

M I N U T E S  
TOWN OF FREEPORT  
MEETING OF THE FREEPORT TOWN COUNCIL  
#10-84 MAY 15, 1984 @ 7:30 P.M.  
B.H.BARTOL LIBRARY-WINSLOW ROOM

☒ Regular

☐ Special

Chairman's Call to Order

Present Excused Absent

Hugh Phelps, Chairman, Porters Landing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frederick Palmer, Vice Chairman, Porters Lg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vaughndella Curtis, Pine Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Davenport, Bartol Island Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Lunt, Webster Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Nelson, Church Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barbara McGivaren, 18 Maple Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Moved and Seconded - To correct the Minutes of Meeting #9-84 held May 1, 1984: Page 7 - second paragraph from the bottom: Because of the rules of procedure which state that the Ordinance Committee should receive any amendments to ordinances, Councilor Lunt handed his proposed changes to the Chairman of the Ordinance Committee, Mr. Nelson who then turned them over to the Town Manager. From then on, the language is the same. (Councilor Lunt & Palmer) (7 Ayes) (0 Nays)

Moved and Seconded - To waive the reading of the Minutes of Meeting #9-84 held May 1, 1984 and accept them as printed and as amended.

(Councilors Lunt & Palmer) (7 Ayes) (0 Nays)

Moved and Seconded - That we waive second readings.  
(Councilors Palmer & Lunt) (7 Ayes) (0 Nays)

ITEM #74-84      Be It Ordered - That Robert Gutsche be appointed, effective immediately, to serve as a member of the Cable TV Regulatory Board to serve until October 1, 1985.

Be It Further Ordered - That Mr. Gutsche qualify by swearing an Oath of Office before the Town Clerk by June 1, 1984.  
(Councilors Lunt & Nelson) (7 Ayes) (0 Nays)

ITEM #75-84      Be It Ordered - That Robert Prindall be appointed, effective immediately, to serve as a member of the Coastal Waters Commission to serve until April 1, 1987.

Be It Further Ordered - That Mr. Prindall qualify by swearing an Oath of Office before the Town Clerk by June 1, 1984.  
(Councilors Nelson & Curtis) (7 Ayes) (0 Nays)

ITEM #76-84      Be It Ordered - That Steven Libby be appointed, effective immediately, to serve as a member of the Shellfish Conservation until July 1, 1986.

Be It Further Ordered - That Mr. Libby qualify by swearing an Oath of Office before the Town Clerk by June 1, 1984.  
(Councilors Palmer & Davenport) (7 Ayes)(0 Nays)

Be It Ordered - That Christopher Nichols be re-appointed, effective July 1, 1984, to serve as a member of the Shellfish Conservation Commission until July 1, 1987.

Be It Further Ordered - That Mr. Nichols qualify by swearing an Oath of Office before the Town Clerk by June 1, 1984.  
(Councilors Palmer & Curtis) (7 Ayes) (0 Nays)

ITEM #77-84

Be It Ordered - That David Flanagan be reappointed, effective July 1, 1984, to serve as a member of the Board of Appeals until July 1, 1987.

Be It Further Ordered - That Mr. Flanagan qualify by swearing an Oath of Office before the Town Clerk by June 1, 1984.  
(Councilors Curtis & Nelson) (7 Ayes) (0 Nays)

Be It Ordered - That Reid Potter be reappointed, effective July 1, 1984, to serve as a member of the Board of Appeals until July 1, 1987.

Be It Further Ordered - That Mr. Potter qualify by swearing an Oath of Office before the Town Clerk by June 1, 1984.  
(Councilors Curtis & Davenport) (7 Ayes)(0 Nays)

Be It Ordered - That Christopher Soles be appointed, effective July 1, 1984, to serve as a member of the Board of Appeals until July 1, 1987.

Be It Further Ordered - That Mr. Soles qualify by swearing an Oath of Office before the Town Clerk by June 1, 1984.  
(Councilors Curtis & Davenport) (7 Ayes)(0 Nays)

ITEM #78-84

Be It Ordered - That James Palmer be reappointed, effective immediately, to serve as a member of the Area Development Council until June 1, 1985.  
(Councilors Davenport & Curtis) (7 Ayes) (0 Nays)

ITEM #79-84

Be It Ordered - That Brian Arsenault be appointed, effective immediately, to serve as a member of the Design Review Board until October 1, 1984.

Be It Further Ordered - That Mr. Arsenault qualify by swearing an Oath of Office before the Town Clerk by June 1, 1984.  
(Councilors McGivaren & Davenport)(7 Ayes)(0 Nays)

ITEM #80-84      Be It Ordered - That Andrew Cadot be appointed, effective immediately, to serve as a member of the Conservation Commission until September 1, 1985.

Be It Further Ordered - That Mr. Cadot qualify by swearing an Oath of Office before the Town Clerk by June 1, 1984.

(Councilors Lunt & McGivaren) (7 Ayes) (0 Nays)

Be It Ordered - That John McGivaren be appointed, effective immediately, to serve as a member of the Conservation Commission until September 1, 1984.

Be It Further Ordered - That Mr. McGivaren qualify by swearing an Oath of Office before the Town Clerk by June 1, 1984.

(Councilors Lunt & Nelson) (7 Ayes) (0 Nays)

ITEM #81-84      Be It Ordered - That a total of Seven-Thousand Two-Hundred Fifty Dollars (\$7,250) be transferred from the Miscellaneous and Contingency Account, and appropriated for the following purposes: Five-Thousand Dollars (\$5,000) for a Solid Waste Incineration Study, and Two-Thousand Two-Hundred Fifty Dollars (\$2,250) for the Town's share in the Bragdon Road Construction.

(Councilors Nelson & Curtis) (7 Ayes) (0 Nays)

ITEM #82-84      Be It Ordered - That the Town Treasurer be authorized to issue a Quit-Claim Deed releasing any interest of the Town of Freeport for the following property: Town of Freeport Map 5 Lot 125 to Depositors Trust Company of Augusta, Maine.

(Councilors Palmer & Curtis) (7 Ayes) (0 Nays)

ITEM #83-84      Be It Ordered - That the Town Manager be authorized to sign a License for pipes, conduits, drains, hopper pits, and other structures with Maine Central Railroad Company to provide for a sleeve under the railroad tracks on Depot Street.

(Councilors Curtis & Palmer) (7 Ayes) (0 Nays)

ITEM #84-84

WHEREAS, written notice was given to the Estate of Ernest Marstaller and Merton D. Fillmore (hereinafter the "Abutters") that the Town of Freeport intended to discontinue four-hundred eighty feet (480') of the Bragdon Road, their being the only abutters to that portion of the road; and

WHEREAS, written notice has been given to the Freeport Planning Board of said proposed discontinuance; and

WHEREAS, the said Abutters have agreed to waive any claim for damages resulting from the discontinuance; and

WHEREAS, the Town of Freeport presently maintains as a public road approximately two-thousand feet (2,000') of the Bragdon Road from the Baker Road, and has agreed with the Abutters to improve and maintain an additional five-hundred feet (500') of the Bragdon Road, with the Abutters contributing fifty percent (50%) of the cost for the improvement, which share shall not exceed Two-Thousand Two-Hundred Fifty Dollars (\$2,250.00);

WHEREFORE, It Is Hereby Ordered - pursuant to 23 M.R.S.A. Section 3026, that a portion of the Bragdon Road commencing at the intersection of the Bragdon Road and Interstate Route 95 and proceeding in a Northwesterly direction to a point four-hundred eighty feet (480') shall be discontinued. The Abutters shall receive no damages, and a public easement shall be retained. The discontinued portion of the Bragdon Road shall be a private right-of-way for the Abutters, their heirs, successors and assigns, and, if maintained, shall be at their sole expense. A copy of this Order shall be filed with the Town Clerk.  
(Councilors Lunt & Palmer) (7 Ayes) (0 Nays)

ITEM #85-84

Be It Ordered - That the Application for a Going Out of Business Sale issued to Joseph Saunders, d/b/a Saunders Hardware, Mill Street, be approved.  
(Councilors Davenport & Curtis) (7 Ayes) (0 Nays)

COUNCIL MEETING #10-84  
MAY 15, 1984

- ITEM #86-84      Be It Ordered - That the Town Clerk's appointment of Barbara McGivaren as Warden for the June 12 Primary Election be confirmed.  
(Councilors Davenport & Curtis) (7 Ayes) (0 Nays)
- ITEM #45-84      Be It Ordered - That the Proposed Howard Place and Depot Street drainage system in the amount of \$47,235, as submitted to Public Hearing on April 17, 1984, be approved.  
(Councilors McGivaren & Palmer) (7 Ayes) (0 Nays)
- Moved and Seconded - That Item #62-84 be amended to show that the closing dates for Number 6.14 show "From the period of July 1, 1984 to November 1, 1984."  
(Councilors Curtis & Lunt) (7 Ayes) (0 Nays)
- ITEM #62-84      Be It Ordered - That the Proposed Amendments to the Shellfish Conservation Ordinance (SCO-25), as submitted to Public Hearing on May 1, 1984, be approved pending approval of the Commissioner of Marine Resources.  
(Councilors Lunt & Nelson) (7 Ayes) (0 Nays)
- ITEM #63-84      Be It Ordered - That the Proposed Amendments to the Freeport Sign Ordinance, as submitted to Public Hearing on May 1, 1984, be approved.  
(Councilors Nelson & Lunt) (7 Ayes) (0 Nays)
- ITEM #64-84      Be It Ordered - That the Proposed Amendment to the Freeport Street Acceptance Ordinance, as submitted to Public Hearing on May 1, 1984, be approved.  
(Councilors Palmer & Lunt) (7 Ayes) (0 Nays)
- ITEM #65-84      Be It Ordered - That the Proposed Amendments to the Freeport Traffic Ordinance, as submitted to Public Hearing on May 1, 1984, be approved.  
(Councilors Curtis & Davenport) (7 Ayes) (0 Nays)

ITEM #66-84      Be It Ordered - That the Proposed Fee Increase for Victualer Licenses, as submitted to Public Hearing on May 1, 1984, be approved.  
(Councilors Davenport & McGivaren) (0 Ayes)(7 Nays)

Moved and Seconded - To amend the part of the amendment that deals with "Resident Recreational Shellfish Licenses" and leave it as it is right now.  
(Councilors Nelson & Palmer) (7 Ayes) (0 Nays)

ITEM #67-84      Be It Ordered - That the Proposed Amendments to the Shellfish Conservation Ordinance (SCO-27), as submitted to Public Hearing on May 1, 1984, be approved.  
(Councilors McGivaren & Curtis) (7 Ayes) (0 Nays)

ITEM #68-84      Be It Ordered - That the Proposed Amendments to the Freeport Zoning Ordinance, as submitted to Public Hearing on May 1, 1984, be approved.  
(Councilors Curtis & Davenport) (7 Ayes) (0 Nays)

ITEM #69-84      Be It Ordered - That the Proposed Amendments to the Freeport Building Code, as submitted to Public Hearing on May 1, 1984, be approved.  
(Councilors Davenport & Curtis) (7 Ayes) (0 Nays)

Moved and Seconded - To delete the word "minor" from Section 5.5.2 and to add a provision to Section 6.1.1 which will state that for "major" sub-divisions, the fee will be One-Hundred Dollars (\$100) plus Twenty-Five Dollars (\$25) per lot over five (5) lots.  
(Councilors Nelson & Palmer) (7 Ayes) (0 Nays)

ITEM #70-84      Be It Ordered - That the Proposed Amendment to the Freeport Sub-Division Ordinance, as submitted to Public Hearing on May 1, 1984, be approved.  
(Councilors McGivaren & Curtis) (7 Ayes) (0 Nays)

ITEM #71-84      Be It Ordered - That the Proposed Amendment to the Freeport Design Review Ordinance, as submitted to Public Hearing on May 1, 1984, be approved.  
(Councilors Lunt & Davenport) (7 Ayes) (0 Nays)

COUNCIL MEETING #10-84  
MAY 15, 1984

Town Manager Olmstead informed the Council of the Voter Registration Hours: 1:00 - 5:00 on May 29, 30, 31, June 1 & 4 at 4 Main Street at the Municipal Building. Hours for the Polls will be 8:00 - 8:00 P.M. at the Freeport Fire Station.

Mr. Olmstead informed them that Robert Cartmill had requested that the May 23 budget hearing with the School Committee be held at the High School Library; Council agreed this was fine.

Mr. Olmstead read a letter from Joe Saunders regarding participation of brick sidewalks - Council will discuss this further at their workshop.

Joseph Saunders of Saunders Hardware spoke to the Council; he requested an extension of time to finish the brick sidewalks; Mr. Olmstead read a letter from the Codes Enforcement Officer that had specified a certain time that the sidewalks should be completed; Council agreed to the extension and the following action was taken:

Moved and Seconded - To waive the rules of order and take an item not on the Agenda.

(Councilors Lunt & Palmer) (7 Ayes) (0 Nays)

Moved and Seconded - That we extend the time on Mr. Saunders' completion a month from May 22, 1984.

(Councilors Lunt & Davenport) (7 Ayes) (0 Nays)

Council Chairman Phelps referred the letter from Joe Wishcamper regarding the Varney Road property to the Municipal Facilities Committee.

Moved and Seconded - That the Council enter into Executive Session to discuss personnel matters.

(Councilors Curtis & Davenport) (7 Ayes) (0 Nays)

Moved and Seconded - That the Council reconvene.

(Councilors Lunt & Davenport) (7 Ayes) (0 Nays)

Moved and Seconded - That the Council adjourn at 10:07 P.M.

(Councilors Palmer & Nelson) (7 Ayes) (0 Nays)

The foregoing was recorded by:

*Mary D. Wescott*  
Mary D. Wescott, Council Secretary



*Approved*  
~~PROPOSED~~

AMENDMENT TO THE FREEPORT DESIGN REVIEW ORDINANCE

The Town of Freeport Hereby Ordains - That the following Amendment be made to the Freeport Design Review Ordinance:

Section XVII. Fees

All Applications for design review approval shall be accompanied by a Fee of \$25.00 for residential, and \$100.00 for non-residential or multi family dwellings.

*Approved Council meeting #10-84 on May 15, 1984*  
*Attest, a true copy, Mary D. Wescott*  
*Council Secretary*

*approved*  
~~PROPOSED~~

AMENDMENTS TO FREEPORT BUILDING CODE ORDINANCE

The Town of Freeport Hereby Ordains - That Section 2.c., Subsection 118.3.1 of the Freeport Building Code Ordinance be amended as follows:

118.3.1 Fee Schedule: A fee for each plan examination and building permit shall be paid in accordance with the following schedule:

- 12¢ per square foot for residential.
- 15¢ per square foot for commercial, industrial and agricultural structures.
- \$100 for mobile homes.
- \$4 per \$1,000 of value for alterations, including electrical and heating, with a minimum fee of \$25.00.
- \$25 for additions up to 200 square feet, over 200 square feet refer to residential schedule).
- \$25 for sheds, barns, garages, porches and miscellaneous items.
- \$25 for demolition.

*Approved Council Meeting #10-84 on May 15, 1984*  
*attest, a true copy, Mary D. Wescott*  
*Council Secretary*

*approved*  
~~PROPOSED~~

AMENDMENTS TO THE TOWN OF FREEPORT TRAFFIC ORDINANCE

The Town of Freeport Hereby Ordains - That the following Amendment be made to the Freeport Traffic Ordinance:

Article III Parking Provisions

Section 21-302 No vehicle shall stand, stop or park at any time in any of the specified locations:

- #39 On the West Side of Main Street from Mallet Drive extending 210 feet in a Southerly direction.
- #40 On the West Side of Main Street from Mallet Drive to Maple Avenue.
- #41 On the East Side of Main Street from Davis Avenue to Chapel Street.
- #42 On the East Side of Main Street from Davis Avenue extending 170 feet in a Southerly direction.

*Council Meeting #10-84 on May 15, 1984*  
*Attest, a true copy, Mary D. Wescott*  
*Council Secretary*

*Approved*  
~~PROPOSED~~

AMENDMENTS TO THE SHELLFISH CONSERVATION ORDINANCE

The Town of Freeport Hereby Ordains - That the following Amendments be made to Section 6 of the Freeport Shellfish Conservation Ordinance, and that said Amendments have been approved by the Commissioner of Marine Resources and shall become effective in accordance with the Freeport Town Charter, provided a certified copy of the Ordinance is filed with the Commissioner within twenty days of its adoption.

Section 6 Opening and Closing of Flats

6.13 From the period of May 1, 1984 to November 1, 1984, it shall be unlawful to dig, take or possess shellfish from the shores, flats and waters of Winslow Park from the Boat Ramp to the Red Stake on the point of land Southeast of the Boat Ramp.

6.14 From the period of July 1, 1984 to <sup>November</sup>~~October~~ 1, 1984, it shall be unlawful to dig, take or possess shellfish from the shores, flats and waters in the Harraseeket River from a line from the Town Landing to Staples Point.

*Approved Council Meeting #10-84 on  
May 15, 1984*

*Attest, a true copy, Mary D. Wescott,  
Council Secretary*

*Approved*  
~~PROPOSED~~

AMENDMENTS TO THE FREEPORT ZONING ORDINANCE  
OF THE TOWN OF FREEPORT, MAINE

The Town of Freeport Hereby Ordains - That the following  
Amendments be made to the Zoning Ordinance of the Town of  
Freeport:

Section 601. Enforcement

- F. Applications for an appeal requiring a variance  
from this Ordinance shall be ~~\$25.00~~ \$35.00 for  
residential and \$100.00 for non-residential and  
multi family dwellings.

Section 602. Conditional Use

- A. 6. Applications for a Conditional Use Permit as  
herein described shall be ~~\$75.00~~ \$100.00.

Section 603. Site Review

- B. 1.a. The application shall be made by the owner  
of the property or his agent, as designated  
in writing by the owner, and shall be  
accompanied by the payment of an application  
fee of ~~forty dollars (\$40.00)~~ one-hundred  
dollars (\$100.00) to the Town of Freeport to  
cover the administrative costs of processing  
the application.

*Approved Council Meeting #10-84 on May 15, 1984*  
*Attest, a true copy, Mary S. Wescott*  
*Council Secretary*

*Defeated*  
~~PROPOSED~~

INCREASE IN THE FEE FOR VICTUALER LICENSES

The Town of Freeport Hereby Ordains - That pursuant to Maine Revised Statutes Annotated, Volume 14A - Title 30, Section 2754, the fee for Victualer Licenses issued by the Town of Freeport be increased from Five Dollars (\$5.00) to Fifty Dollars (\$50.00).

*Defeated Council Meeting #10-84 on  
May 15, 1984*

*"back to the drawing board"*

*approved*  
~~PROPOSED~~

AMENDMENTS TO THE TOWN OF FREEPORT SIGN ORDINANCE

The Town of Freeport Hereby Ordains - That the following amendments be made to the Freeport Sign Ordinance:

Section 3 Temporary Signs

3.2 Temporary Political Signs. Temporary political signs on public property or within public rights-of-way shall be permitted for a period of fourteen (14) days before the election date to which the sign refers and must be removed within twenty-four (24) hours after the election has occurred. The maximum size of temporary political signs shall be 4 feet by 4 feet.

Section 11. Waiver Provision

Sections of this Ordinance may be waived for holidays and celebrations at the discretion of the Codes Enforcement Officer.

*Approved Council Meeting #10-84 on May 15, 1984*  
*Attest, a true copy, Mary B. Wescott*  
*Council Secretary*

*Approved*  
~~PROPOSED~~

AMENDMENTS TO THE SHELLFISH CONSERVATION ORDINANCE

The Town of Freeport Hereby Ordains - That the following Amendments be made to Section 6 of the Freeport Shellfish Conservation Ordinance, and that said Amendments have been approved by the Commissioner of Marine Resources and shall become effective in accordance with the Freeport Town Charter, provided a certified copy of the Ordinance is filed with the Commissioner within twenty days of its adoption.

Section 6 Opening and Closing of Flats

6.13 From the period of May 1, 1984 to November 1, 1984, it shall be unlawful to dig, take or possess shellfish from the shores, flats and waters of Winslow Park from the Boat Ramp to the Red Stake on the point of land Southeast of the Boat Ramp.

6.14 From the period of July 1, 1984 to <sup>November</sup>~~October~~ 1, 1984, it shall be unlawful to dig, take or possess shellfish from the shores, flats and waters in the Harraseeket River from a line from the Town Landing to Staples Point.

*approved Council Meeting #10-84 on May 15, 1984*

*Attest, a True copy, Mary A. Wescott  
Council Secretary*



*Approved*  
~~PROPOSED~~

AMENDMENT TO THE TOWN OF FREEPORT  
STREET ACCEPTANCE ORDINANCE

The Town of Freeport Hereby Ordains -  
That a proposed amendment be made to  
the Town of Freeport Street Acceptance  
Ordinance as follows:

Add Section 503 Appeals Process

Any provision of this Ordinance  
can be waived by the Freeport  
Town Council upon the recommen-  
dation of the Freeport Planning  
Board.

*Council Meeting #10-84 on May 15, 1984*  
*Attest, a true copy, Mary D. Wescott*  
*Council Secretary*

Approved Council Meeting #10-84  
May 15, 1984  
Effective June 15, 1984

SD-2

## AMENDMENT TO THE FREEPORT SUB-DIVISION ORDINANCE

The Town of Freeport Hereby Ordains - That the following Amendments be made to the Freeport Sub-Division Ordinance:

### Section 5.2 Procedure

5.2.2 All applications for Final Plan approval for Subdivisions shall be accompanied by a fee of \$100.00 plus \$25.00 per lot over 5 lots payable to the Town of Freeport, Maine, stating the specified purpose of the fee, which shall be delivered directly to the Town Treasurer.

### Section 6.1 Procedure

6.1.1 Within six months after classification of the Sketch Plan as a Major Subdivision by the Planning Board, a subdivider shall submit an application for the consideration of a Preliminary Plan for a Major Subdivision. Failure to do so shall require resubmission of the Sketch Plan to the Planning Board for reclassification. The Preliminary Plan shall conform to the layout shown on the Sketch Plan plus any recommendations made by the Planning Board under the provisions set forth in Article IX General Requirements. For Major Subdivisions the fee will be \$100.00 plus \$25.00 per lot over 5 lots.

## AMENDMENTS TO SHELLFISH CONSERVATION ORDINANCE

The Town of Freeport Hereby Ordains - That the following Amendments be made to Section 5 of the Freeport Shellfish Conservation Ordinance, and that said Amendments have been approved by the Commissioner of Marine Resources and shall become effective in accordance with the Freeport Town Charter, provided a certified copy of the Ordinance is filed with the Commissioner within twenty days of its adoption.

## Section 5 Licensing

- (a) 3) Resident Recreational Shellfish License: The license is available to residents and real estate taxpayers of this Municipality and entitles the holder to dig and take no more than one peck of shellfish in any day for the use of himself and his family.
- (c) Fees: The fees for the licenses are as stated below and must accompany in full the application for the respective license. Fees received from shellfish licensing shall be used by the Town for shellfish management, conservation and enforcement.

Resident Commercial: One-Hundred Dollars (\$100.00)

Nonresident Nonreciprocating Commercial: \$250.00

Resident Recreational: One Dollar (\$1.00)

Nonresident Nonreciprocating Recreational: \$1.00

Approved Council Meeting #10-84 on May 15, 1984  
Attest, a true copy, Mary D. Wescott  
Council Secretary

## PROPOSED

## AMENDMENTS TO THE SHELLFISH CONSERVATION ORDINANCE

The Town of Freeport Hereby Ordains - That the following Amendments be made to Section 5 of the Freeport Shellfish Conservation Ordinance, and that said Amendments have been approved by the Commissioner of Marine Resources and shall become effective in accordance with the Freeport Town Charter, provided a certified copy of the Ordinance is filed with the Commissioner within twenty days of its adoption.

## Section 5 Licensing

- (a) 3) Resident Recreational Shellfish License: *The license is available to residents and real estate taxpayers of this Municipality and entitles the holder to dig and take no more than one peck of shellfish in any day for the use of himself and his family.*

No resident recreational shellfish license is required for recreational digging. A Freeport Resident can dig up to one peck of shellfish per day for their own consumption.

- (c) Fees: The fees for the licenses are as stated below and must accompany in full the application for the respective license. Fees received from shellfish licensing shall be used by the Town for shellfish management, conservation and enforcement.

Resident Commercial: *Twenty-Five Dollars (\$25.00)*  
One-Hundred Dollars (\$100.00)

Nonresident Nonreciprocating Commercial: \$250.00

*Resident Recreational: One Dollar (\$1.00)*

Nonresident Nonreciprocating Recreational: \$1.00

ITEM #84-84

WHEREAS, written notice was given to the Estate of Ernest Marstaller and Merton D. Fillmore (hereinafter the "Abutters") that the Town of Freeport intended to discontinue four-hundred eighty feet (480') of the Bragdon Road, their being the only abutters to that portion of the road; and

WHEREAS, written notice has been given to the Freeport Planning Board of said proposed discontinuance; and

WHEREAS, the said Abutters have agreed to waive any claim for damages resulting from the discontinuance; and

WHEREAS, the Town of Freeport presently maintains as a public road approximately two-thousand feet (2,000') of the Bragdon Road from the Baker Road, and has agreed with the Abutters to improve and maintain an additional five-hundred feet (500') of the Bragdon Road, with the Abutters contributing fifty percent (50%) of the cost for the improvement, which share shall not exceed Two-Thousand Two-Hundred Fifty Dollars (\$2,250.00);

WHEREFORE, It Is Hereby Ordered - pursuant to 23 M.R.S.A. Section 3026, that a portion of the Bragdon Road commencing at the intersection of the Bragdon Road and Interstate Route 95 and proceeding in a Northwesterly direction to a point four-hundred eighty feet (480') shall be discontinued. The Abutters shall receive no damages, and a public easement shall be retained. The discontinued portion of the Bragdon Road shall be a private right-of-way for the Abutters, their heirs, successors and assigns, and, if maintained, shall be at their sole expense. A copy of this Order shall be filed with the Town Clerk.  
(Councilors Lunt & Palmer) (7 Ayes) (0 Nays)

*Attest, a true copy, Mary D. Wescott  
Council Secretary*