

**AGENDA**  
**FREEPORT TOWN COUNCIL MEETING #01-24**  
**TOWN COUNCIL CHAMBERS, 30 MAIN STREET, FREEPORT**  
**TUESDAY, JANUARY 2, 2024**  
**6:00 PM Town Council Meeting**

**ZOOM:** Please click the link below to join the webinar: <https://us02web.zoom.us/j/82746122552>;  
Or One tap mobile : +16465588656; Or Telephone: +1 646 931 3860 US;  
Webinar ID: 827 4612 2552

**FROM:** Town Manager, Sophia Wilson

**TO:** Council Chair, John Egan, 38 Curtis Road  
Councilor Vice Chair Daniel Piltch, 25 Quarry Lane  
Councilor Matthew Pillsbury, 36 Todd Brook Rd  
Councilor Chip Lawrence, 93 Hunter Road  
Councilor Darrel Fournier, 3 Fournier Drive  
Councilor Joanna Benoit, 1038 US Route 1  
Councilor Eric C. Smith, 1464 US Route 1

**FIRST ORDER OF BUSINESS:** Pledge of Allegiance

**SECOND ORDER OF BUSINESS:** To waive the reading of the minutes of Meeting #27-23 held on December 19, 2023, and to accept the minutes as printed.

**THIRD ORDER OF BUSINESS:** Announcements (15 minutes)

**FOURTH ORDER OF BUSINESS:** Information Exchange (15 minutes)

**FIFTH ORDER OF BUSINESS:** Town Manager's Report (10 minutes)

**SIXTH ORDER OF BUSINESS:** Public Comment Period – (30 Minutes)  
(Non-Agenda Items Only)

**SEVENTH ORDER OF BUSINESS:** To take action on the following items of business as read by the Council Chairperson:

---

ITEM # 01-24                      To consider action relative to adopting the January 2, 2024, Consent Agenda.

**BE IT ORDERED:** That the January 2, 2024, Consent Agenda be adopted.

(Council Chair Egan) (5 minutes)

---

COUNCIL MEETING #01-24  
JANUARY 2, 2024

ITEM # 02-24 To consider action relative to setting a public hearing regarding proposed amendments to Chapter 31-Coastal Waters Ordinance to require registration of moorings within the Anchorage.

**BE IT ORDERED:** That a Public Hearing be set for January 16, 2024, at the Town Council meeting starting at 6 pm in Freeport Council Chambers, 30 Main Street regarding proposed amendments to Chapter 31-Coastal Waters Ordinance to require registration of moorings within the Anchorage.

(Harbor Master, Charles Tetreau) (15 minutes)

---

ITEM # 03-24 To consider action relative to setting a public hearing regarding proposed amendments to Chapter 21, Freeport Zoning Ordinance related to municipal compliance with 30-A M.R.S. §§ 4364 – 4364-C (including LD 2003, “An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions”).

**BE IT ORDERED:** That a Public Hearing be set for January 16, 2024, at the Town Council meeting starting at 6 pm in Freeport Council Chambers, 30 Main Street regarding proposed amendments to Chapter 21, Freeport Zoning Ordinance related to municipal compliance with 30-A M.R.S. §§ 4364 – 4364-C.

*Note: The proposed amendments will potentially allow more housing in almost all zoning districts; add a new section, Section 536. Affordable Housing Density Bonus; and also include amendments to lower barriers to the development of Accessory Dwelling Units (Accessory Apartments). Additional non-substantive text amendments are also proposed.*

(Assistant Town Planner, Cecilia Smith) (15 minutes)

---

ITEM # 04-24 To consider action relative to setting a public hearing regarding proposed amendments to Chapter 25, Freeport Subdivision Ordinance. The majority of the changes are related to municipal compliance with 30-A M.R.S.A. §§ 4364 – 4364-C (including LD 2003, “An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions”). Additional proposed amendments include adding and/or amending standards to comply with State subdivision approval standards (M.R.S. 30-A § 4404) and as previously discussed by the Planning Board); several non-substantial text amendments to update reference documents used throughout the Ordinance; and non-substantial text amendments for clarification purposes.

**BE IT ORDERED:** That a Public Hearing be set for January 16, 2024, at the Town Council meeting starting at 6 pm in Freeport Council Chambers, 30 Main Street regarding proposed amendments to Chapter 25, Freeport Subdivision Ordinance. The majority of the changes are related to municipal compliance with 30-A M.R.S.A. §§ 4364 – 4364-C (including LD 2003, “An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions”). Additional proposed amendments include adding and/or amending standards to

COUNCIL MEETING #01-24  
JANUARY 2, 2024

comply with State subdivision approval standards (M.R.S. 30-A § 4404) and as previously discussed by the Planning Board); several non-substantial text amendments to update reference documents used throughout the Ordinance; and non-substantial text amendments for clarification purposes.

(Assistant Town Planner, Cecilia Smith) (15 minutes)

---

ITEM # 05-24

To consider action relative to setting a public hearing regarding proposed amendments to Chapter 65, Freeport Shoreland Zoning Ordinance, related to municipal compliance with 30-A M.R.S. §§ 4364 – 4364-C (including LD 2003, “An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions”).

**BE IT ORDERED:** That a Public Hearing be set for January 16, 2024, at the Town Council meeting starting at 6 pm in Freeport Council Chambers, 30 Main Street regarding proposed amendments to Chapter 65, Freeport Shoreland Zoning Ordinance, related to municipal compliance with 30-A M.R.S. §§ 4364 – 4364-C (including LD 2003, “An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions”).

*Note: The intent of the proposed changes is to keep consistent with the proposed amendments in the Freeport Zoning Ordinance and to clarify that Accessory Dwelling Units are still subject to Shoreland Zoning Space Standards.*

(Assistant Town Planner, Cecilia Smith) (15 minutes)

---

ITEM # 06-24

To consider action relative to setting a public hearing regarding proposed amendments to Chapter 22, Design Review Ordinance.

**BE IT ORDERED:** That a Public Hearing be set for January 16, 2024, at the Town Council meeting starting at 6 pm in Freeport Council Chambers, 30 Main Street regarding proposed amendments to Chapter 22, Design Review Ordinance.

*Note: The purpose of the proposed amendments is to: clarify definitions, including adding new definitions for previously undefined terms; clarify review standards; change some of the thresholds for when review is required and what type of review is required; add exemptions for certain projects that will no longer require a Design Review Certificate, and thresholds for projects that will qualify for Administrative Approvals; clarify submission requirements; change the appeals process; eliminate the Color Overlay District; and, modify the Design Review District boundaries and update the District map(s). The draft amendments incorporate the recommendations for the Central Core Working Group (CCWG).*

(Town Planner, Caroline Pelletier) (15 minutes)

---

ITEM # 07-24

To consider action relative to appointing two (2) Town Councilors to the FEDC Board of Directors.

COUNCIL MEETING #01-24  
JANUARY 2, 2024

**BE IT ORDERED:** That two (2) Town Councilors be appointed to the FEDC Board of Directors.

(Council Chair Egan) (5 minutes)

---

ITEM # 08-24

To consider action relative to a Resolution to petition the Commissioner of Transportation and the Maine State Legislature to implement the recommendation of the Portland to Auburn Rail Use Advisory Council.

**BE IT RESOLVED:**

**WHEREAS,** the State Railroad Preservation and Assistance Act requires the Department of Transportation to seek legislative approval for any conversion of a state-owned rail corridor in which the department controls the right-of-way to a non-rail recreational or non-recreational transportation use; and

**WHEREAS,** the Portland to Auburn Rail Use Advisory Council was formed in April 2022 pursuant to Maine Revised Statutes, Title 23, section 75, to review the section of the St. Lawrence and Atlantic rail corridor from mile post 0.0 in Portland to mile post 26.5 in Auburn, referred to as the Berlin Subdivision Rail Corridor, for potential non-rail use; and

**WHEREAS,** any conversion to non-rail use is considered interim in nature, with rail corridors preserved for future rail use as provided under the State Railroad Preservation and Assistance Act; and

**WHEREAS,** conversion to an interim trail would involve removing the existing tracks and ties and developing a multi-use trail on the former track bed, with a paved or grave/stone trail surface; and

**WHEREAS,** authorizing an interim trail use is only the first step, and would enable additional planning regarding construction and funding of an interim trail; and

**WHEREAS,** of the 13 members of the Portland to Auburn Rail Use Advisory Council to cast a vote, a majority of 7 members voted to recommend the conversion of 26.5 miles of the inactive Berlin Subdivision Rail Corridor to an interim bicycle and pedestrian trail; and

**WHEREAS** the afore-referenced 26.5 miles of the state-owned Berlin Subdivision Rail Corridor is an integral part of a 62-mile looped, off-road multi-use trail network initiative led by the Casco Bay Trail Alliance and connecting Portland, Lewiston-Auburn, Brunswick, and Freeport; and

**WHEREAS,** the Casco Bay Trail Alliance vision is consistent with and complimentary to Freeport's "Connect Freeport" vision; and

**WHEREAS,** the Connect Freeport vision and activities are consistent with and complimentary to Freeport's Complete Street Committee Ordinance and Complete Street Policy; and

COUNCIL MEETING #01-24  
JANUARY 2, 2024

**WHEREAS**, it may be worthwhile for the Town of Freeport to express its continued interest in the Berlin Subdivision Rail Corridor to the Commissioner of the Maine Department of Transportation and to the Maine State Legislature;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FREEPORT ASSEMBLED THIS 2<sup>nd</sup> DAY OF JANUARY, 2024, THAT:**

The Freeport Town Council, in support of an interim trail on the 26.5 miles of state-owned, inactive Berlin Subdivision Rail Corridor from Portland to Auburn, hereby petitions the Commissioner of the Maine Department and the Maine State Legislature to permit the conversion of 26.5 miles of the Berlin Subdivision Rail Corridor to an interim bicycle and pedestrian trail, consistent with the recommendation of the rail use advisory council.

(Councilor Lawrence) (10 minutes)

---

ITEM # 09-24 To consider action relative to authorizing the Town Manager, on behalf of the Town of Freeport, to submit a co-application with the City of Westbrook for Cumberland County Community Development Block Grant (CDBG) funds to support increased Project HOME services.

**BE IT ORDERED:** That the Freeport Town Council authorized the Town Manager to execute any and all documents necessary to submit a co-application with the City of Westbrook for Cumberland County Community Development Block Grant (CDBG) funds in the amount of \$40,000 to fund Project HOME personnel costs focused on working with people experiencing homelessness or housing insecurity in Freeport and Westbrook.

(Town Manager, Sophia Wilson) (5 minutes)

---

**TABLED:** *For information only (no action required) it is estimated to be taken up later in January, 2024.*

ITEM # 213-23 To consider action relative to setting a Public Hearing regarding a Consent Agreement between the Town of Freeport and Cleveland Kapala Revocable Trust for property located at 28 Cunningham Rd (Tax Assessor Map 5A, Lot 32A).

ITEM # 214-23 To consider action relative to setting a Public Hearing regarding a Consent Agreement between the Town of Freeport and Benjamin Willauer and Amanda Berry for property located at 90 Birch Point Rd (Tax Assessor Map 24, Lot 53C).

---

**OTHER BUSINESS:**

1. Discussion of Proposed Ordinance to Establish a Senior Property Tax Rebate Program (Town Manager, Sophia Wilson)(20 minutes)
2. Update on Anti-Racist Graffiti Ordinance (SREC)(15 minutes)

**END OF AGENDA (Estimated time of adjournment 9:25 PM)**