



Town of Falmouth Planning Department

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Memorandum

Date: May 13, 2019
To: Melissa Tryon, Nathan Poore, Ethan Croce
From: Dawn Emerson, Land Use Planner
Re: MRA Public Hearing, RA Change Recommendations

At its May 7, 2019 meeting the Planning Board, acting as the Town's designated Municipal Reviewing Authority, held a noticed public hearing on proposed amendments to the Zoning and Site Plan Review Ordinance. The conclusion of the hearing is provided below:

Amendments to Sections 19-8, 19-64.2, and 19-82 of the Code of Ordinances relative to regulations for residential development in the RA District. These amendments would be retroactively applicable to May 3, 2019.

PUBLIC COMMENTS:

John Winslow, new member of LPAC, is against the amendment. Concerned about people using the ADU approval that was part of the zoning changes to skirt the setbacks. Stated the penalties were removed from the 2016 zoning leaving the Town no power for recourse. He is concerned about the number of ADUs and the number of short-term rentals. He would like to see it go back to the pre-2016 zoning.

Valentine Sheldon, Route 88, stated the GIS study completed was not an impact study for development in RA and was what development would look like in RA. Processes in the Town are problematic and need to be fixed. He recommends rolling the whole thing back. He is concerned about growth, lack of adherence to Town Board/Committee attendance requirements, traffic impacts, school impacts, and lack of impact studies.

Lee Hanchett, Stone Ridge Road, made suggestions that apply to Town government across the Board such as poor documentation standards. He said there were many errors in the ordinance amendments. Also concerned that LPAC evaluated their own amendments. It should not have been that way.

Pays Payson, Cottage Lane, disappointed with the 2016 zone changes. Feels the Town has gone off the rails. Concerned with lack of notification to residents. Would encourage the Council to revert to pre-July 2016 standards.

Jay Trickett, Shady Lane, is a member of BZA. He agrees there have been unintended consequences of the 2016 zoning changes and wonders whether the two proposals being considered are well thought out proposals. He provided detailed background information on State law around growth management. He is not sure how he feels

about the amendments. Concerned about the effect of rollback to pre-2016 and if the Town will still be in compliance with State law and the comprehensive plan.

Amanda Henson, recommends rollback to pre-2016. Concerned about traffic due to increased growth.

Dudley Warner, Hedgerow Drive, recommends rollback to pre-2016. The amendments degraded the character of neighborhoods and quality of life for neighbors and is concerned that some of the new houses will be rental houses.

Bonnie Grant, Pleasant Hill Road, recommends rollback to pre-2016. Concerned with the changing character of the neighborhoods and traffic.

William McKenney, 15 Carmichael Avenue, supports a review of the 2013 comp plan. Recommends rollback to pre-2016 changes. Concerned with traffic impacts, deteriorating neighborhood character, flag lots, rental (AirBNB) units, burdening of Town Staff, Public Safety, Wastewater systems, roads, schools, stormwater drain systems.

Dorothy Brunette, 14 Carmichael, dittoed Bill McKenney's comments.

Bob Hunt, recommends rollback to pre-2016 changes. Said the 2016 zoning changes are a disaster.

Lisa Joy, Middle Road, recommends a complete rollback to pre-2016. Concerned about traffic impacts, school impacts, tax impacts, trust concerns with Town government and attendance with members of Town committees/Boards.

George Theborge, 358 Middle Road, is concerned with the political backlash on the Town's planning process. Concerned that a rollback will send the wrong message to all citizens who were positively involved by attending the planning of the 2013 Comprehensive Plan. Concerned the rollback will not pacify those who wish to keep the status quo. Carving the RA into separate districts is a horrible idea that will burn out staff and volunteers, be horrendously expensive, subject the growth cap to legal risk thereby opening the door to the type of development falsely claimed to have occurred. Concerned about the attacks on people who offer a different opinion than those who claim they speak for all of Falmouth's 12,000 citizens.

Butler Carmichael, Foreside Road, does not agree with either proposal being considered. She would be negatively impacted by a rollback in zoning. Is concerned that the rollbacks will make lots that are now conforming, non-conforming thereby causing problems for those residents. Doesn't understand the May 3rd date and is concerned with inconsistencies in the ordinance (i.e. grandfathered lots in the ordinance refers to the vacant lot section).

Amanda Rand, Meadowcreek Lane, in favor of rollback to pre-2016 zoning. Doesn't want the rollback to be the final result but the beginning of a reworking. Concerned with the character changing.

Scott Walker, 8 Rogers Trail, in favor of full rollback to pre-2016.

Emily Martin, 14 Landing Woods Lane, in favor of the rollback. Hesitant with some of the language used in the rollback options. Concerned with those against the zoning changes being looked at unfavorably.

Michelle Sheldon, Route 88, in favor of rollback to pre-2016. Concerned that the hastily thrown together zoning changes will be replaced with hastily thrown together solutions. Concerned that Town government has not been interested in hearing from the people. Concerned that the changes were stealthily passed. Concerned about increased taxes, impact on schools, and student to teacher ratios.

Heidi Kettinger, Route 88, in favor of full rollback to pre-2016. Concerned with the impact the 2016 changes have had on the Town. Concerned that a select few are benefiting (developers). Concerned about traffic impacts. Doesn't know why zoning was changed so much in the first place as it was working fine prior to 2016.

At the conclusion of public input and board deliberation Planning Board voted to recommend 4-1 in favor of the proposed amendments.