

**TOWN COUNCIL MEETING #01-2002  
JANUARY 8, 2002 - 7:00 P.M.  
TOWN COUNCIL CHAMBERS**

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**SUMMARY AGENDA**

- ITEM #04-2002** To consider action relative to approving the January 8, 2002 Consent Agenda.
- ITEM #05-2002** To consider action relative to proposed amendments to the Zoning Ordinance concerning apartments above the first floor in the Village Commercial 1 Zone (VI-1) (Chapter 21). (Public Hearing).
- ITEM #06-2002** To consider action relative to a proposed amendment to the Sign Ordinance concerning signage on parcels adjacent to Interstate 95 in the Commercial 1 District (C-1) (Chapter 23). (Public Hearing).
- ITEM #07-2002** To consider action relative to sponsoring a Community Development Block Grant Public Facilities Grant Application on behalf of the Community Center Coalition. (Public Hearing).
- ITEM #08-2002** To consider action relative to an expenditure from the Fire Department Reserve Account to provide for a Water Rescue Boat.
- ITEM #09-2002** To consider action relative to the adoption of Town Council Goals for 2002.

**OTHER BUSINESS:**

1. Discussion on the zoning ordinance prohibition on the spraying of pesticides in the Resource Protection 1 Zone (RP-1).
2. Discussion of a committee to review voting districts and possible charter change.

**Adjourn.**

Clear

**AGENDA**  
**FREEPORT TOWN COUNCIL MEETING #01-2002**  
**TOWN HALL COUNCIL CHAMBERS**  
**JANUARY 8, 2002 – 7:00 P.M.**

**SPECIAL NOTE:** This agenda is a working agenda that includes background information and is for distribution to Council members only.

**FROM:** Dale C. Olmstead, Jr.

**TO:** Robert Stevens, Chairperson, Porters Landing  
John Arsenault, , Vice Chairperson, Prout Road  
Kenneth Mann, Mann Road  
David Soley, Arnold Road  
Eileen Lowell, So. Freeport Road  
Rod Regier, South Street  
Susan Campbell, Hunter Road

**FIRST ORDER OF BUSINESS:** To waive the reading of the Minutes of #20-2001, December 18, 2001 Meeting and accept the Minutes as printed.

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

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

**COUNCIL MEETING #01-2002  
JANUARY 8, 2002**

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**ITEM #04-2002** To consider action relative to adopting the Consent Agenda for January 8, 2002.

**BE IT ORDERED:** That the January 8, 2002 Consent Agenda be adopted.

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**ITEM #05-2002** To consider action relative to proposed amendments to the Zoning Ordinance concerning apartments above the first floor in the Village Commercial 1 Zone (VI-1) (Chapter 21). (Public Hearing).

**MOTION:** That the Public Hearing be opened.

**MOTION:** That the Public Hearing be closed.

**BE IT ORDERED:** That the proposed amendments to the Zoning Ordinance be approved.

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**ITEM #06-2002** To consider action relative to a proposed amendment to the Sign Ordinance concerning signage on parcels adjacent to Interstate 95 in the Commercial 1 District (C-1) (Chapter 23). (Public Hearing).

**MOTION:** That the Public Hearing be opened.

**MOTION:** That the Public Hearing be closed.

**BE IT ORDERED:** That the proposed amendment to the Zoning Ordinance be approved.

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**ITEM #07-2002** To consider action relative to sponsoring a Community Development Block Grant Public Facilities Grant Application on behalf of the Community Center Coalition. (Public Hearing).

**MOTION:** That the Public Hearing be opened.

**MOTION:** That the Public Hearing be closed.

**BE IT ORDERED:** That the Town of Freeport sponsor, on behalf of the Community Center Coalition, a CDBG Public Facilities Grant Application in the amount of \$100,000.

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**ITEM #08-2002** To consider action relative to an expenditure from the Fire Department Reserve Account to provide for a Water Rescue Boat.

**BE IT ORDERED:** That \$4,000 be expended from the Fire Department Reserve Account to provide for Freeport's share of the purchase of a Water Rescue Boat.

**NOTE:** The Town of Yarmouth will approve a matching amount.

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**ITEM #09-2002** To consider action relative to the adoption of Town Council Goals for 2002.

**NOTE:** A discussion on Council Goals for 2002 will proceed a Council vote.

**COUNCIL MEETING #01-2002  
JANUARY 8, 2002**

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**NOTE:** Council Leadership will propose goals at the meeting.

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**OTHER BUSINESS:**

1. Discussion on the zoning ordinance prohibition on the spraying of pesticides in the Resource Protection 1 Zone (RP-1).
2. Discussion of a committee to review voting districts and possible charter change.  
Note: This item was requested by Councilor Mann.

**Adjourn.**

**TOWN COUNCIL  
CONSENT AGENDA  
JANUARY 8, 2002**

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**ITEM #01-2002** To consider action relative to the approval of a Malt, Spirituous and Vinous License.

**BE IT ORDERED:** That the Malt, Spirituous and Vinous License application of Leona Smith d/b/a Falcon Restaurant, 8 Bow Street, be approved.

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**ITEM #02-2002** To consider action relative to the acceptance of a donation to the Police Department.

**BE IT ORDERED:** That a donation to the Police Department in the amount of \$500.00 be accepted.

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**ITEM #03-2002** To consider action relative to an appointment to the Traffic and Parking Committee.

**BE IT ORDERED:** That Rodney Regier be appointed, effective immediately, to serve as a member of the Traffic and Parking Committee until December 1, 2004.

**BE IT FURTHER ORDERED:** That Mr. Regier qualify by swearing an oath of office before the Town Clerk by January 18, 2002.

**End of Consent Agenda**

**MINUTES**  
**COUNCIL MEETING #01-2002**  
**FREEPORT TOWN HALL COUNCIL CHAMBERS**  
**JANUARY 8, 2002 – 7:00 P.M.**

**CHAIRPERSON'S CALL TO ORDER**

**Present**

**Absent**

**Excused**

Robert Stevens, Chairperson  
Porters Landing

x

John Arsenault, Vice Chairperson  
Prout Road

x (late)

David Soley  
Arnold Road

x

Susan Campbell  
Hunter Road

x

Rod Regier  
South Freeport Road

x

Kenneth Mann  
Mann Road

x

Eileen Lowell  
South Freeport Road

x

**FIRST ORDER OF BUSINESS:** TO WAIVE THE READING OF THE MINUTES OF MEETING #20-2001 HELD ON DECEMBER 18, 2001 AND ACCEPT THE MINUTES AS PRINTED.

**MOVED AND SECONDED:** TO WAIVE THE READING OF THE MINUTES OF MEETING #20-2001 HELD ON DECEMBER 18, 2001 AND ACCEPT THE MINUTES AS PRINTED (Councilors Soley & Regier) (6 Ayes) (1 Excused—Arsenault).

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

**MOVED AND SECONDED:** To open the Public Comment Period (Councilors Campbell & Arsenault) (7Ayes)

There were none.

**MOVED AND SECONDED:** To close the Public Comment Period (Councilors Campbell & Arsenault) (7Ayes)

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

**ITEM #04-2002:** To consider action relative to adopting the Consent Agenda for January 8, 2002.

**BE IT ORDERED:** That the January 8, 2002 Consent Agenda be adopted. (Councilors Arsenault & Campbell)

Councilor Soley requested that Item #02-2002 be removed for discussion.

**ROLL CALL VOTE:** on remaining two items: (7 Ayes).

**MOVED AND SECONDED:** That a donation to the Police Department in the amount of \$500.00 be accepted. (Soley & Mann).

Councilor Soley explained that he spoke to the anonymous donor of this generous gift to the police department. He is personally uncomfortable with people making donations to the police department. He feels there is an appearance of impropriety which is not the intent in this situation whatsoever. He would like to have this donation made to the Town and the Town Manager be given the authority to use the money for whatever he deems appropriate. If he feels it is appropriate to give it to the police, so be it. The donor noted that he wanted to give the money to the Police, but if the Town Council agrees with Councilor Soley, he has no problem donating it to the Town.

**MOVED AND SECONDED:** That the donation be made to the Town of Freeport and that the Town Manager be given the discretion to forward that money to whatever branch of the Town the Town Manager thought was appropriate. (Councilors Soley & Arsenault) **ROLL CALL VOTE:** 2 Ayes( Soley & Arsenault) (5 Nays—Campbell, Lowell, Mann, Regier and Stevens)

Councilor Mann noted that the Town accepts donations once they are approved by the Town Council. He feels the donation is in order and the Council should not change its long-standing procedure for this but it would be reasonable for the Council to discuss a new policy at some point in the future and decide whether it wants a new policy. Councilor Lowell agreed with Councilor Mann.

**ROLL CALL VOTE:** (7 Ayes).

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**ITEM #05-2002** To consider action relative to proposed amendments to the Zoning Ordinance concerning apartments above the first floor in the Village Commercial 1 Zone (VI-1) (Chapter 21). (Public Hearing).

**MOVED AND SECONDED:** That the Public Hearing be opened. (Lowell & Arsenault) (7 Ayes).

Town Planner, Donna Larsen explained the amendments and answered questions. Councilor Mann suggested removing the word "and" from #12 under Permitted Uses in Section 413. Village Commercial "VC-1" so that it reads "One or two dwelling units on the second or third floors." Discussion followed on whether to allow dwelling units on the first floor. Planning Board Chair Fraser explained that no one on the Planning Board would be opposed to the Council changing this. They feel that the market will drive this.

Anna Johnson, owner of a property on School Street, explained that she has a grandfathered apartment at this

location and would like to add another apartment on the ground floor. She would like to lease out the upstairs for use as a restaurant or some other permitted use. She needs an interpretation on what is considered a first floor at this location. The entire building is sprinkled.

Mr. Olmstead suggested striking everything after the word "units" so that #12 reads: "One or two dwelling units.

Ed Bonney shared his views and explained where FDEC is coming from.

**MOVED AND SECONDED:** That the Public Hearing be closed.(Councilors Soley & Arsenault) (7 Ayes).

**MOVED AND SECONDED TO AMEND:** Under B., Permitted Uses, change #12 to read "One or two dwelling units on other than the first floor (Councilors Soley & Regier) **ROLL CALL VOTE:** (7 Ayes).

**BE IT ORDERED:** That the proposed amendments to the Zoning Ordinance be approved as amended. (Councilors Soley & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

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**ITEM #06-2002** To consider action relative to a proposed amendment to the Sign Ordinance concerning signage on parcels adjacent to Interstate 95 in the Commercial 1 District (C-1) (Chapter 23). (Public Hearing).

**MOVED AND SECONDED:** That the Public Hearing be opened. (Councilors Mann & Arsenault) (7 Ayes).

Ed Bonney shared his views and encouraged the Council to allow signage at some locations to 64 sq. ft. Barbara Asnes cautioned about setting precedent on allowing such a large sign. George Fraser shared his concerns with signage.

**MOVED AND SECONDED:** That the Public Hearing be closed. (Councilors Mann & Arsenault) (7 Ayes).

**BE IT ORDERED:** That the proposed amendment to the Zoning Ordinance be approved. (Councilors Soley & Arsenault)

**MOVED AND SECONDED:** To amend the proposed amendment to the Zoning Ordinance in light of Option 3—to allow a 64 sq. ft. sign on either Route One or I-95, not both, if the parcel is adjacent to an on or off ramp of Interstate 95 at Exit 19 or 20.

5.3.1. The maximum gross display area of each sign face shall not exceed thirty-two (32) square feet measured from the tops of the topmost display elements to the bottom of the lowest display element including any blank space between the elements. However, on Route #1 where the speed limit is 40 mph or more, and on lots adjacent to an on or off ramp of Interstate 95 in the C-1 District, the maximum gross display area of a sign face shall not exceed 64 square feet, provided that a lot may have only one 64 square feet sign, any other ground signs on that lot may not exceed 32 square feet. Notwithstanding the above, signs with changeable letters will not be allowed on Interstate 95. (Councilors Soley & Arsenault) **ROLL CALL VOTE:** (6 Ayes) (1 Abstention—Mann).



**ROLL CALL VOTE:** (7 Ayes).

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**ITEM #07-2002** To consider action relative to sponsoring a Community Development Block Grant Public Facilities Grant Application on behalf of the Community Center Coalition. (Public Hearing).

**MOVED AND SECONDED:** That the Public Hearing be opened. (Councilors Regier & Arsenault) (7 Ayes).

Jeff Sneden of Mid Coast Council for Business Development and Planning gave a brief overview on the grant. Councilor Arsenault asked for clarification on the total cost shown. He suspects the amount should be \$3mm not \$4mm. Councilor Campbell noted that the amount that went to the voters for referendum was \$2.5mm. She asked if there was a breakdown available. Ed Bradley explained that an honest mistake was made but it is hard to estimate what the final cost will be. It is a work of art in progress and the budget number will change. Space needs are still being evaluated. He suspects that it will be in the \$3mm range. There will be costs for fundraising but it will not affect the Town's obligation of \$750,000. He asked the Council to support this grant, which will provide \$100,000. Discussion followed. Chair Stevens suggested that the amount in the grant application be changed to read \$3mm because this figure sounds closer to what the project will actually cost. Judy Meskeil of Marquis Road, Vice President of FCS and serving on the coalition noted that the \$4.1mm amount appeared to be way over budget. FCS holds the loan on the DeLorme building and she is unsure how high they can go.

**MOVED AND SECONDED:** That the Public Hearing be closed. (Councilors Regier & Arsenault) (7 Ayes).

Councilor Campbell requested that the group return to the Council as soon as they get their figures finalized.

**MOVED AND SECONDED:** To amend the total project costs for purposes of this application only. (Councilors Mann & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

For the record, Councilor Mann noted that this is a complete grant other than the fact that the Council has Appropriated the matching funds, there is no pay back on this. It is not a loan.

**BE IT ORDERED:** That the Town of Freeport sponsor, on behalf of the Community Center Coalition, a CDBG Public Facilities Grant Application in the amount of \$100,000 as amended. (Councilors Regier & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

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**ITEM #08-2002** To consider action relative to an expenditure from the Fire Department Reserve Account to provide for a Water Rescue Boat.

**BE IT ORDERED:** That \$4,000 be expended from the Fire Department Reserve Account to provide for Freeport's share of the purchase of a Water Rescue Boat.

**NOTE:** The Town of Yarmouth will approve a matching amount. (Councilors Soley & Arsenault)

Chief Fournier explained that this boat will be shared with the Town of Yarmouth. Chair Stevens noted that three groups have agreed to donate \$500 each toward Freeport's share of the costs. Councilor Mann suggested that the Fire Department continue with a donation process since it is a tight budget year. Discussion followed. Chief

Fournier offered to take this recommendation to go out and solicit funds but wanted the Council to approve the purchase of the boat out of the capital fund. As donations are received, they will replenish the capital reserves fund. Councilors had suggestions for fund raising. More discussion followed on process. Chair Stevens noted that he does not have any problem taking the money from the Reserve Fund. Chair Stevens ruled that it does not amount to an amendment to the operating budget, does not require an Ordinance and does not require a public hearing. Councilor Lowell noted the increase of people kayaking, boating, etc. and everyone she has spoken to thinks this rescue boat is a good idea.

**MOVED AND SECONDED:** To add: "And any revenues received from donations will be put back into reserves to offset the purchase." (Councilors Mann & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

**ROLL CALL VOTE:** (7 Ayes)

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**ITEM #09-2002** To consider action relative to the adoption of Town Council Goals for 2002.

**NOTE:** A discussion on Council Goals for 2002 will proceed a Council vote.

**NOTE:** Council Leadership will propose goals at the meeting.

Chair Stevens noted that everyone should have a copy of the goals. Councilor Soley suggested prioritizing bicycle paths and Councilor Arsenault agreed because there is an effort by surrounding towns to bond together. Councilors Soley and Regier suggested adding #6—Planning and building pedestrian and bicycle paths and pedestrian and bicycle-friendly roads.

Councilor Soley suggested adding #7—Property Tax Reform by utilizing user fees, impact fees and business enterprises.

Councilor Regier suggested changing #3 to read "Explore property tax reform at the state level and property tax alternatives at the local level by supporting such efforts as a local option sales tax and reform of the school funding formula." Councilor Mann is opposed to increasing taxes as part of a local option sales tax. Mr. Olmstead explained what is presently being considered under the concept of local option sales taxes by Augusta. Chair Stevens offered to represent Freeport if Councilors agree.

Mr. Olmstead advised the Council that this is a tax crisis year and his figures will shock them. He itemized some of the issues that will prove to be extremely expensive. Discussion followed.

Councilor Mann noted that he hopes to review for savings in the fiscal year that we are in, i.e. heating oil or mandated cuts that the Council or Manager wants to put on department heads. These monies can help offset the increases for next year. Mr. Olmstead advised that the Council put \$205,000 from last year in this year's revenues and it is important to do this again by year end. He suggested having a serious discussion with the School Department at the end of the month.

Chair Stevens suggested striking #4 and adding "Review budget for possible savings this fiscal year" and continue dialogue with School Committee.

Chair Stevens suggested changing #3 to read: "Explore property tax reform at the state level by supporting such efforts as receiving some amount of sales tax and property tax alternatives at the local level and reform of the school funding formula.

Councilor Soley wants to learn more about the school funding formula. Councilor Campbell requested that Mr. Lyman do a presentation on the school funding formula at the workshop planned for January 29. Councilor Campbell also requested that Beth Edmonds and Tom Bull be invited to come in and work with the Council. She would also like to invite them in to talk about the local option sales tax.

Councilor Arsenault mentioned Goal #1— Support efforts to manage residential growth. Finalize the subdivision ordinance, promote land conservation and the preservation of open space.

Goal #2—Support economic development efforts by promoting growth in commercial areas and tying together existing visions/plans such as 2010, Route 1 South, train station development and municipal/school facility needs.

Councilor Campbell noted that Goals #1 and #2 tie together.

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## **OTHER BUSINESS:**

### **Debt Avoidance Act (Local Option Sales Tax)**

Chair Stevens explained that this proposal has the support of the Administration. It would require voter approval to impose a sales tax for certain specified projects. Ed Bonney shared his views on the situation. Councilor Mann would welcome getting back a portion of the existing sales tax but would not support adding an additional tax. Discussion followed. Barbara Asnes noted that it isn't just the State that is putting Freeport in tax crisis, Freeport's residents are demanding more services, etc.

1. Discussion on the zoning ordinance prohibition on the spraying of pesticides in the Resource Protection 1 Zone (RP-1).

Chair Stevens read a memo from Johanna Hanselman indicating that no property within 150' of the shoreline will be sprayed with the chemical, Mimic in the RP Zone. It kills shellfish. Councilor Mann mentioned spraying for mosquitoes in the RP-1 Zone near the Old County Road. He suggested discussing this with the Planning Board during a workshop. Barbara Asnes asked if Dimilin could be used in the RP Zone. Chair Stevens noted that no chemical would be used in the RP Zone. Councilor Mann would like to get more information on this issue so that he can help as many residents as possible. Discussion followed. Mr. Olmstead pointed out that a fair number of responses have been received from people opting out of spraying. A workshop is planned for Thursday night. Councilor Mann noted that this is a zoning issue and he would welcome a report from the Planning Board. Councilor Campbell suggested inviting Planning Board members to the workshop and alerting them to the need to gather information on this issue. Andy LeMaistre advised that the State has ordinances that govern

spraying in the Resource Protection Zone that the local ordinances were fashioned upon.

2. Discussion of a committee to review voting districts and possible charter change.  
Note: This item was requested by Councilor Mann.

Councilor Mann explained that there were discrepancies in the voting districts and the Council decided to revisit them after the pressure of the election was off. He could find no conflicts with the charter. He would like to get the islands out of the districts that have islands in them that are surrounded by other districts. For example residents of Wardtown Road that are surrounded by District 2 but they are in District 4. Councilor Campbell supports this as well. Mr. Olmstead offered to discuss this with Bev Curry and the Town Attorney to clear up the identified islands.

#### Petitioners' Forms

In petitions that Councilors and School Committee members circulate, the forms that are being used do not provide a space for a date which is required. New forms need to be provided before any elections take place.

#### Councilors At Large

Councilor Arsenaault noted that all of the voting zones are pretty much equal and he would recommend that all Councilor seats go at large to make it easier for the Town Clerk, people at the polls, etc. Councilor Mann disagreed. Councilor Campbell noted how important it is to have someone from the district be on the Council.

#### Traffic & Parking

Genie Beaulieu advised that there was a Traffic and Parking Committee meeting this morning and they finally have colors for the directional signage. She extended thanks to Tom McDermott for his help in the process. She had colors to share with the Council. She displayed a blue and teal sign. The signs will be placed around town on smaller posts. Councilor Regier noted that the Town should extend its thanks to George Denney and Tom McDermott for all their help.

#### Website Improvements

Councilor Regier thanked Mr. Olmstead and the people involved in improving the information displayed on the Town's website.

#### Ambulance Service Collections

Councilor Campbell advised that Chiefs Conley and Fournier reported that collection for reimbursement of the Town's Ambulance Service is at 54%. They are sending out a second round of billing and are hoping to get it up to 74%. She would suggest asking for a quarterly report so that the Council can keep an eye on this. She suggested looking at a preauthorization mechanism through insurers that would require people power. Mr. Olmstead asked Councilor Campbell if she would be willing to serve on the NET Committee and her response was "absolutely". Chair Stevens advised that she is hereby appointed.

#### State Support for a County Jail and Legislation

Chair Stevens would like the Council to go on record as being in support of this.

#### Marstaller Closing

Chair Stevens reported that the Marstaller closing has taken place.

**Regional Cooperation**

Chair Stevens advised that there will be a meeting at the manager level on January 16 to see if they can come up with ideas. Mr. Olmstead will meet with his administrators on January 15 and he will discuss this with the Council under "Other Business".

**Recreation Committee Grant**

Mr. Olmstead advised that the grant that the Recreation Committee applied for has been approved and Freeport will be getting \$25,000 from the federal government.

**Possible Appointee to the Animal Welfare Advisory Board**

No one indicated any interest at this time.

**Adjournment**

**MOVED AND SECONDED:** To adjourn at 10:50 p.m. (Councilors Arsenault & Campbell  
(7 Ayes)

Respectfully Submitted,

*Sharon Coffin*

Sharon Coffin  
Council Secretary

**TOWN COUNCIL  
CONSENT AGENDA  
JANUARY 8, 2002**

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**ITEM #01-2002** To consider action relative to the approval of a Malt, Spirituous and Vinous License.

**BE IT ORDERED:** That the Malt, Spirituous and Vinous License application of Leona Smith d/b/a Falcon Restaurant, 8 Bow Street, be approved.

---

**ITEM #02-2002** To consider action relative to the acceptance of a donation to the Police Department.

**BE IT ORDERED:** That a donation to the Police Department in the amount of \$500.00 be accepted.

---

**ITEM #03-2002** To consider action relative to an appointment to the Traffic and Parking Committee.

**BE IT ORDERED:** That Rodney Regier be appointed, effective immediately, to serve as a member of the Traffic and Parking Committee until December 1, 2004.

**BE IT FURTHER ORDERED:** That Mr. Regier qualify by swearing an oath of office before the Town Clerk by January 18, 2002.

**End of Consent Agenda**

# TOWN OF FREEPORT

**Municipal Offices**  
(207) 865-4743  
FAX (207) 865-0929



**December 6, 2001**

**TO: Dale Olmstead, Town Manager**  
**FROM: Donna Larson, Town Planner**  
**RE: Zoning amendment recommendation**

The Town Council asked the Planning Board to consider an amendment to the Zoning Ordinance that would allow 1 or 2 apartments to be allowed on the second and third floors of buildings in the VC-I District. Currently three or more units would be allowed, but one or two units are prohibited. At their December 5, 2001 meeting, the Board held a public hearing to discuss this proposal and unanimously agreed that it was an appropriate and positive amendment to the ordinance. The proposed ordinance language is attached.

mtg # 1-2002  
Item # 05-02  
Jan. 8, 2002

*Approved as noted*

**Proposed Zoning Ordinance Amendment to allow one or two apartments on the second and/or third floor of a building without any review or approval by the Planning Board**

**Section 413. Village Commercial "VC-I"**

**A. Purpose:**

It is the intent of this District to concentrate commercial activity within the Village Center.

**B. Permitted Uses:**

1. Retail Trade
2. Commercial Recreation, Indoor
3. Business and Professional Offices
4. Commercial Sales and Services
5. Municipal Facility
6. Private Assembly
7. Public Assembly - Indoor
8. Public Utilities
9. Schools
10. Religious Institution
11. Peddler on Private Property subject to the requirements of Section 526
12. One or two dwelling units on the second and/or third floors  
*other than the first floor.*

The following uses are subject to site review regardless of size:

- ~~12~~13. Multiple Family Dwelling
- ~~13~~14. Auto Repair Service Garage
- ~~14~~15. Auto Service Station
- ~~15~~16. Construction Services
- ~~16~~17. Restaurant
- ~~17~~18. Restaurant - Carry-Out
- ~~18~~19. Manufacturing/Processing
- ~~19~~20. Bed and Breakfast Inn
- ~~20~~21. Day Care Center Facilities
- ~~21~~22. Convenience Store with Gas Pumps
- ~~22~~23. Parking lots to serve A & B buildings, as defined in the Freeport Design Review Ordinance in the VC-II District, which meet the requirements of Section 413.D.2.

**C. Space Standards:**



mtg. # 1-2002  
Item # 06-02  
Jun. 8, 2002

*Adopted*  
Amended

PROPOSED

AMENDMENT TO THE SIGN ORDINANCE  
CHAPTER 23

5.3 Ground signs – Other Requirements.

Unless otherwise provided, all ground signs shall conform to the following:

5.3.1. The maximum gross display area of each sign face shall not exceed thirty-two (32) square feet measured from the tops of the topmost display elements to the bottom of the lowest display element including any blank space between the elements. However, on Route #1 where the speed limit is 40 mph or more, and on parcels adjacent to Interstate 95 in the C-1 District, the maximum gross display area of each sign face shall not exceed 64 square feet.

5.3.2. Maximum height is twenty-five (25) feet.

5.3.3. Maximum side dimension is sixteen (16) feet.

5.3.4. Total maximum sign area of all ground signs per building is limited to 200 square feet.

# TOWN OF FREEPORT

Municipal Offices  
(207) 865-4743  
FAX (207) 865-0929



December 11, 2001

TO: Dale Olmstead, Town Manager

FROM: Donna Larson, Town Planner *DL*

RE: Sign Ordinance amendments

Below are the proposed amendments to the Sign Ordinance that would allow ground signs to be 64 square feet along Interstate 95 from Freeport Crossing to the Yarmouth town line. Currently these signs are limited to 32 square feet. This item will be placed on the Planning Board's January 2, 2001 meeting. The proposed amendments are underlined and in bold type.

## 5.3 Ground signs - Other Requirements.

Unless otherwise provided, all ground signs shall conform to the following:

- 5.3.1. The maximum gross display area of each sign face shall not exceed thirty-two (32) square feet measured from the tops of the topmost display elements to the bottom of the lowest display element including any blank space between the elements. However, on Route #1 where the speed limit is 40 mph or more, and on parcels adjacent to Interstate 95 from and including the Freeport Crossing complex to the Yarmouth town line, the maximum gross display area of each sign face shall not exceed 64 square feet.
- 5.3.2. Maximum height is twenty-five (25) feet.
- 5.3.3. Maximum side dimension is sixteen (16) feet.
- 5.3.4. Total maximum sign area of all ground signs per building is limited to 200 square feet.

**PROPOSED**  
**AMENDMENT TO THE SIGN ORDINANCE**  
**CHAPTER 23**

**5.3 Ground signs – Other Requirements.**

Unless otherwise provided, all ground signs shall conform to the following:

- 5.3.1. The maximum gross display area of each sign face shall not exceed thirty-two (32) square feet measured from the tops of the topmost display elements to the bottom of the lowest display element including any blank space between the elements. However, on Route #1 where the speed limit is 40 mph or more, and on parcels adjacent to Interstate 95 from and including the Freeport Crossing complex to the Yarmouth town line, the maximum gross display area of each sign face shall not exceed 64 square feet.
- 5.3.2. Maximum height is twenty-five (25) feet.
- 5.3.3. Maximum side dimension is sixteen (16) feet.
- 5.3.4. Total maximum sign area of all ground signs per building is limited to 200 square feet.

Mtg # 20-2007  
Item # 192-01 -12/18/01  
+  
Mtg # 1-2002  
Item # 07-02 1/8/02  
PH

**PUBLIC FACILITIES GRANT APPLICATION COVER SHEET**

**A. Applicant Identification**

Applicant Town of Freeport  
Street/P.O. Box 30 Main Street  
Town/City Freeport, ME  
Zip Code 04032

**B. The Applicant Certifies That:**

**1. State Certifications**

- a. To the best of my knowledge and belief, the information in this Application is true and correct;
- b. the governing body of the applicant has duly endorsed the document;
- c. a local cash match that directly relates to the proposed activity and is the equivalent of 20 percent of the project grant award will be provided if the applicant is invited to proceed. This match may consist of all non-CDBG loans, grants, endowments, etc. contributed to the project. In-kind material or services to be expended during completion of the proposed project or which has been expended for activities directly related to and necessary for the completion of the proposed project no more than two years prior to the submission of this Application may not count as current cash match,
- d. the proposed project has been reviewed and it complies with the Community's comprehensive plan and/or applicable state and local land use requirements;
- e. it will work with the Office of Community Development to develop a detailed project if it receives a conditional award; and
- f. it will comply with all applicable State laws and regulations.

**2. Federal Certifications**

- a. it will take actions to affirmatively further fair housing and implement CDBG activities in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968;
- b. it will not attempt to recover capital costs for the construction of public improvements, assisted in whole or in part with CDBG funds, by charging special assessments or fees against properties owned and occupied by persons of low and moderate income, including any fee, charge or assessment made as a condition of obtaining access to such public improvements, unless:
  - (i) CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG funds; or

(ii) for purposes of assessing any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, and the applicant certifies that it lacks sufficient CDBG funds to comply with the requirements of clause (i) above.

c. prior to expenditure of CDBG funds, it will establish a local community development plan that identifies the Community's housing and community development needs, including the needs of low and moderate income, and the activities to be undertaken to meet them;

d. it will provide in a timely manner for citizen participation, public hearings, and access to information with respect to the Maine Small Cities CDBG Program and the proposed local CDBG project/program. Indicate in public notices and at public hearings that the State program is competitive, the maximum grant amount that can be requested, and the general type of activities contained in the proposed local program. Also announce in public notices the availability of the local program plan/application, describe the Community's previous CDBG performance (if any), and how the Community will collect, consider and maintain all oral and written comments received on the proposal;

e. it will adopt and follow a residential anti-displacement and relocation assistance plan which complies with Section 104 (d) of the Housing and Community Development Act of 1974, as amended, that at a minimum provides for the replacement of all low/moderate income dwelling units that are demolished or converted to a non-LMI housing use as a direct result of CDBG assistance, and a relocation assistance component;

f. it will comply with the requirements of Section 319 of Public Law 101-121 regarding government-wide restrictions on lobbying; and

g. with the exception of administrative or personnel costs, it will verify that no person who is an employee, agent, consultant, officer, or elected official or appointed official of state or local government or of any designated public agencies, or subrecipients which are receiving CDBG funding may obtain a financial interest or benefit, have an interest in or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect to CDBG activities.

**Signature of Single Applicant or Lead Applicant of a Multi-Jurisdictional Application**

\_\_\_\_\_  
Signature and Title of Chief Executive Officer

\_\_\_\_\_  
Unit of General Local Government

\_\_\_\_\_  
Date

**Signature of Each Participating Applicant in a Multi-Jurisdictional Application**

\_\_\_\_\_  
Signature and Title of Chief Executive Officer      Unit of General Local Government      Date

\_\_\_\_\_  
Signature and Title of Chief Executive Officer      Unit of General Local Government      Date

\_\_\_\_\_  
Signature and Title of Chief Executive Officer      Unit of General Local Government      Date

\_\_\_\_\_  
Signature and Title of Chief Executive Officer      Unit of General Local Government      Date

\_\_\_\_\_  
Signature of Developer, Executive Officer      Company      Date

\_\_\_\_\_  
Signature Agency, Executive Officer      Agency      Date

# **PUBLIC FACILITIES GRANT PROGRAM ACTIVITY DESIGNATION SHEET**

## **1. Activity Declaration**

a. List the activities you will be doing in your proposed project: The proposed project will remove architectural barriers to the former Delorme Map facility, allowing for the conversion of the building to mixed use housing a number of social service organizations and community groups. The funding will be dedicated to the installation of the elevator and other ancillary systems related to the ADA. \_\_\_\_\_

b. Are all activities in the same group (see list below)? ☒ Yes ☐ No

## **PUBLIC FACILITIES ELIGIBLE ACTIVITY GROUPS (With maximum grant amounts)** (Check box next to applicable activity group.)

☐ \$250,000: Fire Stations

☐ \$250,000: COMMUNITY FACILITIES GROUP: Community, child, senior and health centers, libraries, sheltered workshops, homeless shelters, and piers/wharfs

☒ \$100,000: Projects involving removal of architectural barriers as a distinct stand alone activity

☐ \$100,000: Projects involving historic preservation as a distinct stand alone activity

☐ \$ 50,000: PUBLIC WORKS/RECREATION GROUP: Fire fighting equipment, salt/sand storage sheds, transfer stations, parks and recreational facilities, public works garages, dams.

## **2. Multi-Jurisdictional Declaration**

a. Is this a multi-jurisdictional project? ☐ Yes ☒ No

b. If yes, has one local government been designated as the lead applicant?  
☐ Yes ☐ No

**NOTE: Remember all participating or benefiting local governments must sign the Cover Sheet Certification Form.**

## **3. Location of Growth-Related Capital Investments (PL 776)**

a. CDBG financed growth-related capital investments may only be made in specific locations as per title 30-A MRSA 4349:

- A locally designated growth area as defined in an adopted comprehensive plan consistent with the Growth Management Act.





**State of Maine**  
**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**  
Public Facilities Application  
**REMOVAL OF ARCHITECTURAL BARRIERS**

**1. Applicant:**

Name: Town of Freeport \_\_\_\_\_  
Street/PO Box: 30 Main Street \_\_\_\_\_  
Town/City: Freeport \_\_\_\_\_  
Zip Code: 04032 \_\_\_\_\_  
Chief Executive Officer: Dale Olmstead \_\_\_\_\_  
Phone #/e-mail Address: 207-865-4743 / dolmstead@freeportmaine.com \_\_\_\_\_  
Contact Person: Dale Olmstead \_\_\_\_\_  
Phone #/e-mail Address: same as above \_\_\_\_\_

**2. Developer/non-profit agency (if applicable)**

Name: Freeport Community Services \_\_\_\_\_  
Street/PO Box: PO Box 119 \_\_\_\_\_  
Town/City: Freeport \_\_\_\_\_  
Zip Code: 04032 \_\_\_\_\_  
Chief Executive Officer: Elizabeth Finlayson \_\_\_\_\_  
Phone #/e-mail Address: 207-865-3985 \_\_\_\_\_  
Contact Person: Elizabeth Finlayson \_\_\_\_\_  
Phone #/e-mail Address: same as above \_\_\_\_\_

**Amount of CDBG Program Request: \$100,000** \_\_\_\_\_

**Total project cost: \$4,194,000** \_\_\_\_\_

***Note: Please include those portions of the most recent annual financial report for the entity identified in this Application, which gives evidence of the information required. In addition, if any financial information has changed significantly from the most recent annual financial report, please include a more recent financial status report (e.g., monthly statement, balance sheet)***

***Applicants may not attach any additional information unless specifically instructed to do so in the Application.***

## **REQUIRED RESPONSES**

**(Use only space provided)**

**Conditions warranting removal of architectural barriers, including age of facility, location, health and safety concerns, size and make up of user base, and effect of current facility on users.: (You may attach one photo of the existing facility.)**

Capitalizing on economies of scale and providing full access to a wide range of constituents, a consortium of social service and community organizations have acquired the former Delorme complex to establish a "one-stop" shop, delivering services to area residents, the majority being low and moderate income and people with disabilities. Built prior to concerns of accessibility, the structure lacks all systems related to the ADA. The current condition of the facility does not provide an accessible entrance to the building or an elevator to access the upper floor. Throughout the facility, doorways were built to a 32 inch specification, and many interior offices are too small to provide a 5 foot turning radius as required by the ADA. Restrooms throughout the building also have a 32 inch doorways and also lack the necessary fixtures and hardware to allow for disabled use. In addition, emergency systems such as the fire alarm need upgrading to allow for both sight and sound warnings. With services being delivered to a considerable number of elderly, as well as people with severe physical disabilities, conversion of the former commercial building is essential in meeting the mission of the partnering organizations. \_\_\_\_\_

**Description of specific modifications or new construction that will result in the removal of architectural barriers including design factors and specific use of PF program funds:**

**(You may attach a preliminary drawing.)**

To accommodate adequate accessibility and circulation throughout the facility, a complete renovation with an entirely new floor plan is scheduled. Each area within the building will be designed with a minimum of 36 inch doorways, adequate turning areas throughout the common spaces, and all countertops and client reception areas will accommodate both able bodied persons as well as disabled. The Public Facilities funds will be dedicated to providing handicapped access to the building, the installation of a three-stop elevator, modifications to the restrooms on each floor, and systems upgrades for all emergency warnings. \_\_\_\_\_

**Describe how this project was identified and prioritized to be addressed; included should be involvement of residents and municipal officials, non-profit groups and actions taken at public hearings or town meetings and how and if the proposed project has received media attention:**

**In 1994 the Town of Freeport issued a Town Space Needs Study that identified a number of concerns about the inadequacy of community space. Focusing on the space issues raised in the study, Freeport Community Services formed a coalition of community organizations to address indoor community space needs for the various service organizations in Freeport. In 2000 a major feasibility study was launched, involving in-depth interviews with over thirty area residents, meetings with municipal officials, nearly weekly meetings of the coalition of non-profits, and a series of public hearings. Following the release of the study in 2001, a local push began to introduce a referendum for a \$750,000 bond by the Town of Freeport in support of the proposed facility. With multiple public hearings and community meetings conducted between May and November 2001, nearly weekly media coverage, and a direct mail campaign, the referendum passed by roughly 66 percent, approving the \$750,000. Media coverage continued following the passage of the referendum in print, television, and radio.**

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**Description of how the project will benefit the community or area with emphasis on effect on severely disabled users and alleviation of health and safety concerns.:**

**Access to government and needed social services are critical to all residents of a community and are often overlooked for people with severe disabilities and chronic medical conditions. Establishing handicapped access to the facility will expand the services currently being offered and allow persons with disabilities to take advantage of such services as affordable child care, education programs, and assistance programs. This will also allow the participating organizations to offer integrated services to the elderly and various special needs populations with joint programming being provided by multiple agencies. With a large constituency from the organizations being elderly, access is critical. Freeport, like many communities on the coast is experiencing an increase of older folks who increasingly demand for access to services. Without systems such as an elevator and proper restroom facilities, a significant portion of the population is denied these much needed services.**

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Number of residents to benefit from proposed activity: ~1,200  
Number of LMI residents to benefit from proposed activity: ~500  
Number of business/commercial users to benefit from proposed activity: \_\_\_\_\_

Total municipal valuation: \$728,233,638 Current municipal tax rate: 20.90

Total municipal budget: \$19,947,706

Municipal amount: \$5,760,501

County Tax: \$626,393

School amount: \$11,815,437

Total municipal debt: \$16,020,300 Annual debt payments: \$1,745,375

Annual debt retirement: \$1,050,000 Bond rating: A+

Municipal ability to borrow: Current debt represents 2 ½ percent of State Valuation. The statutory limit is 15 percent \_\_\_\_\_

Municipal fund balance/unallocated surplus: \$2,792,972

Projected tax rate increase if the project does not receive CDBG funding: \$N/A

Developer/non-profit non-obligated cash on hand: \$110,000

Developer/non-profit organization ability to borrow: A comprehensive and aggressive private funding effort is underway by the coalition. The consortium of agencies have the ability to borrow to the extent of their ability. \_\_\_\_\_

Projected timeframe and feasibility for completion of accessibility modifications, including any activities already complete or known land use or environmental issues, etc.:

The building has been acquired and preliminary designs have been completed. The necessary environmental reviews, permitting, and engineering will take place over the next few months. Renovations to the facility will begin the spring 2002, with occupancy anticipated for spring 2003. The building is located in a commercial zone and the proposed use is compatible with the zone. The property is not in a floodplain and there are no wetlands issues. \_\_\_\_\_

# Community Development Block Grant Program

## Matching Funds Table

**Potential funding sources sought:** Please enter the sources of funds that you intend to apply to this project (federal and state funding, bank loans, bonds, etc.). For all sources, please indicate the status of the commitment to the project at the time of this application. The three choices are: 1.) no contact has yet been made with the potential funding source 2.) contact has been made with the funding source but a commitment has not yet been received 3.) funds are currently committed for the project. Also, for borrowed funds or funds from bond sales, please state the term, interest rate, and any applicable revenue coverage or debt service reserve amount which is likely to be required by the lender or bond underwriters.

Source	Grant/Loan	Amount	(Please check the number below that relates to each funding source status as described above)			Terms of borrowing or bond sale
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1                  2                  3

Town of Freeport	Bond	750,000			X	
Private Donor	Grant	100,000			X	
Private Donor	Grant	10,000			X	
CDBG	Grant	100,000		X		
Private Individuals and Foundations	Grant	3,000,000	X	X		

**Letters of Commitment for all Matching Funds listed must be attached to this table.**