

COMPREHENSIVE PLAN COMMITTEE MEETING
January 11, 2016 at the Jewett School

Attendees:

Members: Hans Krichels, Larry Wahl, Mark Eastman, Kathy Downs, Jef Fitzgerald, Brian MacDonald, Sandy Robshaw, Chris Johnson, George MacLeod, Mary Jane Bush, David Grant,
Staff : Rich Rotella, Jeff Hammond,
Consultant: Tom Martin
Others: Mayor David Keene (Council), John Paul LaLonde (Heart & Soul) and others

Meeting commenced at 5:05 p.m.

1. **Adoption of Minutes.** Motion made and passed to adopt December minutes.
2. **Progress Update.** Jef asked if anyone who is good at Microsoft Word would be interested in reformatting the Comprehensive Plan document. Brian MacDonald volunteered and Jef said they will come up with a model for him to work with.
3. **Existing Land Use Review - Chapter 12**

This chapter discusses what things look like now and what our ordinances look like that deal with land use. We need to look at what we have and identify some areas we need to be working on. Tom led discussion on chapter. Discussion will include information for future decisions about zoning issues for mill site.

12.C Key findings and issues
(maps were presented which showed growth areas)

Residential -- Efforts were not successful during the past ten years+ in achieving the growth results in designated growth areas. Primarily residential uses snake their way through rural parts of town. Tom indicated that it is fairly hard to get growth in growth areas - growth occurred in lots out in country not generally close to neighbors. Development corridor is where most of the development happened. Depends on how you look at it. Is this a growth area? Like most towns, there is quite a substantial amount of subdivision parcels not developed on.

Commercial -- There has been a high turnover in commercial properties but have done positive things. Issue raised about whether there is any data available for the reason of closures as referenced on page 1 that 83 commercial use permits were granted in existing buildings and only 20 of those remained in business as late as 2015. Rich was asked to find out if there is any data on this and to present at next meeting. Rich said that he visited the 47 businesses currently on Main Street from Seaboard to the Town Office. The span on Main Street runs from Verona Bridge to Bagley Avenue. Have to drive home point that downtown still needs a lot of help -- that is the message. There is some impact on the question of viability of businesses in the land use ordinance but may not be the biggest issue. Downtown Group is going to need to review.

Mary Jane pointed out that one significant change not noted is the Bucksport Family Medicine which came into being since the plan and because of the reconversion it no longer exists. We should note this in healthcare section. Tom will send email to Mary Jane. Land use chapter covers the whole town and talking in general terms of what the town looks like -- have a huge rural area and village area and commercial area and couple of industrial parks. This is at least the third time for this kind of discussion to create a zoning plan in the past 30 years. Town wide zoning was created in 2000. First(?) Then in 2003 the comp plan came up with forerunner of this map. The current map was put together with Planning Board. The last Comp Plan was to direct growth in the town. Compared to 10 years ago nothing dramatically different beyond the new commercial and big loss in industrial sector. What areas need our attention considering what has happened and how will we tweak this? Fairly comfortable if this is not working that may need a total overhaul where lines might be moved. Will find difference of opinions when projects proposed and may affect someone's neighborhood but do not need to focus in on anything too detailed right now. The beauty of having Comp Plan re-do happening now in wake of mill closure is that can try setting foundation of what is to come.

Mayor David Keene spoke about growth at mill site, which is valuable piece of property to town not just for tax revenue but also employment. The Comp Plan is based on commercial development but need to focus on having sufficient employment in the area. The Town does not own the property. It is over 400 acres in industrial zone and one of the last really good industrial sites on the east coast as far as assets -- available power, rail, deep water port, natural gas, three ring binder Internet opportunities. There has been a lot of interest in property and there have been calls to town office from developers. AIM has had people approach them. There are a lot of ideas out there, such as making it part of the Maine Port Authority for another dock facility. Do not think heavy industry will return and very unlikely a paper mill. Site probably will be used for light industry or manufacturing facility. One of the best assets of that site is that it has a power plant and if you have an existing light industry on that site you can get power from the power plant without paying T&D charge. Power plant has value of about \$70 million. The Town lost \$372 million in value when mill went away. In Town's best interest to have as industrial site because of natural resources. Need to create some tax revenue and job opportunities. There has been interest but the place has not been completely torn down and town's role is limited. Whole site is surrounded by commercial and industrial -- so turning into recreation and housing as has been suggested would not fit very well. The contacts made to the town have been by industrial headhunters. There was someone from Texas hired by AIM to look at heavy industry but the Town told them they would not likely get permitting for steel mill or oil refinery. In the past the Maine Port Authority approached prior owners of the mill about creating dock. The State was going to put up the money but wanted the mill to work on it but at the time mill said they were not interested. Town should keep it industrial zone and if want to do that would have to be backed up by the Comp Plan. Unless there is a proposal or case being made to change that to residential zone do we have to deal with it? There are some proposals that would require zoning changes -- should we discuss that?

Jef wondered what would be allowed in industrial district and if committee needs to add language in the land use ordinance to include data center. Jeff Hammond read the definition currently in the ordinance and we may want to consider adding specific language for a data processing center or similar, compatible development.

George wanted to know if it would be in the Town's best interest to conduct a feasibility study to determine what would be the best use of the mill property. For instance, are there buildings which AIM plans to tear down which other industries might have a use for? His impression is AIM wants to get their money and get out of here. Would it be beneficial for the town to work with AIM to find solutions for property? David said AIM's plan is to be out of there in 15 to 18 months and have property sold and they are looking to run or sell the power plant with no plans now to tear it down. It was pointed out that they might come up with something not in town's best interest so should we partner with them to have the right ordinances. Rich has an appointment with them this week and that might be an opportunity to open the door to more communication.

John Paul indicated that the power plant produced more power than the mill needed when it was running and what would happen to the excess for any light industry that would go in there? Would it be worthwhile to run it for any industry that would not have as great a need for power? David said that they would get a value for those megawatts for sitting there in case they are needed -- would be making money by just sitting there. George got call from a gentleman from D.C. who is an advocate for big utility companies who would be possible customers for the turbine and he said there is enough head in dams going through the area if they wanted to turn into hydro power to do a municipal project. It is a resource, but what does that mean in terms of how to get rid of excess power? He said he would work with us to explore. AIM is looking into that. All speculation right now because they are a private company who are not obligated to let the public know what their plans are.

Section 2 page 5 -- Clarify issues that come up for Town Council from business owners on Main Street. When would folks have an opportunity to invite businesses to address comments about issues? We are just at the beginning of discussions on land use and questions coming are on the details of the ordinance. If changes are needed in our process, we can address them and create opportunity for discussion. We will not ever come up with an ordinance that is problem free -- all we are finding out now is where likes and dislikes are.

Presentation by Jane Cirillo of 82 Main Street. She currently has a commercial tenant for her first floor unit, but she found out that it is against the law for a first floor tenant to be residential. If she cannot find a commercial tenant she would have to leave unit vacant and as a result would be unable to pay her taxes and water/sewer bill.

Jef replied that it is important for the committee to realize that our work does have consequences so it is important what we are going through now which is one step -- and the final step will be a land use ordinance. The ordinance was done in good faith to create an atmosphere on Main Street that now seems to be counterproductive for some people on Main Street who cannot do what they want to do. Can we change the rules if we feel that overall it is fine? Jane indicated that she went before Planning Board but they said she had to come to the Comp Plan Committee. She pointed out that vacancies serve no purpose and restrictions on use of property cause problems when trying to get approval for loans. Her property was a residence that had been used for some commercial space, but it is still a house and is too small for most businesses. Is it possible to get a variance in that situation? Jeff Hammond said others got a variance from town

but also need approval from DEP and he is working with them now and he thinks it is doable. Would need Planning Board, Town Council and DEP to sign off on ordinance changes.

The whole argument along Main Street -- those owners need flexibility -- cannot sit for next 10 years with vacant property -- going to be slow dark death if cannot build flexibility for owners. On water side of Main Street cannot do a thing. The waterfront is what creates issue with DEP. We agree does not make sense but they have to follow their rules and try to get rules changed -- difficult to try to get State to change statutes but Tom pointed out that there is a different attitude with DEP now so process may be easier.

Need to look at issues of mixed use and regulations restrictive to first floor. The Planning Board concluded that Jeff and Rich were going to make recommendations based on discussion with DEP. What they have to do is compile information to justify less restrictive regulations and starting to do that now. When that is compiled the next question is what do we want changed for standards, put in ordinance, present to DEP and then see what happens. Rich asked for clarification of issue of first level or street level. Jeff said the ordinance is phrased "street level."

Mary Jane asked if there was place that indicates percentage of vacancies. None exists now but it was agreed that it would be good to have analysis of vacancy rates in commercial area. Residential apartments rented in downtown can be readily rented if they are nice apartments. It is a changing world for retail -- everyone shops online and that is putting small merchants out of business. Can we do both? Should we take on case by case basis? Might be worth looking into other communities -- such as Ellsworth or Belfast -- to see what their policies are.

Tom wanted to know if he should insert any language about allowing flexibility. What we are hearing is a whole additional area where there needs to be greater flexibility for owners to be able to shift use within their building. Some regulated by the state as we know, but there seems to be some more flexibility on part of the state and seems important to put this into Plan. Stress there is too much commercial zoning and recognizing Maine's economy causes significant shifts and burdens on commercial businesses being able to be sustained in rural areas and as a consequence needs to be greater flexibility on part of zoning regulations and others so they have more options about how to be financially sustainable with use of their property.

Jef indicated that one issue that comes up is parking. If we change everything Downtown to residential area where are they going to park? Will need to look at this issue.

If economy of town is changing have valid argument to make changes. Main street is general development which has more liberal rules already. It is not the zoning map, but the details of the land use ordinance that are creating problems. We can change some of the details of what happens in that zone. We are not trying to change zone because it is already zoned commercial/residential but issue of what owners are free to do with her property.

Jane voiced the opinion that parking is up to landowner and tenant to work out -- or tenant to find adequate parking and not up to the town. If they park on the street then the town can impose fines.

Jef said what the committee is thinking about now is not directly related to the problem raised by visitors to the meeting. In general, there is protection in mind for the owners of neighboring properties when laws are created which may also limit people. They have to be thought through carefully and the situation now perhaps is one of enough parking, but not enough businesses. This could change in 5 years so want to be sure we are able to handle what comes along.

Downtown district sacrificed to the mill in terms of attention and vision and since mill closure hoping much more resources will be put into looking at what the vision on Main Street could be - not one or the other. There has been a lot of facade improvements to Main Street but it is not building a foundation that is going to attract anchor businesses to make the area more successful.

Need to spell out that we just had recent mill closing and do not know how it is going to affect but will have a big impact and somehow it has to be spelled out in there. Do not know what picture is going to look like and cannot put something together that does not allow for growth.

Downtown needs new vision -- should consider loss of commercial space, loss of the mill. Things happen too quickly to have one plan every 10 years. George said we need to consider annual updates and go back and look at some of these issues. Need to build in flexibility and emphasize that it is ongoing process.

Downtown requires ongoing review -- what about other commercial areas? Need to make sufficient distinctions for Route 1 corridor which is a different situation. Stores and small malls are reportedly doing really well -- mixed business and mixed residential.

If we had some kind of statement that we want to avoid having that Route 1 corridor turn into some hideous looking things -- way to balance so nice approach to the town. Hearing from various people that it is important whether going or coming if they get a good feel of what they see out there they are more apt to stick around. Should have some type of regulation that they have to go before the town to ensure structures meet certain visual standards.

On Page 12, section 3 -- Route 1/3 corridor should think about mentioning aesthetics of presentation of businesses. Town should come up with a plan.

Downtown & Waterfront section change -- want to review Page 11 -- balance may be struck.

Neighborhood development -- need some kind of strategy -- look at what they are and how to enhance them. What amenities would enhance -- anti-blight.

Opinions heard that are contrary to what we heard tonight -- Tom will look through but if anyone else sees anything -- spend some time at the next meeting to discuss.

Jeff Hammond wanted to point out on the zoning map that in 2010 the DEP mandated Town of Bucksport Shoreland Zoning areas identified as being moderate to high habitat for inland birds and waterfowl had to be placed in resource protection. There were 10 areas in Bucksport. In 2013 the DEP reversed that requirement so these areas are not required to be in our Resource Protection District. The only reason is because of change imposed in 2010. Should consider

making recommended change to zoning map to look at these areas to see if they should continue or be Resource Protected areas, which is the most restrictive there is. Public hearings were held and many were not happy with their property being designated in Resource Protected zones.

4. **Citizen Outreach** *Report by Chair George McLeod:*

Jef and George met with Sue Lessard and agreed that some council members will come to meetings and agree would get some support to get website up and running. Sue asked for proposal from local person. Caleb is local IT person and he is working up ideas, and Sue will take to the Council and discuss whether it would be a benefit. When we first started doing this none of these other groups were here and all of a sudden started outreach committee to get people involved with what we are doing. Felt important and it keeps getting away from us because other groups keep coming up and if you look at the front page of the paper -- so many different groups saying I got the answer follow me and all good ideas -- all blessed to have all these people working but the problem is we need quarterback because out of control and what we were doing subsumed by other groups. Getting harder to differentiate ourselves because hard to get people to come to us when going to others. Several members of the Outreach Committee were at Heart & Soul presentation and they are doing in initial phases what we are doing. We walked out of there thinking why would we continue to do own Outreach but dovetail with them -- can we explore with them? How can we get organized in a way we are working collaboratively and not confusing everyone in town? Who is going to do that?

Hans indicated that as a member of the Outreach committee he feels we were here right from the beginning to help get Comprehensive Plan as mandated written and to get our message out and think still should be done. Have info from David Keene tonight which would be good to share with public. Cheri Domina is willing to come back in to meet with us. Bucksport has a Forester and he is willing to come to this committee on Forest Resources in town. Hans said he is not ready to stop projects we are doing, such as the Bucksport NEXT Facebook page.

Rich Rotella emphasized that he does not think Bucksport NEXT group should get away from what we are doing. Comp Plan/Bucksport Next is more top down (Council appointed) and Heart & Soul is citizenry (bottom up). He understands there is an issue of duplicating efforts and we can discuss at meeting on Monday.

5. Next Outreach Meeting: January 18, 2016 at Jewett School (meeting is optional)
6. Next Regular meeting: February 8, 2016 on Fiscal Capacity Regional Issues

Adjourn 7:00 p.m.

Valorie Shaffner, Recording Secretary