



Administrative ReOrganization
Meeting Notes
Site Visits – October 27, 28 and 29, 2014
AZC meeting October 29

The staff of Kendig Keast Collaborative and the Town of Falmouth met over a three day period 12 times with various groups and individuals. The purpose of these meetings was to introduce the Unified Development Code project and to gather input to assist KKC, staff and the Ad-hoc Zoning Committee in the development of the UDC. Attached to this document is a project narrative and company summary. The following list indicates the meetings, attendees and the takeaways. Also attached to these notes is the list of key takeaways and the person/group assigned to address them and a rough time frame.

Monday, October 27

1. **Introductory meeting with KKC and key staff** (Bret Keast, David Baird, Amanda Stearns, David Kallin, Nathan Poore, Ethan Croce, Justin Brown, Bill Plouffe, Lisa Sangillo)
 - Bill and David will be sent a link to enCodePlus. [done]
 - Staff comments will be consolidated and submitted through Amanda
 - Legal aspects of combining the various ordinances will be scrutinized by David B, Bill and David K. and goal is to assure that any issues are resolved during the development of the annotated outline and strategic approach.
 - UDC should be structured to allow Comp Plan implementation policy to be inserted. KKC will be kept abreast of concepts and directions for changes in land use policy.
 - UDC will include land use table, dimensional requirements table and spreadsheet on notice and process requirements for various amendments.
 - Finalized schedule will be forwarded to Department Heads, LPAC, CDC, Route 100, FEIC, Conservation Commission and any other interested parties
 - Town staff will update the current ordinance and keep up to date so that when the transfer takes place it will be current.
 - KKC will provide a UDC to Current Ordinances conversion table and town staff will use it to prepare a Current Ordinance to UDC table.
 - Constitutional issues will be identified during the annotated outline development. These may generate some necessary policy decisions
 - Any changes that are policy driven will be called out and prominently identified so that the public is aware.
 - Town staff will attempt to find the mobile home ordinance as it is not codified.
 - Make sure to have a disclosure about the official ordinance and maps. (paper copy certified by the Town Clerk)
 - Will attempt to work on some style issues like gender neutralization.

- Areas duplicated and those where items are not addressed will be identified.
 - Town staff will forward draft use and dimensional tables to KKC.
 - New web link will be created by KKC for the project, rather than using the active link to the current Code of Ordinances
2. **Interview with Jay Reynolds, Public Works Director** – (Bret Keast, David Baird, Amanda Stearns)
 - Most ordinance areas in general code to be placed in UDC. Will leave some parts in the main code section as they are not relevant to land use.
 - Correct references to PW staff and titles
 - Make sure to identify where it is not zoning and the administrative, appeal and enforcement authorities.
 - Suggested to look at performance guarantees and deadlines for subdivision completion if time permits and some policy issues are discussed.
 3. **Ad-hoc Zoning Committee** (Bret Keast, David Baird, Justin Brown, Lisa Sangillo, Ethan Croce, Amanda Stearns, Rachel Reed, David McConnell, Tim Nolan, Jim Thibodeau, Stan Given)
 - Important to look at this project as rebuilding the foundation for new land use policy initiatives
 - Building Codes will not be included; will be on website as reference.
 - Be mindful not to combine too many things; will agree to final list with the annotated outline.
 - Charts and illustrations will be good
 - Development guidebook discussed, especially for simple projects. Will be looked at as we go along. Could identify top ten projects and have reference to a flow chart on line.
 4. **Reception** – (Bret Keast, David Baird, Amanda Stearns, Sean Mahoney, Charlie McBrady, Karen Farber, Caleb Hemphill, Claudia King, Dave Gagnon, Nathan Poore, Tom Greer, Nancy Lightbody)
 - Subdivision appendices will be placed in the UDC.
 - There will be an effective date and the Council can develop a transition period by adopting the UDC and placing an effective date later on.
 - Be sure to keep the public informed.
 - Will go through the approval process all at once even though two modules are being created.
 - Target date for adoption will be late 2015.

Tuesday, October 28, 2014

1. **Follow up meeting with KKC and key staff** – (Bret Keast, David Baird, Bill Plouffe, David Kallin, Amanda Stearns, Ethan Croce, Justin Brown)
 - Will provide hyperlinks for state statute search site
 - Will provide an official copy of the UDC as needed

- Will provide web links for referenced regulations, code and documents where available
 - Reviewed the schedule, may need to tweak the review times for the modules, town staff will work on this and respond to KKC
 - Bill and David will be added as commenters to the maintenance module
 - Notice requirements will stay in the ordinance even where prescribed by statute
2. **Interview with Peter Biegel, LA** (Bret Keast, David Baird, Amanda Stearns, Ethan Croce, Justin Brown)
 - reOrg makes sense
 - currently nervous about missing some regulatory component of the ordinances as they are so disorganized.
 - Will send info for getting on the subscriber list
 - Would be helpful to have graphics for architectural standards.
 3. **Interview with Tom Greer, P.E.** (Bret Keast, David Baird, Amanda Stearns, Ethan Croce, Justin Brown)
 - Guidelines for various districts should be resolved with ordinance regulations
 - Has done a lot of work in Southern Maine, spends 2 times as much time in Falmouth discerning ordinances.
 - Planning Board is willing to grant waivers but very unpredictable
 - Parking standards are scattered in multiple sections.
 - Many overlying regulations due to overlay districts. Example is landscaping buffers.
 - Will send info for getting on the subscriber list.
 4. **Interview with Rick Licht, P.E.** (Bret Keast, David Baird, Amanda Stearns, Ethan Croce, Justin Brown)
 - Overlay districts need to be clarified. Difficult to tell what standards apply and to what districts and in what circumstances
 - 4 step process for conservation zoning is laborious and does not relate well to prioritization of open space
 - Design standards shouldn't be in appendices.
 - OceanView – easy to miss standards
 - Would like to see more graphics in the ordinance
 5. **Planning Board/BZA joint meeting** (Bret Keast, David Baird, Amanda Stearns, Ethan Croce, Justin Brown)(Stan Given BZA, Wendy Paradis BZA, David McConnell BZA, Jay Chace PB)
 - Need for clarification of nonconformities section
 - Suggested identifying substantive changes as Red for necessary due to law/statute, Orange for desirable but not necessary, and Yellow for advisable. Also to identify as easy, moderate or difficult to implement.

Wednesday, October 29, 2014

1. Department Heads (Pete McHugh, Finance and Lucky D'Ascanio, Parks and Community Programs)

This session was an overview of the new enCodePlus hosting for the entire Code of Ordinances rather than focused on the Unified Development Code.

2. **Ad-hoc Zoning Committee Meeting** (Bret Keast, David Baird, Amanda Stearns, Lisa Sangillo, Ethan Croce. Members present: Stan Given, Karen Farber, Bill Lunt, David McConnell, and Steve DeCrosta)

KKC reviewed the overall project and schedule for the benefit of those who were not able to make the Monday meeting. Most of the discussion focused around outreach for the project. Items identified were:

- Development of a newspaper announcement or notice. [has not occurred]
- Placing the project on the agendas for the Planning Board, Board of Zoning Appeals and the Town Council so that if there needed to be discussion it could occur. [no discussion to date]
- Getting a synopsis of work from other committees (FEIC, LPAC, Route 100 and CDC) to KKC to keep them up to speed [has occurred]
- Name of project better as “reorganization” rather than rewrite as the project does include rewriting existing language unless necessary.

The committee will plan to meet November 20 at 5:30. [This meeting did not occur. Meeting currently scheduled for December 16.]

Summary of Assumptions and Actions Moving Forward – [Notes shown in brackets indicate work as of December 5, 2014]

1. Project does not include rewriting language unless added or unless it is necessary. Version created will show any changes KKC makes to existing language.
2. Staff will keep a list of all changes deemed substantive and all presentations and hearing will be clear on where policy changes are being recommended.
3. Recognized that portions of the UDC will be considered zoning under state statute and be identified as such.
4. Ordinance holes identified – KKC will identify ordinance holes or overlap as they progress and identify for staff, staff will respond directly to KKC when appropriate. Where it involves policy decision will deliver to AZC to make a recommendation. [Will begin to occur once first module is developed.]
5. Need to buy two more licenses for the implementation module (Justin and Lisa) [has not occurred]
6. Conversion Table – Lisa Sangillo will invert the table once outline is received from KKC. This will provide a conversion table from current ordinance to UDC.

7. KKC will create gender neutralization where new language is added. Staff will edit current language.
8. Growth management section will be added to accommodate new policy measures being considered.
9. Ordinance adoption will be led by town legal and planning staff.
10. A second website for this project will be generated by KKC so that commenting and editing can occur separate from the current code. [not completed]
11. Appendices can include rules of procedure for various boards, guidelines for WFC and Route One.
12. Commenting to KKC will occur through Amanda. Staff will consolidate commenting and submit through her log on and then she will add AZC comments and recommendations as well as legal staff. This way KKC will only receive one set of comments from the Town.