhouses limited to no more than eight (8) dwelling units per building.

4. Amend SECTION XV.A. RESIDENTIAL DISTRICT R-3 as follows
(additions are underlined; deletions are struck through):

B. PERMITTED USES

5. Multiplex (must be served by public sewer; minimum ~~site-parcel~~ size of five (5) acres) per Section VII.

6. Townhouses limited to no more than eight (8) dwelling units per building (must be served by public sewer; minimum parcel size of five (5) acres).

5. Amend SECTION XV.I. RESIDENTIAL DISTRICT R-4 as follows
(additions are underlined; deletions are struck through):

5. Multiplex (must be served by public sewer; minimum ~~site-parcel~~ size of five (5) acres) per Section VII.

6. Townhouses limited to no more than eight (8) dwelling units per building (must be served by public sewer; minimum parcel size of five (5) acres).

6. Amend SECTION XV.I. RESIDENTIAL DISTRICT R-4A as follows
(additions are underlined; deletions are struck through):

8. Multiplex (must be served by public sewer; minimum ~~parcel site~~ size of (5) acres) per Section VII.

9. Townhouses limited to no more than eight (8) dwelling units per building (must be served by public sewer; minimum parcel size of five (5) acres).

Town of Scarborough, Maine

Planning Board

June 27, 2016

PORTION OF MINUTES

4. The Planning Board will conduct a public hearing to receive comment on amendments to the Zoning Ordinance. This zoning ordinance amendment proposes to enable multi-family housing (buildings with three or more dwelling units) to be regulated in our TVC District (Town and Village Centers) by physical size (maximum building footprint, height, setbacks etc.) rather than number of dwelling units.*

Mr. Bacon reminded the Board that they recently gave a favorable recommendation to the Council for a similar request in the TVC District. Mr. Bacon stated that this current proposal is for the Town's village residential districts, which include the VR2, VR4 and TND districts. The proposal is to regulate the building size with a maximum building footprint of 7,500 square feet per building rather than number of units per building. Allowing for different unit sizes and bedroom counts.

Mr. Mazer opened the public hearing. There was no public comment. Mr. Mazer closed the public hearing.

Mr. Mazer opened the item to the Board. Board members had no further comments.

Mr. Mazer stated it is an excellent proposal.

Mr. Mazer made a motion for a positive recommendation to the Town Council; Ms. Auglis seconded the motion.

Vote was unanimous 5-0.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JULY 13, 2016
REGULAR MEETING – 7:00 P.M.

Order No. 16-048. Move approval on the request for a Mass Gathering Permit from Beech Ridge Speedway for a Mass Gathering Permit for the Nitro Circus, located at 70 Holmes Road scheduled for Saturday, August 27, 2016.



Scarborough Fire Department

B. Michael Thurlow, Fire Chief

INTEROFFICE MEMORANDUM

TO: TODY JUSTICE, TOWN CLERK
FROM: B. MICHAEL THURLOW, FIRE CHIEF / EMA DIRECTOR
SUBJECT: NITRO CIRCUS MASS GATHERING PERMIT FEE
DATE: JULY 8, 2016
CC: MASS GATHERING REVIEW COMMITTEE, ANDY CUSACK BEECH RIDGE SPEEDWAY

Tody,

The Mass Gathering Permit Committee has reviewed the Mass Gathering Permit Application for the Nitro Circus event which is proposed to be held at Beech Ridge Speedway on Saturday August 27, 2016. This is the first time this event will be held in Scarborough, but it is being hosted at, and in cooperation with, one of our long established local businesses, Beech Ridge Speedway, with which we enjoy a very collaborative and professional relationship. Based on the information provided to date we don't believe this event will have significant impacts beyond one of Beech Ridge Speedway's regularly well attended racing events.

There are several details that we continue to work on with the applicant, Mr. Cusack, including:

- Finalizing the required Scarborough Police presence needed to facilitate traffic and maintain the peace
- Permitting of pyrotechnics and/or fireworks including any associated fire personnel or apparatus requirements
- EMS coverage details
- Temporary infield seating details and protection of patrons in that area

Based on the town's positive recurring business relationship with Beech Ridge Speedway we are not recommending the escrowing of the public costs as required in the ordinance. We will simply bill them for the actual services provided as we do for their normal racing events.

At this time we recommend Town Council approval of the Mass Gathering Permit as requested including any final details/requirements imposed by the various department heads as we continue to gather information from Nitro Circus and work with the applicant on the final details of the show.

Town of Scarborough, Maine

259 US ROUTE ONE, PO BOX 360
SCARBOROUGH, MAINE • 04070-0360

MEMORANDUM

TO: Town Council Members
Thomas J. Hall, Town Manager

FROM: Yolande P. Justice, Town Clerk

RE: Application for a Mass Gathering Permit

DATE: July 8, 2016

The Town Clerk's Office received a request for a Mass Gathering Permit from Beech Ridge Motor Speedway. This event is scheduled for Saturday, August 27th starting at 6:00 p.m. at Beech Ridge Speedway, located at 70 Holmes Road.

Pursuant to the Mass Gathering Ordinance, the completed application package was sent to the Fire Chief, the Police Chief and the Codes Department for review. We received notification from all Departments noted above and there were no issues or concerns with this application and they all recommended approval.

Should you have any questions, please contact the Town Clerk's Office. The completed application is on file with the Town Clerk's Office.

Thank you in advance for your consideration on this request.