



Town of Newcastle

www.NewcastleMaine.us
Kevin L. Sutherland Interim Town Manager

4 Pump Street
PO Box 386
Newcastle, ME 04553
Tel. (207) 563-3441
Fax. (207) 563-6995

FROM: Kevin L. Sutherland, Interim Town Manager
TO: Newcastle Select Board
CC: Town Staff
DATE: August 14, 2023
RE: Town Manager Report

Agenda Item forgotten – Newcastle Letters of Support

I apologize for not including this on the agenda. This is entirely my fault and ask that a member of the Select Board add “Newcastle Letters of Support” to the agenda under New Business 6C.

I was asked at the beginning of the month if Newcastle would provide a letter of support to an applicant for the DECD Housing Opportunity Grant. This letter does not oblige the Town to pay for or require us to participate in anything. The applicant has some members who assisted us with our Comprehensive Plan and Core Code work, so they are asking for our support.

The Introduction to their application and draft letter are both attached. The complete application and letters of support are due tomorrow. I thought we could spend a little time specifically talking about this letter and then generally, letters of support in the future. Ideally, developing a policy?

If added to the agenda, a possible motion: “To authorize the Interim Town Manager to submit the letter of support on behalf of Newcastle as presented”

8/7/2023 Special Town Meeting

Thank you to the members of the community who attended the special town meeting last week and for approving the transfer of funds to cover expenses related to the May Day Storm and Landfill PFAS. We will work to keep the community informed about the status of these needs and their future reimbursement.

Seat on the LPC – Legislative Policy Committee

An FYI for now. On July 31st, I received an email from the Maine Municipal Association about Sarah Macy’s seat on the MMA Legislative Policy Committee. With her departure, there is a vacancy. Select Board member Thomas Kostenbader currently serves as the alternate and can serve as the primary until the Select Board appoints her replacement. The meetings won’t resume until January so I would suggest waiting to appoint someone, such as the Town Manager.

MMA Risk Management – Works Compensation Fund

The Town of Newcastle has received a dividend check for \$1,453 from the Maine Municipal Association because of its good performance and loss prevention programs. Attached to this report is a copy of the letter we received from MMA.

Historic Preservation Ordinance

The Ad-hoc Committee met for the 10th and final time last Tuesday 8/8 to approve a few additional changes after the public event they held at Lincoln Academy at the end of July. With those changes, they made a recommendation to send the draft ordinance to the Planning Board. Next steps: Planning Board reviews the document and provides their due diligence and holds a public hearing. When they're ready to send it on, it will come before the Select Board to consider and place on a future Special Town Meeting Warrant.

Water Main Replacement on Pump Street

Great Salt Bay Sanitary District has contracted with Hagar Enterprises to replace and improve the water main systems on Pump Street, River Road, and Glidden Street in Newcastle. The Town office received a letter informing the residents of Pump Street (town hall included) that work will commence this month.

ITM OOO Reminder

I will be in the office tomorrow morning but will then be catching a flight in the afternoon heading to California for a family vacation. I will be virtually (and physically) out of the office on Wednesday this week. For next week, I will be remote on Wednesday, but here in the office on Thursday 8/24 and Friday 8/25. And back to the normal Monday through Wednesday schedule on

Introduction

We are pleased to submit a proposal for the Housing Opportunity Program Service Provider Grant.

Build Maine and its partners Maine Downtown Center, a program of Maine Development Foundation, and the Principle Group understand the issues facing Maine's municipalities, from the small village center to the bigger cities, as they try to accommodate more housing and, particularly, more housing choice. We recognize that many communities have been working hard to plan for growth and boost revitalization in Maine's Main Streets. We also recognize that communities are putting in strong efforts to understand and be responsive to the provisions of LD 2003. We applaud efforts to provide municipalities with funding for technical assistance and see a role for us to leverage that funding by creating products that can be used by all municipalities in Maine. We are proposing to develop a Missing Middle Housing Toolkit consisting of a Model Form Based Code, a "Form Based Codes How to Guidebook", technical training, pro bono calibration services for up to five municipalities with supplemental on-call technical support. This suite of tools will help all the people, institutions, and organizations working to breathe new life into Maine downtowns by updating outdated zoning to align rules and policies with local housing, economic development, and quality of life goals.

People often fight against new construction, and especially new infill multifamily, because they worry that the buildings will not fit - that they'll be too big, or be surrounded by parking, or have nothing in common with the beloved buildings already on the ground. The model code will provide building typologies including, but not limited to: duplexes, triplex, four-plexes, mixed-use and live/work buildings along with backyard cottages suitable for Accessory Dwelling Units. Having ordinances with specificity – size and scale preeminently being the criteria used to argue against housing developments - will remove uncertainty and discretion from review processes and provide more direct paths to building the housing that communities want. With a form-based code in place, project review in many communities improves, becoming more predictable for builders, because they know what the community wants; supported by the neighborhood residents, because they have certainty about what will be built; and more streamlined for the local governing bodies, because there are fewer difficult and contentious meetings.

A number of Maine communities have already updated their zoning to remove barriers to housing and create a more predictable development process, but support is needed to make this tool available more broadly. This funding will enable the creation of a fully integrated Model Code that will take best practices and lessons learned from other Maine communities, and make these tools available to any town working to address housing needs. We foresee some communities using sections of the model code, while others may be ready for a wholesale replacement of their zoning. Some communities will focus on their downtown areas first, where redevelopment of beloved historic buildings may be stymied because of arbitrary limitations on housing, while others may want to focus on in-town neighborhoods that help support the downtown. The model code will provide the kit of parts and the flexibility for communities to choose what they need, and the technical support to help them get past the relatively quick learning curve.

Deliverables:

Our team will produce a Missing Middle Housing Toolkit to Expand Housing and Strengthen Maine Towns and Cities.

- A Model Form Based Code for Maine communities, with open source PDF files available to all Maine communities.
- Access to 4 technical training workshops, with potential for additional trainings to meet municipal interest. Enrollment in each training session is unlimited.
- A "Form Based Codes How-To Guidebook" available open source to all Maine communities.
- Access to InDesign source files after successfully completing training.
- Five (5) qualifying communities will receive: One Day (8 hours) pro bono calibration services, plus four (4) hours of on-call services to answer questions and provide needed technical support for 6 months.

Experience:

Build Maine and Maine Downtown Center have demonstrated experience and success providing technical assistance and training on issues of housing, economic development, and community planning. We have a network of service center communities across the State, many of which have expressed an interest in technical support and tools to help unlock missing middle housing production. The Center has experience with providing these kinds of critical tools, fielding questions, and supporting communities as they do critical local work. Each year, for the past 10 years, practitioners attend Build Maine for technical training workshops many of which provide continuing education credits across multiple disciplines.

We are partnering with the Principle Group, developers of the PlaceCode, to upgrade this form based code template to make it Maine ready - and open-sourced. Principle Group is a planning, urban design, architecture and development firm consisting of architects, planners, real estate developers, and landscape architects. They specialize in form-based coding. Lead staff on this project will be Vanessa Farr who has held roles as a civil servant, thus understanding the framework of planning and zoning law, building codes, and with experience administering planning and development departments.

In addition to the core team, a code working group will be established, and technical experts who are members of the Maine Downtown Center and other key partners will be engaged at strategic points, including but not limited to:

- Architects (to refine building standards);
- Developers (to ensure building typologies are viable);
- Landscape architects (to refine landscaping and site standards);
- Affordable housing policy experts (to create affordability standards);
- Civil engineers (to refine stormwater and other site standards);
- Code Enforcement Officers (to provide feedback on process and clarity)
- Municipal elected officials who have experience drafting and implementing the pieces of the model code template; and
- Historic preservation specialists (to refine architectural standards).

Use Rights, Access:

Once a municipality completes a training workshop, they will have rights to use PlaceCode. Principle, as code developers, will coordinate with Build Maine to convene periodic code council meetings to bring together code users to share new innovations, code glitches, and ideas for fixes (in zoning, they happen!).

Schedule and Local Implementation:

Assuming a successful grant application, work to complete the model code and guide will begin in the fall and be completed by January 1. Upon completion of model code, Build Maine will work with five (5) qualifying municipalities to provide one day of calibration assistance each, addressing any areas of the template or a municipality's codes that require deeper consideration or strategy to integrate the standards. Each municipality is responsible for localized code calibration and working through their local process. Some communities may do this work internally while others may engage additional consulting services as needed. During the public process, each community will have access to an additional 4 hours of technical support will be available to communities to help them navigate the process and advise on any revisions to their calibrated codes. All calibration technical assistance will be completed by December 2024.

While five communities will receive customized calibration technical assistance, Build Maine and its partners will open training to **all interested municipalities** beginning in Spring 2024.

Link to Program overview:

<https://www.maine.gov/decd/housingopportunityprogram>

Link to application - scroll down to DECD section:

<https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants>



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TO: Hilary Gove, Grant Coordinator
FROM: Kevin L. Sutherland, Interim Town Manager
DATE: August 14, 2023
RE: DECD Housing Opportunity Grant

The Town of Newcastle would like to offer our support to the collaborative project being proposed by Build Maine in partnership with Maine Downtown Center, a program of Maine Development Foundation, and the Principle Group, to refine and publish an open source model form based code.

After speaking with representatives for the project and a conversation with the Select Board, we are excited not only by the opportunities in the model code that can help address the housing issues present in our community, but also by the project's goal of providing a guidebook, training, and technical assistance to help us move quickly to implementing necessary and important updates to our zoning ordinances.

Thank you for your consideration in awarding this grant.

Sincerely,


Kevin L. Sutherland



MAINE MUNICIPAL ASSOCIATION

Risk Management Services

60 Community Drive
P.O. Box 9109
Augusta, Maine 04332-9109

Telephone No.

(207) 626-5583
(800) 590-5583 Maine Only
Fax No. (207) 626-0513

DATE: August 1, 2023

TO: Members of the Workers Compensation Fund and the Property & Casualty Pool

FROM: Michelle Pelletier, CPCU, AU
Director, Risk Management Services

RE: Dividend Payments

We are pleased to announce that the Board of Trustees of the **MMA Workers Compensation Fund** voted at its May 17, 2023, meeting to allow a total dividend of no more than \$725,000 to the members of the Fund who meet the established criteria. Continuing members whose 2022 contributions are greater than \$25,000 annually, whose 2022 loss ratio is less than 40% and whose three-year loss ratio is less than 75% will receive a 3.61% dividend. Continuing members whose 2022 contributions are less than \$25,000 annually and whose loss ratio is less than 50% for the three years ending December 31, 2022, will also receive a 3.61% dividend. All losses are valued as of June 30, 2023.

The Board of Directors of the **MMA Property & Casualty Pool** voted at its May 17, 2023, meeting to allow a dividend of no more than \$600,000 to current members of the Pool who meet the established criteria. To earn a dividend, a member must have a loss ratio of 50% or less for the qualifying year of July 1, 2021, to July 1, 2022, calculated and valued as of June 30, 2023. Continuing members whose participation began on July 1, 2017, or prior will earn a 5.09% dividend and members who joined after July 2, 2017, will receive a 4.09% dividend.

Cost savings are realized in providing services to members who participate in both the Property & Casualty Pool and the Workers Compensation Fund. In recognition of the savings, both boards voted to add 1% to the dividends for each program for members who qualify and earn a dividend. If you are among the members who participate in both the Workers Compensation Fund and the Property & Casualty Pool, and you earned a dividend for either or both programs, an additional 1% has been included in the calculation.

Your entity has played a big part in making the Workers Compensation Fund and the Property & Casualty Pool successful programs through good risk management and sound loss prevention. Each of the respective boards are pleased with the results of these programs and thanks you for your support and continued participation.

We encourage you to use the enclosed press release to announce the results of your successful risk management activities and good loss experience to your community. If you have any questions about the dividend or any of the Risk Management Services programs, please call me at 1-800-590-5583.

PRESS RELEASE
For Immediate Release

Municipal officials are pleased to announce that the Town of Newcastle has received a \$1,453 dividend check from the Maine Municipal Association because of its good performance and loss prevention programs.

The Maine Municipal Association offers three self-funded pools for municipal and quasi-public entities in Maine: The Workers Compensation Fund formed in 1978, the Property & Casualty Pool formed in 1987 and the Unemployment Compensation Fund formed in 1978.

The programs are overseen by governing boards of elected and appointed municipal officials. At its May meeting, the board approved another dividend distribution. Actual allocation and eligibility are based on the individual member's own loss experience. Michelle Pelletier, Director of Risk Management Services for MMA, said more than 82% of program participants received a dividend this year for their good risk management practices and favorable loss experience.

This year the Workers Compensation Fund has distributed almost **\$725,000** in dividends to participants and the Property and Casualty Pool has paid dividends of nearly **\$600,000**, for total payments of just over \$1.3 million returned directly to MMA members.

Maine Municipal Association has been paying dividends since 1997, the two programs have returned over **\$27 million** to participating members. For more information about any of the MMA Risk Management Services programs, including online training programs and other services, check the offerings on their website at www.memun.org and click on the Risk Management Services link, or call 1-800-590-5583.