

**CITY OF BREWER
COMPREHENSIVE PLAN COMMITTEE MEETING
MINUTES
NOVEMBER 4, 2013**

Vice Chairman McIntosh called the meeting to order at the Brewer City Hall Council Chambers at 8:12 a.m.

The following were in attendance:

Kevin Birch	Present
Allen Campbell	Absent
Jim Donnelly	Absent
Michael Fitzpatrick	Present
Nicole Gogan	Absent
David Hanna	Present
Frank Higgins	Present
Linda Johns	Present
D'arcy Main-Boyington	Present
Richard Manzo	Absent
Janet McIntosh	Present
Daniel O'Connell	Absent
Bev Uhlenhake	Present
Andrew Varisco	Present
 Consultant Rich Rothe	 Present

Also in attendance: Brewer Code Officer Ben Breadmore.

Minutes of the October 21, 2013 Committee meeting were unanimously approved as written.

The Committee continued their discussions of various land use issues with both pros and cons.

In-law Apartments (continued from last meeting).

- Allowing apartments (without the in-law restriction) into single-family neighborhoods might change the characteristics and expectations of that neighborhood.
- Restricting apartment size based on a percentage of the single-family structure size may keep the character.
- New subdivisions can decide to be more restrictive by their deed covenants and not allow apartments.
- More smaller apartments may be needed in the future especially with people living longer.
- Families can be comprised of more than the traditional family unit.
- The current ordinance requires a "second degree of kinship" which should be removed.
- Should clarify allowed size of apartment in ordinance.

- The City of Brewer has experienced the creation of about three dozen new “in-law apartments” in the last three years, typically just under 30% of the structure size. More apartments are probably constructed without obtaining City permits.
- “In-law apartments” should be changed to “accessory apartments”.
- The assessing departments should then update their records to indicate the use more accurately and to match the use classified by the code enforcement office (ie. two family vs single-family with an accessory apartment).
- Prior to creating an accessory apartment, the landowner should provide proof the existing or proposed on-site septic system can accommodate the apartment.
- The accessory apartment should be allowed to be located in a separate on-site building, such as over a detached garage, however, the size restrictions should still apply.
- Safety needs to be met in the apartment layout and design. Changing the name and requirements from “in-law apartment” to “accessory apartment”, perhaps more people will obtain permits and therefore the code enforcement office will be able to review for life safety.
- Section 410 in the Brewer Land Use Code (apartment conversions) should be removed as most eligible buildings have already been converted.

Private Roads.

- The current Brewer Land Use Code does not allow for private roads; new subdivision lots are required to have frontage on an accepted public street.
- The ordinance is unclear on back lot developments.
- Three types of private roads to consider: 1) “Gated communities” with access-restricted roads, 2) back lot developments, and 3) new subdivisions with roads built to less than City standards (e.g. gravel roads) usually to decrease expenses.
- Private roads are usually built to a less than City road standard. There may be pressure for the City to take over the private roads, especially when it comes time for expensive repairs or maintenance (which has happened in Brewer in the past). All of the taxpayers then pay to upgrade the road rather than the original developer.
- There does not appear to be any definite method to make sure private roads always remain private.
- There is no guarantee the private roads will be built and/or maintained for emergency vehicle access.
- The City does not maintain private roads, therefore, less cost on taxpayers.
- Allowing private roads in subdivisions may make the lots less expensive to purchase due to lower developers’ cost to construct City-standard roads. Often, lots in the surrounding rural communities are less expensive as they have private road provisions.
- What is the vision of Brewer? An urban location with great amenities and services or a more rural town?
- Commercial development is not suitable to be located on private roads.
- Back lots should be allowed with requirements for safety; provisions for varying construction standards; specifically note that they are not eligible for public acceptance unless brought up to City standards first; and restrict the number of residences per private road (common drive) and/or source property.

- Private roads should be allowed as long as built to City road standards. This would allow for gated communities but not put a burden on taxpayers for upgrading. Gated communities usually have a condominium association which would maintain the private roads.
- The City has invested a lot into its public facilities (such as the new public safety building, new library, new Brewer Community School) and high quality of life.
- With the City's own investment, it is expected that developers invest as well and build accordingly with good projects.

[Frank left at 9:50 am]

Density.

- Rich explained that the density requirements in the current Brewer Land Use Code are similar to other communities.
- Maximum density requirements for residential units on private utilities versus public utilities should be considered.
- Parking on or off-site could also make a difference in maximum site density.
- Density can be reviewed and regulated by zoning district and also potentially by the creation of a floating zoning district. A floating zone contains eligibility requirements and standards in which a specific parcel, if eligible, can enter into a contract zone agreement through the City Council to have its zoning changed into the floating zone.
- Rather than increase density, consider changing some MDR-1 areas to HDR.
- The current locations of the existing zoning districts can also be reviewed for potential changes.
- Should the City ordinances have regulations on the size of the units or should market demand dictate?

The next Committee meeting is scheduled for November 18th at Brewer City Hall.

Rich and Linda will prepare updated copies of the revised documents as discussed at this meeting.

The meeting adjourned at 10:00 a.m.