

**MINUTES**

Members Present

Susan Auglis  
David Merrill  
Judy Roy  
Allen Paul  
Rick Shinay  
Jean-Marie Caterina  
Chris Caiazzo

Staff

Karen Martin, SEDCO  
Jay Chace, Town Planner  
Jamel Torres, Assistant Town Planner

Presenters

Roccy Risbara, Crossroads Holdings, LLC  
Dan Bacon, Gorrill Palmer

Attendees: Craig Friedrich, Steve Hanley, Kerry Anderson

**1. Approval of Minutes from March 23, 2018**

Judy Roy moved to approve the March 23, 2018 minutes; Allen Paul seconded the motion. Vote was unanimous 7-0.

**2. Crossroads Zoning Amendments Proposal (Owner Initiated Changes)**

Jay Chace explained to the committee that Roccy Risbara of Crossroads Holdings, LLC and Dan Bacon of Gorrill Palmer were in attendance to continue the discussion of the proposed zone amendments to the Crossroads Planned District (CPD).

Mr. Bacon introduced himself and Mr. Risbara to the committee. Mr. Bacon told the committee that their Master Plan for Phase 1 of the Scarborough Downs development was approved by the Planning Board on 4/5/18. Mr. Bacon played a video “fly through” of the proposed Phase 1 development for the committee.

Judy Roy asked about their plans for stormwater management for the Phase 1 development. Mr. Bacon stated the development team has started working on their proposed stormwater approach, including Low Impact Development (LID) approaches.

Jean-Marie Caterina asked about the proposed architectural styles for the Phase 1 development and noted that varied architectural designs would be more interesting.

Chris Caiazzo asked if any backyard fencing behind the single-family homes was proposed for the Phase 1 development. Roccy Risbara stated the development team is working on a plan.

Mr. Bacon introduced the proposed Crossroads Planned Development (CPD) district boundary amendments they are proposing. Mr. Bacon explained that during their property acquisition due

diligence it was discovered that the parcel boundary assumed by the prior owner and Town Assessor was inaccurate and has a different boundary in several places. Mr. Bacon explained that zoning does not now follow the actual property lines and the development team would like to amend the zoning boundaries accordingly. Mr. Bacon noted that they have sent out letters to all of the property's abutters to gather public input about the proposed zone changes and they have not received any responses yet. Mr. Bacon walked through the proposed amendment to the Town's Official Zoning Map with respect to the new extent of the CPD district.

Allen Paul asked if they wanted to include the two "fingers" of property that abut Route 1 in the CPD district instead of the current zoning of B-3. Mr. Bacon stated that they plan on leaving that portion of the property in the B-3 zone given the limited size of the "fingers" of property.

Mr. Chace asked if the development team has had any conversations with the landowners who's land they "acquired" during their due diligence process. Mr. Risbara stated they are still waiting to on feedback from the prior property owners as there is some confusion about specific boundary lines in the northerly / northwesterly portion of the property.

Mr. Chace noted that the Town Attorney has looked over the proposed district boundary amendments and indicated that they looked good.

Mr. Caiazzo stated that he is most concerned with "Parcel B" along the Haigis Parkway and the allowed uses. Mr. Caiazzo indicated he would like the allowed uses to be similar to what is currently permitted along the Haigis Parkway.

The committee agreed they are comfortable with the proposed CPD district boundary amendments as proposed, provided the buffering along the Haigis Parkway remain consistent.

Mr. Bacon stated that the development team is requesting that specific additional manufacturing, research, processing and light industrial and service type uses be allowed within the CPD district, subject to some limitations where this type of development occurs and standards on the buffering and separation to incompatible residential zones outside the property. Mr. Bacon indicated that they think there are a lot of good reasons to allow for light industrial and manufacturing along the Payne Road portion of the property. This would be roughly 100 acres between Payne Road and the Scarborough Downs Road within the northern portion of the property. Mr. Bacon stated there could be high employment and a low demand on public services. Mr. Bacon also stated that they are proposing to not require this area to meet the Town's Commercial Design Standards for the uses, but will require a significant buffer surrounding this portion of the property.

Susan Auglis expressed concerns about not requiring the industrial and manufacturing uses to meet the Town's Commercial Design Standards.

Mr. Chace noted that these proposed uses are typically allowed in the town's Industrial District and the development team is seeking to create an isolated pocket of these types of uses.

Ms. Caterina stated that she would prefer a larger setback than 100 feet from abutting residential zones and asked why it can't be 250 feet.

Mr. Bacon indicated that the Zoning Ordinance requires a 100 foot setback from abutting residential zones. Mr. Bacon also noted that the Planning Board will have a chance to review the Master Plan for this phase of development prior to site / subdivision review.

Mr. Paul asked if it was possible to use the areas of the property that abut residential zones with compatible uses (not industrial / manufacturing).

Mr. Caiazzo indicated that the town has regulations in place for abutting uses including sound, light, and noise standards that need to be met and that these issues can be dealt with by the Planning Board.

Mr. Chace explained the town's buffering standards to the committee. Mr. Chace asked the committee about how they felt about the proposed setbacks and buffers to give staff some direction prior to zoning changes being proposed to the Town Council.

Ms. Caterina noted that she is concerned with the proposed buffers and setbacks between the light industrial uses and any residential uses within the property. Mr. Risbara stated that the development team will work with the Planning Board on the buffering and setback standards when the time comes. Mr. Bacon indicated that some of the proposed light industrial uses may be compatible with residential uses and used a brewery as an example of this.

Karen Martin noted that from a marketing perspective the development team needs to know what type of uses can be allowed on the property in order for them to properly plan their development.

Rick Shinay stated that this is a very unique piece of property and a unique opportunity for the town to help shape the development and the committee shouldn't waste a lot of time on discussing buffers and setbacks right now. Mr. Shinay stated that there will be plenty of opportunity to work on the buffers and setback standards with the Planning Board when the time comes.

Mr. Caiazzo stated that he is concerned with how the Scarborough Downs development will integrate into the community and stated that buffers will be very important.

Mr. Chace showed the committee where the B-3 zoning district abuts the CPD district and that a 100 foot buffer will not be required here if approved. The committee indicated they were comfortable with this.

Mr. Bacon noted that the specific topography of the site will further dictate the actual buffers on the property and they may propose larger buffers than are required.

Mr. Shinay discussed the zoning and buffering standards in the town's Zoning Ordinance. The committee agreed they were comfortable with the proposed limits of the light industrial proposal.

Mr. Bacon stated that another important land use that the development team believes should be incorporated into the CPD district is the provision for gas / fueling stations. Mr. Bacon stated that a gas station would only be located within 1,000 feet of the Payne Road / Holmes Road / Scarborough Downs Road intersection.

Mr Allen stated that he would like to see the gas stations designed with the pumps located behind the principle building on the site.

Mr. Chace stated that the town's Commercial Design Standards require gas pumps to be located behind the principle building on the site based on site characteristics.

Mr. Chace indicated that wetlands are prevalent throughout the site and gas stations should only be located in areas where there are no wetlands. Mr. Bacon stated they are waiting for the final wetland delineation of the site before they decide where to locate one.

The committee agreed they are comfortable with the proposed use of a gas / fueling station within 1,000 feet of the Payne Road / Holmes Road / Scarborough Downs Road intersection.

Mr. Bacon stated that development team would like to use gravels, sands and other aggregate from on-site to the extent reasonable and practical as well as to stockpile material as needed for the project development. Mr. Bacon stated that Earthwork, Material Extraction and Construction Activities Incidental to the Development are proposed on the property. Mr. Bacon indicated that they would use the extraction areas as water features in the future.

Mr. Chace noted that the development team is trying to amend the development standards rather than proposing a new use. Mr. Chace stated that the Town Attorney has reviewed the development team's proposal and is comfortable with it as proposed.

Mr. Caiazzo asked if we can draft language that addresses the end of the project development to ensure that a large stockpile of materials isn't left behind.

Mr. Paul stated that he would not like to see stone crushing machines on the site for 30 years and stated that the machine should be removed from the site once the project is completed.

Mr. Shinay stated that he was comfortable with the Planning Board reviewing this proposed use as part of the site / subdivision review process.

Mr. Chace stated that the Planning Board will review the excavation process as projects are submitted.

The committee agreed they are comfortable with the proposed use as presented.

Mr. Bacon stated that the development team is requesting to remove the buffering requirement to adjacent zoning districts for mixed-use and commercial-industrial zones. They are requesting this amendment to the Zoning Ordinance to enable better integration with abutting commercial-oriented uses. Mr. Bacon noted that they are proposing no changes to the 100 foot buffer to residential and natural resource districts.

Mr. Paul indicated that he is concerned about the required 25 foot buffer along the Haigis Parkway within the Haigis Parkway Zoning district.

Mr. Bacon stated that they would consider adding language to their proposal to ensure the 25 foot buffer along Haigis Parkway remains a requirement if / when the portion of the Haigis Parkway district becomes part of the CPD district, as proposed by the development team.

The committee asked for public comment on these proposed changes.

Craig Friedrich, 1 Elsie Way, stated that he is an abutter of the CPD district. Mr. Friedrich stated that the committee should consider that the land within the CPD district may not always be under the same ownership and that it is important to have flexibility while having strict regulations at the same time for the property. Mr. Friedrich asked the committee to always imagine that a different developer may be the property owner years from now when amending / creating regulations.

The committee closed the public comment.

### **3. Haigis Parkway & Warehousing/Distribution Zoning Amendments (Staff Initiated Changes)**

Mr. Chace stated that the Planning Department and SEDCO staff are experiencing increased interest in the development of “flex space” in town (uses that typically are classified as “Research, Development and Light Industrial,” “High Technology Facilities,” Small Batch Processing Facilities,” and “Food Processing Facilities.”). The projects are designed with a mix of areas including office, showroom or retail area, production or assembly area, and areas for the storage of materials and good produced on-site. Mr. Chace stated that developers have had discussions with staff about the limitations of this type of use within the Haigis Parkway zoning district. Mr. Chace stated that if a company needed more than 50% of its space for product or component storage, then the use is not allowed in the Haigis Parkway District, but is not the case in other commercial districts such as B3. Mr. Chace stated that it seems like there is a good rationale for permitting these types of uses on a limited basis within the Haigis Parkway zoning district. Mr. Chace stated that if the LRPC determines that ancillary storage of goods and products related to permitted uses should be treated equally in the Haigis Parkway zoning district as other zoning districts, consideration could be given to creating a definition of “warehousing” and “distribution” and deleting the restrictive language in the Haigis Parkway zoning district. Mr. Chace noted that staff researched local ordinances and nationally recognized publications to develop the proposed definitions.

The committee agreed that they are comfortable with the amendments to the zoning ordinance as proposed.

The committee asked for public comment on these proposed changes.

Kerry Anderson, 20 Ward Street, stated that these proposed amendments would make it easier for certain businesses to locate within the Haigis Parkway zoning district because it offers flexibility for these types of uses. Mr. Anderson stated that he thinks the demand is there for this kind of development along the Haigis Parkway with amendments as proposed.

The committee closed the public comment.

### **4. Public Comment**

None

**5. Next Committee Meeting(s)**

Thursday, April 26, 6-8pm: Comprehensive Plan Community Meeting – Scarborough Public Library

Friday, May 4, 8 – 9:30am: Regular LRPC Meeting – Scarborough Public Library