

MINUTES
FREEPORT TOWN COUNCIL MEETING #01-20
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, JANUARY 7, 2020
6:30 PM

<u>ROLL CALL OF MEMBERS:</u>	PRESENT	ABSENT	EXCUSED
John Egan, 38 Curtis Road (Chair)	x		
Eric Horne, 62 Pine Street	x		
Henry Lawrence, 93 Hunter Road	x (arrived at 6:35)		
Daniel Piltch, 25 Quarry Lane	x		
Douglas Reighley, 2 Harbor Ridge Road	x		
Sarah Tracy, 2 Pettengil Road			x
Tawni Whitney, 56 Baldwin Road (Vice Chair)	x		

Chair Egan called the meeting to order at 6:30 p.m. and mentioned that Councilor Tracy may be arriving later and he had not heard from Councilor Lawrence.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #27-19 held on December 17, 2019 and to accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #27-19 held on December 17, 2019 and to accept the minutes as printed. (Reighley & Horne) **VOTE:** (5 Ayes) (2 Excused-Lawrence & Tracy) (0 Nays)

THIRD ORDER OF BUSINESS: Announcements

- There will be a **Rabies Clinic** at Town Hall on Saturday January 18th from 9-12 pm. People will also be able to license their dogs during the Clinic.
Please remember dog licenses expire on December 31st of each year. You may register at the Freeport Town Hall or online at: www.doglicensing.com.
- Mike Hughes, ISA Board Certified Master Arborist, will begin holding quarterly seminars on **Arbor & Land Management Issues in 2020. On Tuesday, January 28th, 2020 from 5– 6 p.m.** in the Town Council Chambers he will be covering the latest information on insect pests – in particular the **Browntail Moth, Hemlock Woolly Adelgid and Emerald Ash Borer**. More information can be found on the town's website calendar.

Chair Egan noted that thanks to the efforts of resident Doug Leland and a couple of others, the Casco Bay Trail Alliance which is a new ad hoc group working on having a non-road, pedestrian and bike pathway connection from Portland north all the way to Brunswick not on the road is focused on the increments to get that done including some possible funding to make that happen. They will be having their first

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meeting on Monday, January 27 at four o'clock here in Town Hall Council Chambers. It is an exciting opportunity to have a trail for pedestrian and bike use only, no vehicles shared from Brunswick down south.

Chair Egan advised Mr. Joseph that the Appointments Committee needs to be convened and asked him to arrange it so that group can elect a chair and set a schedule of meetings. The Zoning Board of Appeals is in dire need of appointments so they can have meetings.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Whitney noted that as part of Aging in Place, they started a program called the Sand Bucket Brigade. If there is a resident out there that could benefit from a bucket of sand, they will deliver the bucket of sand to help residents keep their paths safer this winter. If anyone would like a bucket, they should contact her at Telephone: (774)212-0269.

Councilor Reighley advised that the Complete Streets Committee met this morning and they were fortunate to have the Council Chair present as well. They are going through a process involving the actual definition and what makes complete streets. Doug scored against the national 100-point scale and the first draft of the Complete Streets from Freeport scored a 49 so he said we have some work to do. It is a process that probably will be six months before we will be able to see it. He explained that it is a document that is being worked on.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

Sustainability Lecture – 01/13/20

This year's sustainability lecture series will kick off on 01/13/20, from 6:30 p.m.-7:30 p.m. at the Freeport Community Center, 53 Depot Street. The presenter for January's lecture will be Cassandra Rose, the Climate Council Coordinator with the Governor's Office of Policy Innovation and the Future. The talk will cover how climate change is affecting Maine, introduce Maine's new Climate Council, and give Freeport residents tips on how they can engage with climate policy in the State. Additional speakers will include Dan Kleban of Maine Beer Company (member of the Maine Climate Council) and Naomi Beal, Executive Director of passivhausMAINE (member of the Maine Climate Council's Buildings, Infrastructure, and Housing working group). Complimentary local snacks and beverages from Maine Beer Company will be provided at the event.

Current Career Opportunities with the Town of Freeport

The Town is currently hiring for several positions:

- Assistant/Long Range Planner (full time)
- Counter Clerk (full time)
- Police Officer (full time)
- Public Works Laborer (seasonal-winter)

Detailed job postings for each of these positions can be found on the Town's website at:

<https://www.freeportmaine.com/employment-rfps/>

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He wanted to recognize that one of these openings is due to the retirement last week of Finance Department employee Diane Hutchison, who had 22 and a half years of service with the Town of Freeport. We are deeply appreciative of Diane's long career of service to the residents of Freeport. While all of the employees at the Town Hall will miss having her around, we wish her the best in her retirement.

Councilor Reighley pointed out that Diane was a great face for the Town. She was always present and very active. She will be missed. Councilor Horne echoed his comments and mentioned that he registered his car 22 times with her. She had a great sense of humor and did a great job. We will be sorry to see her go.

Mr. Joseph announced that the offsite Solar Project is moving forward. Several agreements had to be put in place including an interim agreement as we waited for the final rules to be propagated. The array was turned on by the developer on December 23 and 24 and we finalized the agreement with the Sewer District and the Town being represented by Revision Energy to CMP for the net energy agreement about 4:30 p.m. on New Year's Eve. As of January 1st we were officially on line but we don't have any numbers, pictures or performance because it was just last week. He will update the Council as we get into the formal agreements and we can start measuring things and we actually have the long-term energy net metering agreements in place to talk about.

Councilor Horne wanted to get on the record that in a recent meeting the RSU5 had with Revision, Revision does offer to some of its institutional customers, institutional arrangements like the one we entered into for the Town the opportunity to have a kiosk which is a permanent exhibit of what is going on in the off-site. We have talked in the past that once we get our array up and running, to have a visual that the townspeople can see to get a sense that we are generating electricity from the sun. He feels Revision can play a role in that and we can get them to do a kiosk of that nature for our town. Chair Egan feels it would not be hard to do that. Mr. Joseph advised that eventually that project will account for about 75-80% on an annual basis of our electricity usage. The Sewer District is estimated to account for 85-90% of electricity generated by that facility.

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

No public comments were provided. The Council moved on.

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

ITEM # 01-20 To consider action relative to adopting the January 7, 2020 Consent Agenda.

BE IT ORDERED: That the January 7, 2020 Consent Agenda be adopted.
(Egan & Reighley)

Chair Egan reviewed the items on the Consent Agenda for members of the public.

VOTE: (6 Ayes) (1 Excused-Tracy) (0 Nays)

ITEM # 02-20 To consider action relative to setting a public hearing for a new liquor license for Athena's Cantina. PUBLIC HEARING.

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MOVED AND SECONDED: To open the Public Hearing. (Lawrence & Reighley) **VOTE:** (6 Ayes) (1 Excused-Tracy) (0 Nays)

Amanda Trent of Wicked Goods Mercantile explained that Tais and Adam are their tenants. They have been working with the Planning Board on the issue of food trucks which is how they started their business. She is hoping to come to the Council in the future to deal with the food truck issue in the C-I District. They are excited and support the applicant's continued involvement in Freeport and willingness to put time and energy into helping expand the business opportunities in South Freeport on Route One. She wanted to express her support and appreciates the Council taking care of this.

MOVED AND SECONDED: To close the Public Hearing. (Lawrence & Reighley. **VOTE:** (6 Ayes) (1 Excused-Tracy) (0 Nays)

BE IT ORDERED: That a new liquor license application for Athena's Cantina located at 304 US Route One be approved. (Lawrence & Reighley. **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Tracy) (0 Nays)

ITEM # 03-20 To consider action relative to setting a public hearing for a new on-premise liquor license for Stars and Stripes Brewing.

MOVED AND SECONDED: To open the Public Hearing. (Horne & Reighley) **VOTE:** (6 Ayes) (1 Excused-Tracy) (0 Nays)

MOVED AND SECONDED: To close the Public Hearing. (Horne & Lawrence) **VOTE:** (6 Ayes) (1 Excused-Tracy) (0 Nays)

BE IT ORDERED: That a new on- premise liquor license application for Stars and Stripes Brewing located at 8 Varney Road be approved. (Horne & Lawrence)

Mr. Joseph explained that this is a new category of license. They still operate the brewery but this is to offer wine along with what they produce.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Tracy) (0 Nays)

ITEM # 04-20 To consider action relative to the 2020 Town Council Goals and Guidelines.

BE IT ORDERED: That the 2020 Town Council Goals and Guidelines be adopted as presented. (Piltch & Horne)

Chair Egan explained that the final version circulated on the table this evening. The blue text is the substitute replacement and the red highlighted text is to be stricken out. He thanked the members of the ad hoc committee for putting this together. It saved a lot of Council time wordsmithing and he appreciates the efforts to be inclusive and move this forward with meaningful discussion on our goals and guidelines as a group.

Councilor Reighley advised that the efficiency of the Town Office came up with the first document that is not in color and at the end of the Council's discussion at the last meeting, they wanted to resolve Item No.

1 in the second grouping. Councilor Tracy came forward with wording on this that he moved as a change to the document submitted in the package. That is the reason for this additional piece of paper. He asked that the Council vote in favor of the colored copy.

**VOTE OF ADOPTING THE PRESENTED GOALS AND GUIDELINES
AS AMENDED WITH REPLACEMENT SUGGESTED TEXT AND
STRIKEN TEXT:** (6 Ayes) (1 Excused-Tracy) (0 Nays)

NOTE: Mr. Joseph advised that Councilor Tracy will not be attending this meeting.

ITEM # 05-20 To consider action relative to Victualer License Ordinance compliance for Doherty's North Freeport General Store, 130 Wardtown Road.

BE IT ORDERED: That a Public Hearing be scheduled for January 21, 2020 at 6:30 pm in the Freeport Town Hall Council Chambers to determine whether Doherty's North Freeport General Store, 130 Wardtown Road is required to obtain a Victualer License pursuant to Section 8 of Freeport's Victualer License Ordinance (Chapter 30).

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel and the Town's website. (Whitney & Horne)

Mr. Joseph explained that this is an artifact of the way the Ordinance is written which is odd. If a business that is serving food that would otherwise require a Victualer License and does not obtain one, the Council has to hold a public hearing to determine that the business should be required to obtain one before any enforcement happens. This is a pre-step which is a weird kind of ascertainment hearing that the Council has to hold. That will be held in two weeks at the Council's next meeting.

Councilor Reighley pointed out that Doherty's Store surfaces on our agendas two or three times each year that he has been here and probably two or three times that he hasn't been here. He asked if the Council needs to create a packet for them so they know what they have to do. This is ongoing and sometime it has to catch fire.

Chair Egan noted that Staff has a plan to work with the applicant. Mr. Joseph advised that there is continuous communication and there is no surprise. He mentions that Councilor Reighley is correct. Usually there is a conditional license that is approved and from time to time the conditions of those applications have not been met so the licenses have not been issued. Because of the way the Ordinance is written, it has to come back to the Council for enforcement.

Chair Egan explained that should the Council need to act on any enforcement of compliance, we need to make sure we followed our process and our Ordinance requires us to take this step to hold a public hearing to make that determination that we need to request a Victualer's License for the business. We would not want to jeopardize any potential future action we may make

against any applicant that is not in compliance. This is to set the public hearing two weeks from now.

VOTE: (6 Ayes) (1 Excused-Tracy) (0 Nays)

OTHER BUSINESS:

1. Presentation of TIF District proposal - L.L.Bean Corporate Campus.

Chair Egan explained that this proposal related to L.L. Bean's corporate campus expansion and company representatives are here this evening to provide a presentation. The Council will be able to ask questions later.

Dave Lockman of the Facilities Department at L.L. Bean introduced Jean Sanders of their Tax Department. The purpose of their conversation tonight is to introduce the Council to their corporate office project and what it will have for impacts in the community and then introduce the TIF.

Mr. Joseph advised that this is the first time it has been public at the Council and the first time any of us sitting up here have seen the proposal. They were asked to do a public process so the applicant asked to do a presentation before making an application to put it out there ahead of time which is an extra step. It is a good idea to get the public discussion started and see what is proposed.

Since there were technology issues tonight, Mr. Lockman advised that tomorrow he will e-mail an electronic copy of their plan so that it can be placed on the Town's website or distributed to anyone it needs to be distributed to.

Mr. Lockman pointed out that the Council has copies of their presentation. He explained that their current corporate office spaces are currently almost 50 years old and were originally built as warehouses and factories and built to different standards than office spaces are. For instance, natural light is not necessarily needed in a warehouse or factory but is helpful in a corporate office space. Along with their age, their systems and utilities are beyond their useful life and need to be replaced or repaired. The cost to do that is extremely high. While considering what to do with their upgrades and current spaces, they debated whether they should stay in Freeport or actually leave. Ultimately, they decided to remain in Freeport and keep committed with the Town of Freeport based on the great partnership they feel they have with the Town. After answering that question, it actually started their master planning work and the next question was how could they best meet their corporate office needs. That drove them to the decision to repurpose an existing space with three primary goals for this project. The first is to use existing space to get all of their corporate employees under one roof in Freeport. Secondly was to update the building using more engineered systems and provide the right type of spaces to allow them to manage their business and to attract and retain top talent that they require. The third goal was to protect the brand of today while honoring their heritage and the relevance of their products and their commitment to Freeport.

The building is 400,000 square feet of renovated office space after adding a second floor. The renovated space will accommodate their current corporate workforce and provide them with room for potential growth should their business grow in the future. Construction is planned for three phases starting in August 2019 with a projected completion date in the fall of 2024. It is a complicated project and has a price tag of \$110M, of which \$80M is construction related. The rest of it is in furniture, fixtures and equipment.

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There are five community benefits proposed:

1. L.L. Bean remains in Freeport and continues to contribute \$2.8M in property tax revenue.
2. A new 900-seat conference and events center will be made available to the community for events.
3. Stormwater treatment improvements – They will voluntarily make sizeable investments in our stormwater treatment systems to help move the Town closer to its goal of having Concord Gully Brook's status as an urban impaired stream reversed.
4. L.L. Bean would partner with the Freeport Conservation Trust and the Complete Streets Committee to create a multi-use trail stretching from Pine Street to West Street and advocating to create or connect trails from Pine Street to the Casco Bay Y.
5. L.L. Bean is committed to financing the construction of a replacement Little League Diamond for the one that was necessarily removed from their property. It will be constructed on the Pownal Road field. They are in conversations with the Little League on where that might happen.

Ms. Sanders explained that they are seeking a TIF to enable the company and the Town to share in the tax increase coming out of the project. The proposal for the TIF is for real property over a 30-year period to be capped at a \$10M payment to L.L. Bean to help underwrite the estimated \$10M cost of the community benefits Mr. Lockman just shared with us. They projected the taxes due on the real property over 30 years at \$35M. \$14.6M of this is the tax due on the current building if no renovations were done and \$20.4M represents the anticipated increase in tax from the project that would be part of the TIF. Again, the proposal would cap the TIF payment to L.L. Bean at \$10M over 30 years to help cover the cost of the community benefits. Over the same 30-year period the Town would receive the other \$10.4M in incremental tax as well as the \$14.6M of tax on the current assessed value for a total of \$25M over the 30 years. She is aware there are not a lot of details provided here but she and Mr. Lockman will take a couple of questions if the Council has them tonight but otherwise, they will be back on the 21st to provide more details and answer questions.

Chair Egan thanked them for their presentation. He noted that a couple of Councilors attended some early discussions last month to plot out what the process would be for L.L. Bean to come through the Town Council for consideration of a possible TIF. They had to get some preliminaries out of the way on the TIF District and how it works. He thanked them for distilling this down to a high level overview but it gets to the point which is that the essence of the presentation here is for us to begin understanding the consideration for essentially sharing in some of the cost of the significant improvement in their campus that the company is making which dramatically increases their taxable value of real estate and the request outlined in their plan on the last page is for a share of the new taxation value to be shared with the Town and the applicant which is generally how TIF financing works. The existing valuation is not in consideration. It is only the increment that is proposed that is part of that new scope. Even before we have had a chance to make any comments or digestion on this, the applicant has come forward with five tangible community benefits to help us understand the balance between the taxation discussion and what the company is going to provide for the community.

Councilor Reighley shared a story about Ohio and noted that by sharing in the joint relationship between businesses and tax collectors, how it helps to keep a community solid, growing and prosperous.

Keith McBride, Executive Director of FEDC explained that the Town adopted a policy in 2010 on how the Town should go about receiving, evaluating and approving TIFs. It involved multi-level approvals, not just here in the Town but also up at the Department of Economic and Community Development in Augusta. He summarized the seven-step process. The FEDC Board is preparing for a

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workshop either at the next Council meeting in January or sometime early in February. The purpose of the workshop is so the Council can determine whether or not it is an appropriate use of TIFs for the Town. He plans on being a part of the workshop and is happy to share their evaluation of what is being proposed and any other helpful information he can provide. He knows Mr. Lockman and Ms. Sanders will participate and provide a lot more details. They and Mr. McBride would love to hear what kind of analysis and what kind of information the Council would like to see from them to help you decide if this is an appropriate use for a TIF. If this moves forward beyond that, the next step is to finalize an application and have a review. FEDC is asked to do its own review to conduct the Findings of Fact related to the application. The Town has to go through its own review in preparation for Step 5 which is the Town Council meeting to take action on the actual TIF. By that Town Council meeting there should be a TIF Program which is the full explanation of the TIF, the whole financial projection, the idea what this money will be reserved for and what ways it is going to be spent, including an accredited enhancement agreement with L.L. Bean if that is something that is going to move forward and more detail on some of the other community benefits that Mr. Lockman talked about in his portion of the presentation. If the Council approves the next step, it will submit it to the Department of Economic and Community Development for their approval. The last step assuming there is FEDC approval, is monitoring for performance and compliance. Those TIF documents become the constitution of how that TIF works. The Council can set the priority now on how that money should be spent going forward. It is unique opportunity and there is no other tool like it in a Municipal tool box and very important to consider not just this project and not just consider the benefits being presented but future priorities for the Town and what we think is most important. Obviously, also how this enhances the relationship and partnership between L.L. Bean, our largest property owner and largest tax payer and make sure that the Town gets a lot of benefit out of this arrangement because that is what a good partnership is all about.

Chair Egan asked if the applicant would be ready for a workshop at the second meeting in January. Mr. Lockman replied that they would be ready. Chair Egan mentioned that the Council has a lot of budget items that clog up the Council's second half of February and most of March so if L.L. Bean is ready to move forward, he could schedule the workshop for January 21 and either one or two meetings after that have the final discussion. Mr. Lockman advised that that would meet their schedule. Mr. McBride is confident the 21st would work for him.

Councilor Reighley noted that we have a TIF District downtown and asked if there is a geographic component to this and would this TIF be available to other businesses that are interested in moving into Freeport. Mr. McBride advised that this would be a separate geographical box on the map that encompasses a new TIF District. The Town is limited in how big an individual TIF District can be and limited in the total amount of acreage within the Town that can be captured in a TIF District. He suggested a very strategic discussion about what other parcels of property should be included in this District. They should be a contiguous piece but some of our districts in town are not. It could be larger than just the Casco Street Campus for L.L. Bean which he thinks encompasses five parcels if not more on our tax map. The idea here is to capture new value from new development so the discussion that should be had is, is there anything in the immediate vicinity where we feel there is development potential and new value added and captured by this TIF. If not, then it is not meaningful. Councilor Reighley asked if it could be extended down Desert Road on Route One. Mr. McBride noted it would be really big and he did not know if it could be done legally. He would reserve judgment until he reviewed a map of acreage and what the State laws are.

Councilor Piltch mentioned he is thrilled that L.L. Bean has determined that they want to stay in Freeport and thanked them. He asked what the Events Center will look like and will it be open to the community as long as L.L. Bean is not using it for their own events. Mr. Lockman explained that the Conference

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Center will have three 3,000 square feet tiers so it has elevated sight lines. Criteria on how the public can use the space will need to be worked out.

Councilor Horne echoed the thanks for staying in Freeport. On the trails system, he asked if it has been mapped out or is it a conceptual idea. He walks there and knows there are a series of trails now of varying degrees of quality. Mr. Lockman replied that the vision right now is to have a multi-use trail and they would like to have it able to handle a stroller. He doesn't feel it will be paved but it will be hard packed and better maintained than the trails that are out there right now that would allow bicycles, strollers, people that are walking to get from West Street to Pine Street back and forth. From there they would advocate with other community resources to try extend that trail all the way down to the Y. Councilor Lawrence also thanked them for staying in Freeport. There were no more questions raised.

Mr. Lockman advised that he would be back on the 21st.

2. Discussion regarding construction of sidewalk within Desert Road right of way at Beacon Residential Project

Mr. Joseph explained that they have their preliminary approval but they are hoping to get their final approvals from the Project Review Board. One of the conditions talked about at the Project Review Board was a pedestrian connection to abutting parcels which is a requirement in the Ordinance. The proposal from the developer to satisfy that requirement is to create a paved sidewalk along the entire frontage of their property on Desert Road. It is not the first parcel on the corner but it is after that. It butts up to the Town Highway Garage in the back. Mr. Joseph feels this is a great proposal for a large residential development with the existing or soon to be existing sidewalk. The sidewalk currently goes to the corner of Shaw's and Exit 20 and Desert and Route One there and then it crosses over to the Pine Street side of Route One. There is not currently a sidewalk that extends across the bridge. Staff thinks it is a good idea and the Project Review Board thinks it is a great idea but he could not speak for them because they have not yet passed final judgment on the project. The developer thinks it is a good idea. The intention is to build it in the Town's right-of-way, the Town would accept it and the developer would continue to do maintenance on it. That may include winter maintenance if we think it is a good idea to plow it. It would depend on talks between them, Public Works and the Town and once it is connected to a system, the Town would take over maintenance like any public sidewalk. They have been upfront and completely open to doing the maintenance because they will have their own maintenance crew there on site. It really will depend on how we want to connect it in the interim between when they build and when there is a sidewalk.

Mr. Joseph wanted to get temperature from the Council but he would propose that the Town, if it doesn't get developed beforehand, to connect between the intersection of Hunter and the project with our own sidewalk in the right-of-way so that it is contiguous once we know what the bridge project looks like. It makes all the sense in the world. He cannot see a situation where the northerly side of Desert Road doesn't end up where that sidewalk is but we really need an ascertainment design process with DOT before we assume that is the case. He feels it makes all the sense in the world for us and brings value to those properties down there. It is obviously a budget discussion and Mr. Joseph doesn't need any indication of that tonight.

Chair Egan mentioned that after meeting with Complete Streets this morning, he would put in right now that if we could do the work with Councilor Reighley to make sure this item gets in front of Complete Streets and it turns in to at least an advisory, we can make sure they are part of it. He didn't know if they will have any official input but they should at least know we are considering this and the potential increment of the Town putting the missing piece there for a continuation of the property. It is a great opportunity to connect high density proposed property with the rest of the Town. Councilor Horne asked

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what is the width of the proposed sidewalk. Mr. Joseph advised that our Public Works Department requests a minimum of 5' in width for snow clearing. He is confident it will end up in the 4-6 foot width.

Mr. Joseph advised that the sidewalk constructed up to Maine Beer and several businesses was constructed by the Town to connect the bus. All sidewalks within the right-of-way outside of the Downtown District are maintained by the Town.

Frank Dougherty of KGI Properties advised that their sidewalk will be 5 feet wide and they will maintain it until this network is built. He is in favor of the Town putting in the missing segment to get them a contiguous connection to potentially the bridge into Town. Councilor Horne feels the Council would be out of their minds to not want to have sidewalks connecting 144 units. He mentioned that we would be going to bat with DOT to try to get this bridge construction to include a bike/ped facility which is in all of our interests and certainly in Mr. Dougherty's. When the day rolls around and the State is in here taking testimony, he hopes if the residents or the developers could lean into that process and help us. It would be great. Mr. Dougherty is hoping to begin construction May 5 and is looking forward to being a taxpayer and standing beside the Council and telling DOT to hurry up.

3. Notification of enforcement of zoning violations pursuant to section 601.B of Chapter 2, Freeport Zoning Ordinance for the following parcels:
 - Map 23 Lot 2
 - Map 24A Lot 28B.1

Mr. Joseph explained that 601.B of the Zoning Ordinance requires Council notification prior to enforcement action happening. We started the violation process on this and they were settled before enforcement action actually happened. We never went to court on either of these cases. The Town Attorney suggested that we should be notifying the Council anyway because settlement by consent agreement is the same as going to court. This is notification that they were both voluntarily entered into. The administrative consent agreement entered into by Town Staff requires by law to correct the violation. He does not have the authority to allow a violation to continue through a Consent Agreement. It would require a formal approval by the Town Council. The Administrative Consent Agreement like the ones that have been negotiated on these properties have corrected the violations to the satisfaction of the Maine Department of Environmental Protection and to the Town's satisfaction. It is a win/win. Nobody will spend money in court. He does not need action by the Council. Councilor Piltch had questions. Mr. Joseph advised that both were shorefront properties. One does have a dock on site and is in the process of being resolved. Both had significant cutting of vegetation within 75 feet of the water.

Councilor Horne asked how often do we get violations of shoreland zoning. Mr. Joseph has seen three instances in seven years.

Chair Egan reminded Councilors that he had warrants to sign.

MOVED AND SECONDED: To adjourn at 7:45 p.m. (Reighley & Horne) **VOTE:** (6 Ayes) (1 Excused-Tracy) (0 Nays)

Respectfully submitted,

Sharon Coffin, Council Secretary