



Planning & Development
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Memo

Date: January 16, 2019

To: Planning Board

From: Michael G. Livingston, Town Engineer/Planner

Re: Zoning Changes: Analysis of Compliance with 2005 Comprehensive Plan

Farm/Lemonade/ Egg Stands

- No specific policy/ strategy or goal that addresses
- General Compliance with Vision Statement: Retaining Small Town Character

Net Habitable Floor Area Definition

- No specific policy/strategy or goal that addresses
- Clarifying an existing term – no change to Comprehensive Plan

Bunk House Definition

- No specific policy/strategy or goal that addresses
- Clarifying a definition for what is not a dwelling unit – no change to Comprehensive Plan

Dwelling Unit & Kitchen Definitions

- No specific policy/strategy or goal that addresses
- Clarifying definitions of a dwelling unit – no change to Comprehensive Plan

Home Business Definition

- Economic Development Implementation Program – Goal #8: Foster the development of home occupations ... (see page 88-89)
- Clarifying the definition is consistent/ no change to Comprehensive Plan

Light Industrial District

- No specific policy/strategy or goal that addresses
- Existing Growth Area designation
- Clarifying limited accessory business retail is consistent/ no change to Comprehensive Plan

Utility Structure Exemptions – Town-wide

- No specific policy/strategy or goal that addresses
- Regional/ Intergovernmental Cooperation – Goal #11 (page 85): The KK&WWD and WSD have requested this in the past.

Multifamily Developments – Building/ Structure separation

- No specific policy/strategy or goal that addresses
- Clarifying building versus structure terms and separation requirements

Solar Arrays as a Public Utility Facility

- No specific policy/strategy or goal that addresses
- Public Facilities and Services Implementation Program – Public Lands – Goal #1 (see page 91)
- Clarifying/including electrical generation in definition of Public Utility Facility

Noise Ordinance – Noise levels during daytime hours

- No specific policy/strategy or goal that addresses
- General compliance with Vision Statement: Retaining Small Town Character
- Clarifying existing noise ordinance limits

Wetland Definition

- Comprehensive Plan, Chapter 3 –
 - Natural Resources Policies and Strategies Wells Goals - #1: Assure the Town's natural features, including the marshes and wetlands....are protected from damage and preserved for future generations (see page 9)
 - Implementation Strategies – Wetlands (see page 13)Wetland guidelines should ensure that any definition be consistent with current state and federal wetland regulatory programs.
- Proposed definitions consistent with MDEP and ACOE

Wetland – Net Area deduction for lot sizing

- Comprehensive Plan, Chapter 6 –
 - Land Use Policies and Strategies Tools (see page 24) #2: In areas where protection of water resources is priority, wetland areas will be excluded from lot sizes. . .
 - Critical Rural Areas 4A, 4B, 5A, 5B, 5C and 5D call for 100% wetland areas deducted
 - Rural Areas – call for dimensional standards to remain intact
 - Growth Areas & Transitional Areas do not specify wetland deductions
- Other than within the designated Critical Rural Areas specified, a Town-wide wetland deduction from lot sizes may require an amendment to the Comprehensive Plan

Wetlands – Setbacks/ Zone lines: exclude forested wetlands

- Part 3 – Implementation Program
 - Regulatory Programs – Land Use, Action #11: Retain the currently designated buffers along rivers and streams in the Town's Land Use Ordinance to maintain the quality of these areas for wildlife and fishery habitat
- Proposed term changes will retain the current setbacks and buffers from rivers, streams, tidal marshes and the ocean

Wetland – Net area deduction for Lot Coverage

- Chapter 6 – Land Use Policies and Strategies
 - Tools (see page 24) #3: Maximum allowed lot coverage in some proposed Critical Rural Areas (all impervious surfaces) will be reduced below the 20% coverage now allowed in standard rural areas.
 - Critical Rural Areas 4A, 4B, 5A, 5B, 5C and 5D call for a Maximum Lot coverage of 10%
 - Rural areas – call for dimensional standards to remain intact
 - Growth and Transitional Areas do not specify lot coverage goals/ recommendations
- The proposed change to specify lot coverage to be calculated based on Net lot area (wetlands deducted) is consistent in Critical Rural Areas specified. The method of Lot Coverage calculation is not specified in the Comprehensive Plan.