

I. AGENDA



AGENDA

MEETING: Complete Streets Committee (CSC)
DATE: December 1, 2020
TIME/PLACE: 7:30 AM - 9:00 AM, Virtual Meeting via Zoom
PRESENT: Chair Greg Michaud, Vice Chair Doug Leland, Police Chief Susan Nourse, Councilor Doug Reighley, Sally Walsh, Jerry Antl, Andy Seymour, Phil Wagner
ABSENT: 1 vacant at-large seat
GUESTS: Police Lieutenant Nate Goodman

TOPIC	DISCUSSION	ACTION
I. Minutes (Chair) (5 Minutes)	Motion to accept the November 3, 2020 minutes by _____; seconded by _____; abstained by _____. _____ in favor, _____ opposed, _____ abstained, and _____ absent.	TBD
II. Welcoming Comments (Chair) (5 minutes)	<ul style="list-style-type: none"> • Welcome • New Committee Member (Phil Wagner) 	Informational only, no vote.
III. Public Peddler Carts (Bliss) (15 minutes)	<ul style="list-style-type: none"> • Review Locations • Public Peddler Cart Ordinance distributed • Motion to accept the four currently approved locations 	TBD
IV. Workplan Review (Michaud) (30 minutes)	<ul style="list-style-type: none"> • Review, modify, and approve Work Plan change recommendations • Assign Committee members to new Work Plan items 	TBD
V. Active Living Committee Update (Leland) (10 minutes)	<ul style="list-style-type: none"> • Update on working together with the Active Living Committee. • Looking for representative from CSC to liaison between the two Committees • Committee sunsets on June 30, 2021 unless extended by Town Council 	Informational only, no vote.
VI. Other Business (Bliss) (10 minutes)	<ul style="list-style-type: none"> • General topics 	Informational only, no vote.



VII. January Agenda Items (Bliss (5 minutes)	<ul style="list-style-type: none">• Bridge Projects• Mapping• Workplan	Informational only, no vote.
VIII. Adjournment	_____ motioned to adjourn; _____ seconded; motion carried with _____ in favor, _____ opposed, and 3 absent.	Accepted, _____.

DRAFT

II. 11/3/2020 MINUTES



MINUTES

MEETING: Complete Streets Committee (CSC)
DATE: November 3, 2020
TIME/PLACE: 7:30 AM - 9:00 AM, Virtual Meeting via Zoom
PRESENT: Chair Greg Michaud, Vice Chair Doug Leland, Police Chief Susan Nourse, Councilor Doug Reighley, Sally Walsh (No computer, audio / phone issues, left meeting early), Andy Seymour (left at 8:30)
ABSENT: Jerry Antl, 2 vacant at-large seats
GUESTS: Police Lieutenant Nate Goodman, Susan Spector, Brooke Miller

TOPIC	DISCUSSION	ACTION
I. Minutes	Motion to accept the October 6, 2020 minutes by Mr. Leland; seconded by Councilor Reighley; 5 in favor, none opposed, motion passed unanimously.	Motion passed, 5-0.
II. Welcoming Comments	<ul style="list-style-type: none"> • Welcoming comments provided by Chair Michaud. • Distribute minutes within 1 week of meeting. • Agenda item and associated bullet points provided as an outline and flow path for guiding the meeting. • Two Committee seats are currently vacant. 	Informational only, no vote.
III. Cove Road Traffic Calming Request	<ul style="list-style-type: none"> • The agenda item was introduced by Mr. Bliss. Public comment was heard during the October meeting. No members of the public were present for this meeting. The follow-up from the October meeting was to produce a list of traffic calming measures for consideration by the Committee. • Data was collected on the upper Cove Road section. Data collected does not support the request for traffic calming measures because of low speeds and low traffic volumes. The agenda item appears to be a neighborhood (local) speeding issue that warrants community policing by having the residents participate in a neighborhood watch with inclusion of the Police Department. • A future monitoring idea for consideration is to monitor lower Cove Road and upper Cove Road as separate sections. The idea is applicable to all road monitoring if distinct sections exist. • Cove Road drainage issue to be addressed by Public Works Department and Town Engineer and not within CSC. • The tide float accessibility issue will be evaluated separately under a different agenda item during the winter. 	Motion passed, 5-0.



	<p>Motion by Councilor Reighley to direct Town Engineer to write letter to Cove Road neighborhood with course of action as suggested by Police Chief (community policing efforts); seconded by Chief Nourse; 5 in favor, none opposed, motion passed unanimously.</p>	
<p>IV. Upper Mast Landing Traffic Calming Request</p>	<ul style="list-style-type: none"> • The agenda item was introduced by Mr. Bliss. Public comment was heard from Susan Spector via Zoom and from Fred Miller via email. • Ms. Spector asked where the monitoring data was collected. The data was collected on the lower portion closer to Flying Point Road. Data is collected from one direction which is from the direction traffic is viewing the sign message. • Speed sign collected data in covert mode without alerting anyone that the sign is collecting data. • Upper Mast Landing was reconstructed during August 2012 and there aren't any near-term plans for road work. • Upper Mast Landing is a different discussion than Cove Road because of data results and road geometry. • Double Yellow Centerline (DYCL) road striping and shoulder line striping were requested. Additional road signage at s-curves were also requested. Shoulder striping and / or chevrons at just the s-curves would be an alternative to striping the shoulders along the entire stretch of road. <p>Motion by Chief Nourse for Town Engineer to work with Public Works to add road striping in area of s-curve with possible signage to be added. Motion seconded by Councilor Reighley; 5 in favor, none opposed, motion passed unanimously.</p>	<p>Motion passed, 5-0.</p>
<p>V. Workplan Review</p>	<ul style="list-style-type: none"> • Chief Nourse commented that resident issues be directed through the Police Department. Mr. Leland and Mr. Bliss agreed with the Chief. • Add new item to workplan that identifies the workflow. Chief Nourse to develop a flow chart that defines the process and how complaints are handled. • Add new column that identifies if task is active, unassigned, or on hold. • Prioritize the work plan to identify urgent and important tasks; organize tasks in order of importance. • Town Engineer to report issues to the Committee that surface from residents and Police Department. • How are overlapping tasks between Active Living Committee (ALC) and CSC addressed? • Education task can be broken down into two parts: (1) content development and (2) communication delivery. • Add Complete Streets materials to the Town website. 	<p>Informational only, no vote.</p>



	<ul style="list-style-type: none"> • Share Workplan with Council to allow for better communication. • Communication and Education task lead to be responsible for sharing Workplan with Council. • Future trail section from YMCA to center of Town should be added as a project task. • Caution: the list should not become too long and onerous; perhaps the ALC and CSC should merge in the future. • Workplan to be sent to Chair Michaud in Excel format. Chair will revise Workplan based on today's discussion. • Document, assign, and prioritize tasks during December meeting. • Complete Streets Policy is finalized and is requested for final vote by Council during the December meeting. 	
VI. Exit 20 and 22 Bridge Project Updates	<ul style="list-style-type: none"> • Brief update provided to the CSC regarding referendum vote and potential bonding of Desert Road and Mallett Drive bridge project infrastructure. • \$1.2 MM is a small amount over the course of the loan term. A long-term strategy should be written and included with the bridge education to reduce surprises. • Councilor Reighley recommended adding to the referendum the bridge connector costs into the \$1.2 MM base cost. 	Informational only, no vote.
VII. Educational Materials	<ul style="list-style-type: none"> • A traffic calming measures matrix and specification sheets were provided by Mr. Bliss. • GIS Story Maps (detailed map) and a big picture map are necessary for communicating to the public. • Add material to website with dedicated Complete Streets webpage. • Send maps to ALC, CSC, Council and Town Staff members for critical review. 	Informational only, no vote.
VIII. Potential December Agenda Items	<ul style="list-style-type: none"> • Vote on Public Peddler Carts locations • Town Wharf Parking • Bridge Updates and Workshop(s) Schedule • Committee liaison to attend Council meetings • Active Living Committee liaison to attend CSC? And vice-versa? • Active Living Committee Update • Mapping Progress • Public / private delineation between private developments and CSC jurisdiction 	Informational only, no vote.
IX. Adjournment	Chief Nourse motioned to adjourn; Councilor Reighley seconded; motion carried with 4 in favor, none opposed, and 5 absent.	Accepted, 4-0.

III. PUBLIC PEDDLER CARTS



MEMORANDUM

TO: Complete Streets Committee
FROM: Adam S. Bliss, P.E., Town Engineer
DATE: October 30, 2019
SUBJECT: Public Peddler Cart Locations

This memorandum outlines the available Public Peddler Cart locations around Town.

Reference Figure [Public Peddler Cart Graphic_021511peddlers.pdf](#) (attached).

Currently Approved locations (4)

- Train Station (corner of Depot Street)
- Nathan Nye Street behind Starbucks Coffee (2 locations)
- Main Street in front of Town Hall (30 Main Street)

Discontinued Location

The corner of Bow and Middle Street was discontinued in 2018 because this location was determined to be on private property.

Conditional Use Location

The Town Council conditionally approved the Bartol Library Building location on Maine Street around Labor Day of 2019. The conditional use was for the 2019 season and may have excluded the use of a tarp. This location has not been recommended by the Town Council and Town Engineer for continuation in 2020 due to conflicts associated with pedestrians and vehicles.

Other

The Town Hall location has rarely, if ever, been used because of so little foot traffic. Concern has been raised by Vendors that the two locations behind Starbuck's are too close together particularly when Vendors sell the same products. The Complete Streets Committee does not dictate types of goods sold at the Cart locations, they only identify locations that are located on public property and are safely buffered from traffic and patrons. There is also a location behind Starbucks reserved for Boosters, but this is rarely occupied. A private cart location exists behind the Historical Society Building.

Potential New Location

Winslow Park

III. PUBLIC PEDDLERS' ORDINANCE

Amended July 22, 2019

CHAPTER 43 PUBLIC PEDDLERS' ORDINANCE

ARTICLE I, TITLE, PURPOSE AND DEFINITIONS

Section 43-101 Title

This Ordinance shall be known and may be cited as the Public Peddler's Ordinance of the Town of Freeport

Section 43-102 Purpose

The purpose of this Ordinance is to define, regulate and license peddlers.

Section 43-103 Definitions

1. The word "person" as used herein shall include the singular and the plural, and shall also mean and include any person, firm or corporation, association, club, partnership or society, excepting bonafide charitable, service, religious, municipal organizations or agencies, or organizations sponsored by the 4th of July committee or its successor.
2. The word "peddler" as used herein shall include any person selling or offering for sale tangible commodities from any public street or other public place within the Town of Freeport, and where delivery is made at the time of sale. The word "peddler" shall include the words "hawker" and "huckster".
3. The word "town" shall mean the Town of Freeport, Maine.
4. The word "resident" shall mean a person whose domicile is in Freeport.
5. The words "Licensing Board" shall mean the Town Council or its designee.

ARTICLE II GENERAL PROVISIONS

Section 43-201 License Required

It shall be unlawful for any person to engage in the business of peddler as defined in Article I of this Ordinance within the corporate limits of the Town of Freeport without first obtaining a license therefore as provided herein. Peddlers' licenses shall be issued for the sale of food items only and those food items shall be primarily intended to be consumed at the time of purchase. Any distribution of free product samples shall be limited to samples of food for sale at that location. Peddlers' licenses shall be limited to one per person.

Section 43-202 Application Requirements and Licensing Procedures

1. Applications for peddler licenses shall be accepted only on municipal business days, within each category, according to the following schedule.

Renewal applications by residents and non-residents - January 2 through 15.

New applications by residents - January 16 through 23.

New applications by non-residents - January 24 through 31.

2. Applications for licenses under this Ordinance must be made by the owner or lessor of the cart. The applicant shall file with the Town Clerk a sworn application in writing on a form to be furnished by the Town Clerk, which shall require the following information:
 - a. Name and description of the applicant including company, corporation, DBA, etc.;
 - b. Address - local and legal address for receipt of notices.
In the event of change of either address, the applicant is obligated to notify the Town Clerk so that the application may be revised;
 - c. A brief description of the types of food and/or beverages to be sold;
 - d. If a vehicle is to be used to transport the cart, a description of the same, together with license number or other means of identification;
 - e. A photograph of the applicant, taken within 60 days immediately prior to the date of the filing of the application, which picture shall be 2"x2" showing the head and shoulders of the applicant in a clear and distinguishing manner;

- f. The names of at least two (2) reliable property owners of the Town who will certify as to the applicant's good character and business responsibility, or, in lieu of the names of references, any other available evidence as to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility;
- g. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefore;
- h. A sketch, drawn to scale, and, if available, a photograph of the cart to be used in the operation of the business labeling all aspects including, but not limited to, materials, measurements, appurtenances, signs, awnings, umbrellas, fuel, refrigeration, off-cart items, water supply and colors to indicate compliance with the performance standards listed in Section 43-204 below. Specific measurements, designs and locations of the cart and all appurtenances, including all off-cart items, shall be submitted.

Following the assignment of the location, a sketch, drawn to scale, showing the proposed operations location and its measurements, the location of the cart and all appurtenances, all off-cart items, and the relationship of all of the above features to all site features of the immediate area including, but not limited to, sidewalks, driveways, buildings, landscaping, paths, signs and utilities, to show compliance with the requirements of this Ordinance shall be submitted to the Town Clerk.

- 3. A non-refundable application fee of Fifty-five Dollars (\$55.00) for residents and One Hundred and Ten Dollars (\$110.00) for non-residents shall accompany each application. A non-refundable license fee of Five Hundred Dollars (\$500.00) for residents and Seven Hundred and Fifty Dollars (\$750.00) for non-residents shall be paid at the time the license is issued;
- 4.
 - a. Upon receipt of such application, the original shall be referred to the Chief of Police, who shall cause such investigation of the applicant's business and moral character to be made as he or she deems necessary for the protection of the public good.
 - b. If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall endorse on such application his or her recommendation for non-issuance and his or her reasons for same and return said application to the Town Clerk, who shall notify the applicant that his or her application is disapproved.
 - c. If, as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the Chief of Police shall endorse on the application his or her recommendation for approval and return said application to

the Town Clerk, who shall forward the application to the Municipal Officers for final action.

5

- a. The Town Clerk shall retain all applications until all have been endorsed by the Chief of Police as either unsatisfactory or satisfactory. Upon endorsement of all applications by the Police Chief, those renewal applications endorsed as satisfactory shall be forwarded to the Municipal Officers at the next scheduled Town Council meeting for approval.
- b. At its first regular meeting following issuance of renewal licenses the Municipal Officers shall by lottery grant any available new licenses to qualified residents endorsed as satisfactory by the Police Chief, who have satisfied all provisions of this Ordinance.
- c. If any Public Peddler Licenses remain following steps outlined in 5(a) and 5(b) the Town Clerk shall forward all endorsed new applications by qualified non-residents to the Municipal Officers who shall by lottery grant any remaining licenses to qualified non-residents who have satisfied all provisions of this Ordinance.
- d. After the commercial licenses have been granted by the Municipal Officers, the Town Clerk may issue them but not until the licensee has submitted to the Town Clerk:
 1. A copy of the required certificate of insurance required by Section 43-203(5);
 2. The location of the parking space required by Section 43-203(4) and a copy of the lease agreement or other instrument under which the parking space will be available to the applicant.
 3. A valid victualers license. The peddler cart may operate only while such license is in effect.
 4. A valid license issued by the State of Maine Department of Human Services for food service. The peddler cart may operate only while such license is in effect.
 5. All applicable fees specified in 43-202 (3) of this Ordinance.
- e. After the Municipal Officers have granted all available licenses, the Town Clerk or designee shall conduct a lottery to assign peddler locations. At least 14 days before the lottery, the Town Clerk or designee shall mail written notice of the time and place of the lottery to each licensed peddler and shall post and publish

public notice. Those licensed peddlers who are present at the lottery in person or by agent acting under written authority may select their own locations in the order in which their names are drawn. Licensed peddlers who are not so present will be assigned locations at random by Town Clerk or designee. Issued licenses shall contain the signature and seal of the issuing officer and shall show the name and address of said licensee, the kind of goods to be sold thereunder, the date of issuance, and the length of time the same shall be operative, as well as the license number. The Town Clerk shall keep a permanent record of all licenses issued.

- f. All public peddlers assigned locations in the initial season lottery must complete all license requirements set forth in Section 43-202 (5) (d) 1 through 5 and pay all applicable fees by May 31st of the license year. Any applicant who does not submit to the Town Clerk all items listed in 43-202 (5)(d) 1 through 5 by the May 31st deadline set forth above shall forfeit any fees already paid to the Town of Freeport as well as their rights to any Public Peddler license and assigned location already granted for that license year. Vendors who forfeit their licenses may not apply for a “renewal license” in following license year, but may apply as a “new” applicant.
- g. Any assigned public peddler location unused for a period of 30 consecutive days shall be deemed abandoned. This includes any location that has not been open for business and operating over a period of 30 days, regardless of whether licensee has placed equipment on that location.
- h. If a peddler location is subsequently relinquished voluntarily, abandoned or forfeited, the Town Clerk shall offer the location to the remaining licensees in the priority order that they were drawn in that year’s initial lottery. This process shall be repeated for any subsequent open/available peddler locations that occur throughout the year.
- i. Any peddler locations remaining unassigned following the procedures set forth above may be issued on a first come, first serve basis by the Municipal Officers to any person who can meet the standards contained in 43-202 above.
- j. Any person who has held a peddler’s license under this Ordinance for four consecutive renewal terms shall not be issued a fifth renewal license but may apply as a new applicant.

Section 43-203 General Provisions

1. The Traffic and Parking Committee or its’ successor will designate the number of commercial licenses available by determining the commercial peddler locations for each

- calendar year no later than November 30 of the preceding year. Safety concerns shall be a major criteria when designating locations. The Town Council shall have the authority to relocate, at any time, any existing commercial peddler location previously assigned by the Traffic and Parking Committee for cause shown. The number of non-commercial peddler licenses issued annually shall not exceed two (2) as provided in Section 43-203 (2&3).
2. The Public Safety Building site located at 4 Main Street (Map 9 Lot 16) shall be reserved for use by the Freeport Fire and Rescue Companies. The Licensee must follow all provisions of the Ordinance except no fees or proof of insurance shall be required. No cart or related items may be placed in parking spaces or the park area on the corner of Main and West Streets.
 3. The public lot (Map 11, Lot 27A) shall have one area reserved for use by the PORT Teen Center and FHS All Sports Boosters.
 4. Parking: Each licensee must provide one parking space per cart in compliance with the requirements of Section 5.14 A.5 of the Freeport Zoning Ordinance for retail trade operations. The licensee must have control and possession of the parking space for each month of operation of the cart by written lease agreement or other legal instrument. In lieu of providing one additional parking space, a peddler may pay a per-month fee to the Town based on the highest rental of the Town owned Oak Street parking lot.
 5. Peddlers shall maintain in full force and effect at all times a policy of comprehensive public liability insurance with limits of not less than \$300,000, naming the Town of Freeport as additional insured. A certificate of insurance must be provided before a peddler's license is issued.
 6. All Freeport municipal, school and public service groups using the locations described in Sections 2&3 above shall provide the Town Clerk's Office with a complete financial report of activities conducted at these locations by December 31 of each year. Failure to comply with this provision may result in forfeiture of the right to use either location during the following calendar year.
 7. Licenses for locations described in Sections 2&3 above for Memorial Day through Labor Day shall be granted by the Licensing Board at its first meeting in May of each year. Application for licenses must be submitted to the Town Clerk's Office no later than April 15. Should more than one application be received for one or both of the locations, the Licensing Board shall grant licenses based on the drawing of lots.
 8. A license issued by the State of Maine Department of Human Services for food service and a victualers license issued by the Freeport Town Council must be obtained before peddler cart operation commences and the peddler cart may operate only while such licenses are in effect.

Section 43-204 Performance Standards

1. Location. The cart shall not be operated in a way that would restrict or interfere with ingress to or egress from any building, abutting parcel or public place or obstruct adequate access by fire, police or sanitation vehicles. The cart shall not interfere with pedestrian flow on the sidewalk.
2. All utility connections shall be secured and safe.
3. The operations area shall be kept clean and free of litter. At least one trash receptacle shall be provided. Public trash receptacles on the street shall not be used by the operation. All trash shall be disposed of in conformance with Town regulations.
4. Cart design shall conform to the following requirements:
 - a. Materials: Carts may be commercial construction or individually constructed. All carts shall be made of solid, durable materials.
 - b. Color: Neon and fluorescent colors are prohibited. Permitted colors shall be shades of the following: red, white, gray, black, yellow, maroon, green, blue, brown, beige and stainless steel.
 - c. Shape: "Theme" cards, such as one in the shape of hot dogs are prohibited.
 - d. Size: Maximum dimensions of a peddler's cart or unit shall be no greater than 38 inches in width and 8 feet in length and must be removed from sidewalks at the end of each day. Maximum height of the cart shall be six (6) feet from the top of the cart body, excluding umbrella or awning, to the bottom of the cart where it (or the wheels) touches the ground. Maximum height from the bottom of the cart (or the wheels) to the uppermost top of any umbrella or awning attached to the cart shall be eight (8) feet. The bottom of the canopy of the umbrella or awning shall be at least 80" off the ground.
5. Awnings and umbrellas shall be constructed of a non-rigid fabric such as, but not limited to, canvas, ripstop nylon or soft plastic.
6. Any hitch shall be visually identified for safety purposes with a wrapper, bicycle type flag or other similar unobtrusive identifying device which does not obstruct the clear area and which meets the requirements of the Federal Americans with Disabilities Act.
7. Cart shall not be motorized.
8. Peddler carts are allowed the following signs subject to the following requirements.
 - a. No more than two (2) signs, excluding lettering on an umbrella or awning, are permitted on each cart. Lettering on an umbrella or awning is permitted in addition to the two signs. In addition, one menu board is

permitted and shall be no larger than six (6) square feet. A menu board is not considered a sign.

b. Each sign shall be secured to the cart at a maximum height no higher than the bottom edge of the umbrella or awning material.

c. The maximum size of each sign shall be four (4) square feet.

d. Each sign face shall be counted as one sign.

e. Free standing signs are prohibited.

f. Sign design shall meet the following requirements:

1. One or both signs may be preprinted, movable letter signs or chalk boards;
2. Any other type of sign shall be included as part of the approval process.

9. Cart lighting shall conform to the following requirements:

a. Lighting shall not increase the light level at the perimeter of the operations area by more than 5 foot candles above the ambient light level. However, total maximum lighting at the perimeter of the operations area shall not exceed fifteen (15) foot candles.

b. Light sources shall be aimed or shielded so that the light projects downward and in no case shall the angle be less than 20 degrees below horizontal.

10. Generators are prohibited.

11. Cart operators shall dress in a manner sufficient to meet the requirements of the current State of Maine Food Safety Code.

12. Off-cart items, except for ones located on the cart, are limited to the following items: one trash receptacle, one recycling receptacle, two coolers and one chair. These items shall be located immediately adjacent to or under the cart.

13. No animals shall be attached to the cart except for guide animals.

14. Amplified sound shall not exceed 75 decibels during the day and 55 decibels at night.

15. All applicable local, state and federal requirements shall be met.

16. A flame resistive shield surrounding the cooking elements shall be installed to protect the customer from open flame and hot surfaces. The cooking elements shall be

approved listed (i.e., U.L. Factory Mutual, etc.) permanently attached to the cart and not in or on separate facilities. An ABC extinguisher shall be mounted to the cart. The peddler cart shall meet all local, state and national fire codes. Before a permit is issued, the peddler cart containing cooking elements shall be inspected by the Fire Department. An inspection fee in the amount set by the Town Council shall be paid to the Fire Department by the owner of the cart prior to its use.

17. Each cart shall display its valid State Food Service and local victualers licenses in a visible location.

Section 43-205 Transfer

No license issued under the provisions of this Ordinance shall be used at any time by any person other than the one to whom it was issued. No locations assigned according to 43-202 (5)(e) shall be transferred except according to the provisions of 43-202 (5)(h) or (i).

Section 43-206 Revocation of License

1. Licenses issued under the provisions of this Ordinance may be revoked by the Municipal Officer after notice and hearing for any of the following causes:
 - a. Fraud, misrepresentation or false statement contained in the application for license;
 - b. Fraud, misrepresentation, or false statement made in the course of carrying on his business as a peddler;
 - c. Any violation of this Ordinance;
 - d. Conviction of any crime or misdemeanor involving moral turpitude;
 - e. Conducting the business of peddling in any unlawful manner or in such a manner as to constitute a menace to the health, safety, or general welfare of the public.
2. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of compliance and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at the licensee's legal address at least five (5) days prior to the date set for hearing.

Section 43-207 Expiration of License

All licenses issued under the provisions of this Ordinance shall expire at 11:59 p.m. on November 30 of the year of issuance. The vendor cart and all accessory items associated with the vendor cart must be removed from the assigned location by November 30 of the year of issuance. Any cart or other property remaining on the assigned location beyond November 30 may be removed, stored, and /or impounded by the Police Chief or their designee, in a manner consistent with the removal of abandoned vehicles from public spaces. Any costs of said removal/storage will be the responsibility of the licensee.

ARTICLE III APPEAL

Section 43-301 Appeal

Any person aggrieved by the action of the Chief of Police or the Town Clerk in the disapproval of an application as provided in Article II of this Ordinance shall have the right of appeal to the Town Council. Such appeal shall be taken by filing with the Town Council within fourteen (14) days after notice of the action complained of has been mailed to such person's legal address, a written statement setting forth fully the grounds for the appeal. The Town Council shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in the same manner as provided in Article II of this Ordinance for notice of hearing on revocation. The decision and order of the Town Council on such appeal shall be final and conclusive. Any person aggrieved by the action of the Licensing Board shall have the right to appeal to Superior Court.

ARTICLE IV ENFORCEMENT AND PENALTY

Section 43-401

1. This Ordinance shall be enforced by the Town's Codes Enforcement Officer.
2. Any person aggrieved by a decision of the Codes Enforcement Officer shall have the right to appeal that decision to the Board of Appeals. An appeal must be filed in writing with the CEO within ten (10) days after the "date of issuance" inscribed by the Codes Enforcement Officer on a written notice of decision sent to the alleged violator.
3. Any person violating this ordinance shall commit a civil violation, punished by:

- a. For the first offense, a civil penalty of \$100 per day per occurrence;
- b. For the second violation, revocation of the license by the Licensing Board.

ARTICLE V EFFECTIVE DATE

Section 43-501

Provisions of this Ordinance shall become effective immediately upon passage by the Freeport Town Council.

Amended March 18, 2014

Amended July 22, 2018-adding procedure for reassigning vacated locations.

Peddler Carts



● Peddler on Private Property ● Peddler on Public Property ● Potential Peddler Site

Note: Locations as of 06.30.10



**COMPLETE STREETS COMMITTEE
MEETING MINUTES
November 5, 2019**

ATTENDANCE: Doug Leland, Chair
Police Chief Susan Nourse, Vice Chair
Doug Reighley, Town Councilor
Chester Goggin
Adam Bliss, Town Engineer

Sally Walsh
Geraldyn Campanelli
David Lockman (excused)
Catrina Milliman (resigned)
Greg Michaud

Meeting started at 7:35 am and adjourned at 9:23 am.

I. Active Living Committee Introductions and Workplan.

The Active Living Committee (ALC) joined the Complete Streets Committee (CSC) for a workshop to discuss common projects and tasks in their respective Workplans. Members from each committee introduced themselves. Representatives from the ALC included Andy Spaulding (Chair), Jake Daniele (Vice Chair), Jennifer Rancourt, and Todd Coffin. Angela King from the Bike Coalition of Maine, and Pownal resident, also joined the workshop.

Mr. Spaulding shared information about the ALC's Workplan. The Workplan and supporting information was distributed to the groups in advance of the meeting. The projects in common between the two committees include the Cousin's River Bridge, and the Desert Road and Mallett Drive Bridge Rehabilitation Projects. The subject of gravel shoulders on important connector loop roads was discussed. Mr. Bliss and Jake Daniele will reach out to the Maine DOT via telephone call to discuss this idea for Pownal Road, a state-owned and maintained road.

Mr. Bliss brought up the idea of published running routes on playing cards and distributing these around town. This concept fits well with Mr. Spaulding's idea to mark 5k and 10k running routes. Police Chief Nourse requested that these routes be shared with the Police Department so they can be properly vetted for safety reasons.

Mr. Leland shared with the group that he will be assembling a draft Complete Streets Policy for review by all committees. His timeline for this task is in the next few months.

Mr. Reighley asked if the ALC had a Workplan similar to the CSC and if it made sense to work together on common projects. Mr. Leland suggested the Committees share their plans with each other to identify common goals and interests.

Mrs. King asked about the Maine DOT plans for the Mallett Drive Bridge project since intersections in the area are considered high crash locations (HCLs) according to Maine DOT's definitions. Some intersections are considered HCLs, but accidents are generally fender benders and bumps from behind at stop-sign controlled intersections. Mr. Bliss gave a brief update on the Mallet Drive Bridge project. This project has slowed down considerably but is moving forward with survey data collection on the bridge and the approaches. Mr. Bliss received a Signal Warrant Analysis and distributed this report and an Executive Summary to the groups. Discussion continued to include proactively reaching out to

Patrick Adams, the State Bicycle/ Pedestrian Planner, to continue conversations about bicycle/ pedestrian connections into the bridge. Chief Nourse suggested a letter be sent to the Maine DOT to ensure paper documentation of the Town's interests in these connections.

Chief Nourse inquired about the status of the Bike Racks task because she was aware the Active Living Committee had researched locations and implemented a couple more with the help of Public Works and a contractor. Mr. Bliss requested that the Street Tree Plantings and Maps and Crosswalks agenda items be tabled until December.

II. Cousin's River Bridge Multi-Use Path.

Mr. Bliss stated his goal for this discussion item was to reach consensus from both committees on the type of path connecting the Cousin's River Bridge to the YMCA on Old South Freeport Road should look like (e.g. geometry, vehicle separation, width, location, etc.). Graphics and specification sheets were provided with the meeting materials for the different types of separated path options. These options include buffered bike lanes, delineator posts, and barrier-separated paths. Barrier separations can be horizontal (e.g. grass esplanade, jersey barrier, and guard rail) or vertical (e.g. curb).

Mr. Reighley asked what percentage of the total bridge cost would a guardrail or jersey barrier be? Mr. Bliss responded the percentage would be a fraction of the total, but he could not know an approximate answer until designs are produced. The conversation advanced to if bicyclists would use both sides of the road or just one. The group agreed that a path connection would be designed for one side of the road which would be on the YMCA (northbound lane) side. Chief Nourse asked who would our request for a path connection be directed to? Mr. Bliss responded that a recommendation for a path connection should be sent from the committees to the Town Council. Councilor Reighley is our Committee liaison.

Mr. Leland cautioned that a sign would be needed to warn bicyclists that a bridge is ahead and to slow down to avoid an accident. Mr. Michaud inquired about snow plowing responsibly and Mr. Bliss responded that plowing would be the Town's responsibility and would require budget requests for labor and equipment. Mr. Reighley asked where the Town of Yarmouth was at with their bridge connection design. Mr. Spaulding stated their process was a bit complicated because of the Exit 17 bridge span constriction. The Town of Yarmouth has applied for a grant to conduct a Planning Study for a connection from the VIP store to the bridge. Mr. Bliss stated that curb can be a cost-effective means for separation from vehicles, but drainage and economics do come into play with the curb option. One member of the Active Living Committee stated their preference is for Option 4 (buffered bike lane) over an unattractive Option 5 with jersey barriers. Police Chief Nourse stated she is not fond of the delineator posts.

The Committees agreed that the safest path type that would appeal to the most users would look like Option 5 (barrier-separated path) or Option 6 (shared multi-use path) separated from traffic by an esplanade.

III. I-295 Crossing Study.

Mr. Bliss provided the final report and an executive summary of the I-295 Crossing Study prepared by HNTB under contract agreement with Maine DOT, PACTS, and the Planning Department. Mr. Leland stated that the committees have discussed this agenda item in the past and he still has unanswered questions pertaining to the study. Mr. Leland noted that Maine DOT is recommending a signal on the east side of the bridge, but he is suggesting a second signal be installed to help control traffic

associated with the I-295 southbound off-ramp and the Pownal Road / Route 236 / Mallett intersection. Furthermore, Mr. Leland noted that a child would need to cross seven intersections should they want to ride their bicycle from the west side of the highway to school. Mr. Reighley noted that Freeport should continue their discussions with PACTS and Maine DOT about the importance of bicycle / pedestrian connections across the bridge. Mr. Coffin stated we don't have enough information from this study to make recommendations about signalization and interchange improvements.

Mr. Leland and Councilor Reighley discussed the report and general acceptance versus acceptance of the conclusions which state that a bridge / tunnel is expensive, and a more feasible alternative would be bicycle / pedestrian connectivity associated with the bridge. However, at issue is the lack of information about what the bridge design, signalization, and what the ramp interchanges would look like. There isn't a guarantee that a pathway will be built across the bridge and we do not want to miss an opportunity to build the connection since the bridge will have a lifespan for 75 to 100 years. Mr. Leland emphasized the importance of the Town meeting with Maine DOT regarding pedestrian connectivity across I-295.

Ms. Campanelli, Ms. Walsh, and Mr. Leland discussed the need to look at connections between the Cousin's River Bridge, Desert Road Bridge, and Mallett Drive Bridge. Some of the connections to Activity Centers have been studied individually but never as a whole. Ms. Campanelli noted the importance of Long-Range Planning to understand the connections rather than relying on the Comprehensive Plan or individual studies.

Mr. Leland recommended that page 46 (Proposed On-Street Bikeways) of the Active Living Plan be included on the December meeting agenda to facilitate a conversation about comprehensive understanding of bike/ ped connections across Town.

IV. Street Tree Plantings / Beautification.

Mr. Reighley motioned to table this agenda item for the December meeting. Mr. Michaud seconded; the motion passed unanimously.

V. Accept minutes of the October 1, 2019 meeting.

Councilor Reighley motioned to accept the minutes as written; Mr. Michaud requested an amendment to the Project Plan to note that he and Ms. Campanelli will be backups for their respective tasks in the Project Plan. Councilor Reighley motioned to accept the amendment. Mr. Michaud seconded; motion passed unanimously.

VI. Public Peddler Carts.

Mr. Bliss introduced the historical locations of Public Peddler Carts in the Village area. The locations as currently approved are:

- (1) spot at the Train Station
- (2) spots behind Starbucks
- (1) spot in front of Town Hall.

The location at the corner of Bow Street and Middle Street was discontinued a couple of years ago because the spot was determined to be on private property. The spot in front of Town Hall is rarely if

ever been requested. There is a third location behind Starbucks, but this spot is reserved for the non-profits.

A spot in front of Bartol Library on Lower Main Street was conditionally approved by the Town Council for the 2019 season. The cart location must be removed by November 30th according to the Public Peddler Cart Ordinance. Public Safety and Public Works staff have concerns about pedestrian safety at the Bartol Library location. There is photographic documentation of the safety concerns including on-street parking in a no parking zone.

Mr. Leland suggested that a prohibition of Public Peddler Carts from Grove Street to School Street because of the conflicts between pedestrians and vehicles. This recommendation is supported by the fact that there isn't sufficient room within the right-of-way (e.g. sidewalk) along Lower Main Street. Mr. Bliss has researched right-of-way maps and supports the recommendation due to spatial constraints. Mr. Earl Gibson provided his own concerns regarding pedestrians within the roadway and illegal parking in the right-of-way. Snow removal was also brought up as a concern since the carts are allowed by Ordinance to remain until November 30.

Chief Nourse motioned to indefinitely remove the Public Peddler Cart location in front of Bartol Library Building on Lower Main Street. Councilor Reighley seconded; motion passed unanimously. Chief Nourse noted that there aren't any other locations on Lower Main Street for Public Peddler Carts due to the right-of-way constraints. Councilor Reighley amended the motion to prohibit all Public Peddler Cart locations between Grove Street and School Street. The amended motion was not supported due to lack of available space. Mr. Michaud requested a set of guidelines for deciding how to assess potential Public Peddler Cart locations. He stated the Public Peddler Cart Ordinance would be a good place to start.

A potential location at Winslow Park was briefly discussed by the CSC. There seems to be support by the Winslow Park Commission but confirmation from them is needed to further discuss this location.

Ms. Walsh and Councilor Reighley requested that the Public Peddler Cart Ordinance be distributed for discussion at the December meeting.

Chief Nourse motioned to accept the four currently approved locations; Councilor Reighley seconded; Ms. Walsh and Mr. Goggin abstained; motion passed five in favor and none opposed.

VII. Adjournment: Next scheduled meeting: December 3, 2019.

Councilor Reighley motioned to adjourn; Ms. Walsh seconded; motion passed 7 in favor with none opposed.

IV. WORK PLAN

Complete Streets Committee Project Plan

Created: 9/12/2019
Revised: 11/25/2020

Active Projects as of December 1, 2020

Project	Committee Leads (Alternate in Parentheses)	Project Description/Scope	Date Added to Project Plan	Estimated Completion Date	Next Planned Steps (for next CSC mtg)	Milestones / Accomplishments
Desert Road Bridge	Greg Michaud	Participate in MDOT and related project meetings, inform and advise CSC.	Oct 1, 2019			<ul style="list-style-type: none"> * Federal grant funding approved on September 4, 2019. * MDOT Design meeting held: CSC and ALC voted to locate multi-use path on north side and widened shoulder on south side of bridge at Maine DOT meeting. * MDOT cost-sharing meeting held October 6. * MDOT follow-up meeting scheduled for October 28.
Mallet Drive Bridge	Greg Michaud	Participate in MDOT and related project meetings, inform and advise CSC.	Oct 1, 2019			<ul style="list-style-type: none"> * Federal grant funding approved on September 4, 2019. * Signal Warrant Analysis completed * MDOT Design meeting held: CSC and ALC voted to locate multi-use path on north side and widened shoulder on south side of bridge at Maine DOT meeting. * MDOT cost-sharing meeting held October 6. * MDOT follow-up meeting scheduled for October 28. * Meeting with VHB Engineers to review Mallett Drive as part of PACTS as part of review to evaluate high crash locations (HCL)
Write and Submit Complete Streets Policy	Doug Leland	Develop Complete Street policy for Council review and approval.	Oct 1, 2019	Dec 31, 2020	Scheduled for final review and approval of town Council in Dec '20 meeting	<ul style="list-style-type: none"> * Policy approved by CSC and forwarded to Ordinance Committee and Town Council. Staff review and Chairperson comments currently being discussed. * Need Master Plan for connection along Route One from Desert Road to the Cousins River Bridge.
Crosswalks	Sally Walsh	Develop crosswalk protocols and specific plan for Main St. between West St. and Mallet Dr.	Oct 1, 2019		Determine whether this is a standalone effort or whether this work should be incorporated into all other projects as part of a larger ADA / Accessibility effort	<ul style="list-style-type: none"> * Create plan of existing crosswalks on Main Street from Mallett Drive to West Street. Include mapping, locations, visibility, functionality, use, pros, cons, MDOT compliance, tactile warning plates, signage, and accessibility.
Complete Streets Education and Communication		Develop program for community education regarding Complete Streets and CS related topics.	Oct 1, 2019		Develop a draft scope document for 2021 at January mtg.	<p>The focus is on building out the processes and identifying the communication platforms by developing a scope document and work plan for 2021. eg. Town of Freeport web site, pamphlets, workshops, etc. for communication to the general public.</p> <p>Original language was: Cable TV, web, pamphlets, workshops, school presentation, Bike Maine Complete Story Map Facilitate Bridge Workshop</p>
Addressing Resident Road Concerns	Chief Nourse	Document a process flow for addressing residents' road issues and concerns	Nov 2, 2020	Dec 31, 2020	Present a draft work flow to the CSC at December mtg.	<p>The purpose of the work flow document is to have a standard process that residents, CSC committee members and Town associates can reference to ensure consistency and clarity.</p>

Cells highlighted in yellow are recommended changes for CSC comment and approval

Inactive Projects as of December 1, 2020

Project	Reason Inactive	Committee Leads (Alternate in Parentheses)	Project Description/Scope	Date Added to Project Plan	Estimated Completion Date	Milestones / Accomplishments
Cousins River Bridge & Route 1 Multi-Purpose Path	Project Not Started	TBD	Participate in MDOT and related project meetings, inform and advise CSC.	Oct 1, 2019	TBD	Preliminary Design submitted to MDOT Project Manager.
Bike Racks	Not Assigned	formerly assigned to Chester Googins	Develop implementation plan for annual purchase and placement.	Oct 1, 2019	TBD	1. Budget for bike racks for FY 2020. 2. Create existing inventory of bike racks (condition, type, locations, use frequency). 3. Existing Inventory completed. 2 existing locations; two U-racks at Town Hall and 1 rack at Train Station.

Ongoing Projects as of December 1, 2020

Project	Committee Leads (Alternate in Parentheses)	Project Description/Scope	Date Added to Project Plan	Next Planned Steps (for next CSC mtg)	Milestones / Accomplishments
Active Living Committee Liaison	TBD	Support the committee as CSC representative	Dec 1, 2020	Define the scope and function of the role with respect to the two committees	
Maintain Complete Streets Policy	TBD	Ensure CS Policy is updated as needed, and re-approved by the Town Council annually	Dec 1, 2020	Provide monthly updates to the Complete Streets committee as warranted	

