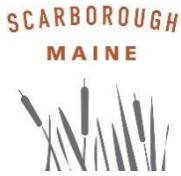


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Long Range Planning Committee Meeting March 14, 2025 8-9:30 am

In Person: Council Chambers

Virtually via Zoom: To view the meeting via Zoom, [Click Here](#)

Members of the public may attend virtually or in person. Committee members are expected to attend in person unless the member meets one of the circumstances established in the Committee's remote participation policy.

Members: Allen Paul, Rick Shinay, Peter Freiling, Robyn Saunders, Portia Hirschman

Alternates: Jean-Marie Caterina

Planning Board Liaison: Rachel Hendrickson

Council Liaisons: Cory Fellows

Staff: Autumn Speer, Karen Martin

Invited Guest: Ronald Nelson from Firing Range Committee

- I. Roll Call and Identify Voting Members.
- II. Review Minutes January 10, 2025 - Approved 3:0 with Robyn Saunders abstaining
- III. General Public Comment - Items not covered on the agenda (3-minute limit per speaker)
- IV. Discuss and consider a recommendation to Ordinance Committee defining indoor sport shooting ranges, specifying where such use may be permitted and establishing performance standards.
 - Public Comment (3-minute limit per speaker)

Peter asked if this is a new procedure for public comment. Autumn stated that the Committee had added it to include time for general comments and then comments on each agenda item.

Autumn introduced the item. The request initially came last August from a man in New Hampshire who has a similar establishment and met with staff to discuss opening another location in Scarborough. The proposed establishment would include retail, training, warehousing, and an indoor shooting range. Following the initial meeting, staff met with the Town's attorney and agreed that the Town would need to create a new use for this type of establishment to be permitted. What is before the Committee today is a draft of what that new use could look like, and does not require any action at this meeting unless the Committee chooses to move it forward.

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Autumn gave an overview of the staff memo showing the draft Indoor Sport Shooting Range use. She then opened the topic up to Committee discussion for comments and questions.

Rick Shinay joined the meeting at this time.

Allen asked where the existing shooting range uses fall within existing zones. Autumn responded that they are mostly in the RF zone.

Ronald Nelson, 14 Mitchell Hill Road, is a member of the Firing Range Committee. He stated one firing range is on the Industrial loop. Autumn asked if the other three are all outdoor. Ron responded that they are.

Ron stated that there is one indoor range on Holmes Road near the intersection with Mitchell Hill Road. Peter asked if the indoor range is operated by the Town Fish & Game Association. Ron responded that the range is operated by a different group, although some people are members of both. Autumn asked if all the ranges are private. Ron responded that they are and that they all require memberships.

Robyn expressed concern over the Committee process including a member of the public at the meeting. Autumn explained that Ron is a member of the Firing Range Committee and is an invited guest acting as a professional resource for this agenda item. Autumn clarified that the applicant is not in attendance. Autumn also stated that she would be reaching out to Windham as a reference for a community that already has this use.

Robyn asked about looking at towns like Gray which have indoor shooting ranges for examples of performance standards and asked what legal standing the Town has to require that all firing range users have hunting licenses or that their guns are properly registered and legal. Autumn clarified to the Committee that the item being on the agenda did not mean the Committee is required to consider it and that the item is open to discussion. Ron responded to Robyn's question that there is no method to register firearms in the state, and that it is not required.

Allen expressed uncertainty at having this use in the Business zones. Three of the four existing ranges are in the RF zone, and having firing ranges near his summer home, he appreciates the amount of noise they can generate. He would be more inclined to see this use in the RF zone with possibly larger buffers. Autumn disagreed because many people live in the RF zone, and pointed out that there is a retail element to this proposal that would generate traffic. This would not be a private range, but rather one that is open to the public that generates commercial activity.

Peter shared Allen's concern about the Business zones, especially co-locating this use with multifamily development. He pointed out that these zones cluster around the TVC districts, but felt that this use would make sense for LI and I districts. He suggested looking to Windham or other communities for performance standards.

Allen asked Karen if there had been any interest and she said she could check. Autumn stated the person who had approached the Planning Department about opening an indoor shooting range was looking at a property on Mussey Road in the B3 zone. She said LI is only on Holmes Road and the Industrial zone is in Pleasant Hill. B3 and B2 is generally located on the Payne Road corridor and Haigis Parkway is on Haigis Parkway. She explained that similar uses- indoor recreational

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facilities- are already permitted in these districts. Peter mentioned the large multifamily development on Mussey Road and that there are concentrations of people in that area apart from Industrial uses. He said the B2 and B3 zones that surround that area would be the natural next stages of denser multifamily and mixed-use development, and that he does not see the compatibility of this use with those zones.

Jean-Marie observed that there is a 1,000-foot setback from residential zones or residential homes in the draft. Autumn explained that staff had used language from the cannabis-related standards, including 1,000-foot setbacks from residential zoning or existing residential homes.

Allen asked Ron if trap or skeet shooting could be done indoors. Ron responded that it would require an arena-sized building and would not be particularly safe. Allen asked Autumn whether this use would be in an enclosed area. Autumn responded that they could strike trap and skeet shooting from the definition for indoor ranges. Peter said it looked like the applicant's existing location just has traditional ranges.

Rachel expressed concern over focusing on one person who may decide to apply for this use. She suggested the Committee should focus on the Ordinance itself more than the applicant. She stated that from a planning and building perspective, the LI and I districts made a lot more sense to her for this use because of the potential for noise. She also suggested clear guidelines for the Planning Board to be able to review applications for firing ranges because they might be selling guns or other items as well.

Jean-Marie asked about existing Ordinances that mention firing ranges to make sure there were no conflicts between existing and new language. Rachel pointed out the main difference is commercial versus membership. Autumn agreed that the language needs to be coordinated with existing language. Jean-Marie suggested that indoor firing ranges be treated separately because they are a different type of use. Autumn explained that indoor and outdoor had been included in the draft language because there had been interest in people including an outdoor area with an indoor shooting range. She offered to strike the outdoor aspect to be able to strengthen the indoor use guidelines.

Robyn agreed with Jean-Marie over safety issues and environmental conditions. Despite the use not creating hazardous waste, there would be solid waste like metals from ammunitions, so they would need to have an outdoor solid waste plan if there was an outdoor use. Jean-Marie agreed. Autumn agreed not to marry the indoor and outdoor uses in this language.

Karen asked if the Industrial zone has a 2,000-square foot limit on retail. Autumn confirmed. Karen said that would overlay this use in that zone. Peter clarified that would only apply to the retail section.

Autumn summarized that she would remove skeet and trap shooting from the definition, reiterate that all activities must be fully enclosed, and strike the idea of having an outdoor shooting range altogether. The new use would be described as the following:

"An area fully enclosed in a building designed and used for archery, or other similar shooting sports in the shooting of rifles, shotguns, and pistols. All activities must be fully enclosed."

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The Committee agreed with this description.

Autumn brought up the zoning map to discuss where this use should be allowed. She gave an overview of where LI, I, B2 and B3 zones are located in town.

Cory asked to the extent folks are concerned with the zone and proximity to residential uses, how much of the concern is about noise and safety and how much is related to uses like cannabis needing to be located a certain distance from a school. Peter expressed a safety concern because even responsible gun owners can have misfires or accidents that can be dangerous. He said that the odds of something like that happening and becoming an incident or injury are related to where it happens. If it's across the street from a multifamily or dense retail use, which is already envisioned for Town and Village districts, then the likelihood increases. Peter is concerned about gun sales because they're guns. The danger there is not comparable to cannabis.

Robyn agreed with Cory on following the cannabis model so users have to provide identification and meet age requirements. She suggested this use should follow similar rules for tracking who comes in or out and whether they are under 18 or 21 having a responsible guardian with them. Jean-Marie stated there are state and federal laws that they would comply with. Robyn said she was generally not opposed to this use, but wants to make sure there are proper controls.

Rachel stated that she was considering the use from a Planning Board perspective, in terms of space and parking requirements. She said they need to figure out traffic implications, and being located in LI and I districts allows more flexibility there when reviewing a proposal. She said the Planning Board would need a way to judge if a use is going to fit on the lot being proposed. She expects more performance standards will be needed.

Peter emphasized the issue of performance standards and said he would like to revisit them after staff has looked at what places like Windham do to get more examples of what standards to include.

Allen asked Ron who he thinks does this well, or better than others. Ron mentioned the facility in Gray. Robyn suggested consulting other resources, including other states or authorities, so the Committee can consider all the information and provide the Planning Board with the best guidance they can.

Portia asked if this use would involve people bringing their own firearms or using firearms provided there. Autumn said it could be both or either. Peter said the ones he has been to are a mix of both.

Karen expressed concern about B2 and B3, specifically that there isn't a lot planned in B2 and B3 yet. Autumn said it would have to meet our commercial design standards. Karen said she would gravitate to the Industrial zones, but there isn't a good reason to put it in B2 and B3 given the lack of planned available land. Robyn responded that if there's no land available in those zones, there's no land there. Autumn clarified that Karen was saying they should reserve valuable commercial land to a more valuable use to the community and business. Allen expressed a preference that anything that's outdoor should not be in a business zone. He said retail is more of a B2, B3 type of use.

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Autumn gave the example that a gun shop would be permitted in those districts now, as well as warehousing and similar uses. She clarified that the Committee was contemplating sport shooting ranges specifically. She also suggested the Committee be careful of including any additional requirements that the Planning Office and Planning Board cannot enforce beyond existing state and federal laws. Performance standards can state that the use must comply with state and federal laws, but cannot regulate who can go in and out of the facility.

Peter said he hadn't heard any reasons that the B districts should include this use, and that it strikes him as an LI and I use. He deferred to the Planning Department on performance standards. He said if the Committee was taking action on the item, he would move to close debate on B2, B3 and Haigis Parkway districts, and move forward with the assumption that this is an LI and I use and focus the discussion and drafting on that. Autumn said if the Committee is in consensus on this item, then she could run with that.

Robyn suggested that this use go elsewhere as Scarborough already has several membership-based ranges. Cory expressed concern at appearing hostile to certain uses. He said there seems to be a consensus around directing the use to LI and I districts. He said there is room for membership-based ranges as well as commercial enterprises.

Peter agreed that the consensus was around keeping the use in the LI and I districts, and reiterated that from a Town perspective, the Committee wants to make sure the use is located in the right area.

Robyn asked if there is a deal in progress with a landowner in one of these districts. If so, she agrees with Cory that she doesn't want to take away a business opportunity from a landowner. However, she said that when the LI land runs out, the LI land runs out, and we don't want it to go anywhere else. She said this is not a hostile approach, but rather focusing on having the highest and best uses in the LI and I districts.

Rachel responded that the letter that came from the applicant was addressed to the Planning Board, but nothing has come before the Planning Board. The applicant was confused between the Planning Board and the Planning Department.

Rick asked to confirm that the range aspect was the issue at hand. Autumn said it is, and that gun sales are permitted anywhere there is a retail use.

Allen reiterated that the most available property is in the RF zone. Peter said that if it was a member-owned indoor range, he would agree, but because it includes retail, it would be better suited to an area with commercial or retail.

Jean-Marie agreed that this use needs to stay in business or industrial areas.

Rick expressed concern over noise, stating that he is not convinced adding a range component to this type of commercial use is necessarily problematic because Planning Board would deal with safety, noise, and traffic. He said he was not convinced it needed to be treated as a separate use with specific permitted zones.

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Peter said that it was somewhat naïve to say that carrying a potentially loaded firearm back and forth from a car was comparable to other uses. Inadvertent accidents with firearms are a very common source of fatalities and injuries in the United States. Because we know that people will be carrying firearms back and forth from their car, we have to consider that.

Portia said it still makes sense to specify that this use needs to comply with state and federal regulations, like we specify with restaurants for food safety regulations, for example.

Rachel stated that the Planning Board approach has been an applicant does not get a Certificate of Occupancy until they get the relevant permits from the Planning Department, so it's easy enough to set certain requirements that way.

Peter stated that the Committee has every right to view facilities that deal with firearms qualitatively differently than other uses. Because we have limited space, and considering the areas targeted for higher density mixed-use development going forward, the B2 and B3 zones are likely not the right area for this use.

Allen suggested they get more information from other towns and see what we can learn.

Karen noted that the Industrial zone will have limits on permitted retail area.

After discussion, the Committee has general consensus on limiting the use to the LI and I districts but are open to further conversation pending what Autumn learns from other cases.

V. Review 2025 Council Goals. – 9:04

- Public Comment (3-minute limit per speaker) - None

Autumn introduced the 2025 Council Goals. She highlighted goals that relate to the LRPC's work. The first one is the Council's Conservation, Sustainability & Resiliency Goal. Autumn read the goal's objective:

"Strengthen environmental protection through updated ordinances, stormwater management, and proactive climate action."

This goal connects to the Open Space Plan which will go to Council for approval in April, and has several recommendations that the Planning Department will be tasked with implementing. These will go through the LRPC as well as the Conservation Commission. This goal also has a Tree City USA Initiative, which is a nationwide initiative through the Arbor Day Foundation, and would involve a Tree Board that meets once a month. They discuss expenditures- Tree City USA requires a \$2 per capital investment, so roughly \$50,000 for Scarborough per year, in tree planting, as well as a public ordinance for Town properties- so the Tree Board would administer that. Usually, it's in Community Services or Public Works. Autumn will send out a packet from Conservation Commission that has information on the Initiative.

Peter asked if the LRPC should be taking some direction from the Conservation Commission on this goal. Autumn said part of the recommendation would fall to this Committee and some would fall to the Conservation Commission. She said she would coordinate since there would be

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crossover. Tree City USA falls more to Conservation Committee. The Vulnerability Assessment will be for Conservation, Transportation, this Committee. That will be wrapped up in July. The Stormwater Management Fee will be for Conservation and Engineering. The Sustainability Reserve Account is in the budget for this year for Sustainability Committee- no impact on this group. Low-impact Development Standards will come through this Committee and Conservation. The National Flood Insurance Program Community Rating System will have some crossover as well.

Autumn said the Town has tried to limit the silo effect among the various committees, which is part of why the Council Goals are so detailed. She clarified that the Tree Board would be specifically for the Town, but could grow into something bigger. Portia asked about required landscaping in Town right of ways. Autumn confirmed that the Tree Board would cover those, so there would be overlap.

Autumn introduced the Council's Growth, Housing and Land Use Goal next, the objective of which is to "create a comprehensive and actionable affordable and workforce housing policy that recognizes the importance of growth zones, housing diversity (including multifamily and accessory dwelling units), and residents' concerns over the rate of growth."

LRPC is listed on this goal along with the Housing Alliance, which is the primary responsible party. Cory stated that one of the first steps would be a workshop sometime in May to discuss goals and possible constraints. Cory just did a Council Corner piece about this that lays out questions about this topic. When the Council was discussing this goal, there seemed to be a strong consensus that they need to gather more information on the inventory and land use. This may involve some collaboration with GPCOG. There could be some actionable things that come out of that process that involve this Committee. Even though there are specific council members listed as champions for certain goals and certain committees are listed, those lists are not necessarily exhaustive. The overarching goals are to break down some of the silos and be respectful of volunteer and staff time.

Autumn highlighted one of the tasks listed for this goal, "Create a short-term rental ordinance to align with Town objectives on affordable and workforce housing and ensure responsible growth." She will bring this to the LRPC in April. Autumn worked with Ordinance Committee to develop a final draft of a registration process and an inspection process. The Planning Department is implementing new software to be able to do it all online. Autumn is meeting in April with specific people that have reached out to her, and will bring this Committee the draft and specific comments in April.

Cory added that the town is not at the point that short term rentals are fundamentally skewing the market like other towns nearby, but as Autumn noted there is some neighbor concern when a new short-term rental pops up.

Jean-Marie said she just sold a house in Scarborough and every offer was from someone who wanted to rent it out as a short-term rental.

Robyn asked Autumn what difference an ADU would make. Autumn responded that the Planning Department has tricky ADU rules and that they can't be rented for less than 28 days. There is a gap when people can't rent their ADUs after a family member moves out because the rules

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require the tenant to be a permanent resident of the main property or a relative of the primary resident. Autumn would like to discuss that with this Committee. Currently it's complaint-driven, so some people get away with it and some don't, but it leaves enforcement to the Town to follow up and verify.

Peter stated that on growth calculations, we should not lose sight of the fact that mixed-use development is a way to encourage denser, higher development. It also relates to transportation needs. The more mixed-use development, the less those residents need to travel to get what they need. He also asked Autumn if she could share how she had laid out the meeting schedules so they could know how to structure their schedule and see what was coming up. Autumn said she could share an outline that would be subject to change. Cory added that the goals did not mean they expected to solve those problems in the next twelve months.

Robyn noted that if LRPC isn't going to be part of the other Council Goals, she wanted to have a staff person be a part of the conversations around having a Council liaison with Crossroads Holdings, LLC as highlighted in one of the other goals. Cory responded that Randy Hogan shared a similar concern recently and that it is a fair concern. He said the thinking was to have something that is more formalized and transparent, hopefully it will make the process more transparent and that they could discuss a potential staff role. The thinking was to have a formalized line of communication, but Robyn's point is well-taken and Council will be careful of how it is implemented. Cory also stated that there is nothing necessarily nefarious in Councilman Cushing's communications that Robyn noted.

Robyn responded that there are a lot of smart people in Scarborough that are worth listening to. She expressed disappointment that there was no outreach or support for residents who were expressing concern over water quality and there to support the wetlands setback, and that the Council approach was against staff and those residents.

VI. Committee Member Updates - 9:20

Rachel stated that Planning Board will be meeting on Monday, and having a public hearing on the LI district. At the last meeting, Rick Meinking was elected as chair of the Planning Board, and Rachel is now vice-chair. The Planning Board did look at the preliminary plans for Market Basket and a neighboring retail building on the unnamed loop road at the Downs, and a mixed-use facility on Scarborough Downs Road.

Peter stated he had missed the last Transportation Committee. Autumn added this coming month would have a presentation from a Community Services group interested in additional routes. Transportation Committee and Autumn and Angela are still working through their drafts.

Robyn reported that the Vulnerability Assessment StoryMap is live on the Town's website. GEI and the consultant did really good work on that. The Bailey's Campground folks have been on that committee, and those have been hard conversations. She encouraged this Committee to take a look at the StoryMap. She was unable to attend to the Ad Hoc Open Space meeting last night and deferred to staff updates on that.

Autumn said it went really well, and that they are working on adding what they have left and that they are working on an exhibit in April.

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Cory reported that April 16th is a Council workshop with GPCOG on transportation, and they are targeting May 7th for a joint workshop with the Housing Alliance.

Autumn asked if members check other committee agendas on the Town calendar, and reminded members to do so if they do not already. There are a lot of interesting items coming up.

Portia noted that some committees have better minutes than others. Peter also noted that minutes only come up after they have been approved, so there is a lag. He asked if there is a way to get draft minutes. Autumn clarified that members can look at the agendas in case there are topics they would like to discuss with her. Cory added that Council has modified their agenda to do report-outs on committees and liaison activities at the beginning instead of the end of the meeting.

Portia asked what the implications are with affordable housing and traffic.

Allen thanked Ron for joining the Committee today and for his insight.

Jean-Marie explained that she was attending as an alternate today.

VII. Staff Updates

VIII. Adjourn 9:33 – Next Meeting April 11, 2025