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**TOWN COUNCIL MEETING #12-2001
JULY 24, 2001 - 7:00 P.M.
TOWN COUNCIL CHAMBERS**

SUMMARY AGENDA

- ITEM #121-01 To consider action relative to approving the July 24, 2001 Consent Agenda.
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- ITEM #122-01 To consider action relative to a proposed amendment to the Zoning Map (170 Main Street, Map 13, Lot 10).
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- ITEM #123-01 To consider action relative to an expenditure from the Traffic & Parking Reserve Account to provide funding for Vision 2010 Phase II.
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- ITEM #124-01 To consider action relative to the appointment of Freeport High School Building Committee.
-
- ITEM #125-01 To consider action relative to an expenditure from the Cable T.V. Reserve Account to provide for the purchase of equipment.
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- ITEM #126-01 To consider action relative to accepting certain recommendations of the former Residential Growth Management Committee, as they relate to the creation of areas where increased density is allowed, and to forward those recommendations to the Planning Board for further action.
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- ITEM #127-01 To consider action relative to amending the Fiscal Year 2002 Municipal Budget to provide for Aerial Spray Program for Browntail Moths.
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OTHER BUSINESS:

1. Discussion of the next phase in managing residential growth in Freeport - Alan Caron.
2. Discussion on the status of Reed Road - requested by Councilor Stevens.
3. Update on the Middle School Building Project - Kenn Guimond.
4. Discussion of reclassifying Route 125 from a minor to a major collector road.
5. Discussion on the rules of the Public Comment Period - requested by Councilor Stevens.
6. Discuss proposal to lease municipal property for a commercial development - Councilor Stevens.
7. Update on the Maine Service Center Coalition.

Adjourn.

**TOWN COUNCIL
CONSENT AGENDA
JULY 24, 2001**

ITEM #116-2001 To consider action relative to the approval of victualer licenses for Socorro Espana, Constance Blackmer, Catherine Carty-Wilbur, The Vickery Co. and Jeffrey Hurd.

BE IT ORDERED: That the applications issued to the following applicants be approved:

Socorro Espana d/b/a Vita's Tortillas, 71 Curtis Road
Constance Blackmer d/b/a 3 Sisters B&B, 8 Independence Drive
Catherine Carty-Wilbur d/b/a Wilburs of Maine, 32 Independence Drive
The Vickery Co. d/b/a The Hampton Inn, 194 Lower Main Street
Jeffery Hurd, Peddler, Private Property, 83 Main Street

ITEM #117-2001 To consider action relative to the approval of a Malt, Spirituous and Vinous License for the Corsican Restaurant.

BE IT ORDERED: That the application for a Malt, Spirituous and Vinous License issued to Robin Wade d/b/a The Corsican Restaurant, 9 Mechanic Street, be approved.

ITEM #118-2001 To consider action relative to the approval of a Special Amusement Permits for the Harraseeket Inn and Gritty McDuff's.

BE IT ORDERED: That the applications issued to the following applicants be approved.

Nancy Gray, Mystic Motor Inn d/b/a Harraseeket Inn, 162 Main Street
Jonathan Soule, Center-Cotton, Inc. d/b/a Gritty McDuff's, 187 Lower Main Street

ITEM #119-2001 To consider action relative to the acceptance of gifts made to the Freeport Community Library.

BE IT ORDERED: That the following gifts made to the Freeport Community Library be accepted.

<u>Name/Organization</u>	<u>Amount</u>
Max Kagan Family Foundation	\$250.00
Adam & Sheila Nappi	\$50.00
Kenneth R.Libby	\$1,000.00
Lola S. Lea	\$150.00
Dr. Kathleen J. Wininger	\$100.00
L.L. Bean	\$100.00
Henry C. Thomas	\$250.00
Janica K. Peppard	\$86.00
National Association of Investors Corp.	\$300.00
St. Mary's Garden Club	\$200.00
Jacqueline A. Soley	\$50.00

Mary Gribbel	\$14.95
John D. Gleason	\$20.00
Brunswick All Officers Spouse Club	\$200.00
L.L. Bean	\$75.00
Freeport Woman's Club	\$100.00
Hillside Hookers Rug Group	\$20.00
Catherine M. Lawrence	\$50.00
L.L. Bean	\$200.00
Mr. & Mrs. Hugh Saunders	\$100.00
Fore River Foundation	\$1,000.00
Spencer & Sandra Drake	\$20.00
L.L. Bean	\$150.00
Coastal Conservation	\$30.00
Maine Development Foundation	\$50.00
Freeport Woman's Club	\$100.00
L.L. Bean	\$150.00
EBSCO	\$596.65
Dona & Craig Sickles	\$25.00

#120-2001 To consider action relative to accepting a bid for a new recycling facility.

BE IT ORDERED: That the bid from the Sheridan Corp. in the amount of \$395,400 be accepted.

End of Consent Agenda

MINUTES
FREEPORT TOWN COUNCIL MEETING #12-2001
TOWN HALL COUNCIL CHAMBERS
July 24, 2001 – 7 P.M.

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
John Arsenault, Chairperson Prout Road	X		
Robert Stevens, Vice Chairperson Porters Landing	X		
Genie Beaulieu, Larue Drive	X		
David Soley Arnold Road	X		
Kenneth Mann Mann Road	X		
Eileen Lowell South Freeport Road			X

Chair Arsenault explained that he is experiencing back problems and is also the sponsor of one of the agenda items so Vice Chair Stevens will be leading the meeting tonight.

Vice Chair Stevens noted that Councilor Lowell has had surgery and is excused tonight. Best wishes have been extended for a quick recovery.

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #11-2001 HELD ON JUNE 19, 2001 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #11-2001 HELD ON JUNE 19, 2001 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Beaulieu & Arsenault) (5 Ayes) (1 Excused—Lowell)

SECOND ORDER OF BUSINESS: Public Comment Period - 30 Minutes (Non-Agenda Items Only)
Vice Chair Stevens asked everyone to adhere to the minute rule and that conversations be limited to non-agenda items only.

MOVED AND SECONDED: To open the Public Comment Period (Soley & Beaulieu)
(5 Ayes) (1 Excused—Lowell)

There were no public comments.

MOVED AND SECONDED: To close the Public Comment Period (Councilors Soley & Beaulieu) (5 Ayes) (1 Excused—Lowell)

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

ITEM #121-01 To consider action relative to approving the July 24, 2001 Consent Agenda.

BE IT ORDERED: That the July 24, 2001 Consent Agenda be adopted. (Councilors Soley & Beaulieu)

Councilor Mann requested information on the recycling item and Mr. Olmstead described it.

ROLL CALL VOTE: (5 Ayes) (1 Excused—Lowell)

ITEM #122-01 To consider action relative to a proposed amendment to the Zoning Map (170 Main Street, Map 13, Lot 10).

BE IT ORDERED: That a Public Hearing be scheduled for August 7, 2001 at 7:00 p.m. in the Town Hall Council Chambers to discuss a proposed amendment to the Zoning Map, re-zoning Map 13, Lot 10 from Village I to Village Commercial II.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens. (Councilors Beaulieu & Arsenault) **ROLL CALL VOTE:** (5 Ayes) (1 Excused—Lowell)

ITEM #123-01 To consider action relative to an expenditure from the Traffic & Parking Reserve Account to provide funding for Vision 2010 Phase II.

BE IT FURTHER ORDERED: That up to \$25,000 be expended from the Traffic & Parking Reserve Account to provide the Town's share of funding for Vision 2010 Phase II.

NOTE: This item was requested by Councilor Beaulieu. (Councilors Mann & Soley)

Councilor Beaulieu explained that Phase I has been finished and they are ready to start Phase II. Councilor Mann asked for more explanation and Councilor Beaulieu noted that a public hearing will be held on August 1 at 7 p.m. at the YMCA and everyone interested is welcome. Discussion followed.

ROLL CALL VOTE: (4 Ayes) (1 Nay—Mann) (1 Excused—Lowell)

ITEM #124-01 To consider action relative to the appointment of Freeport High School Building Committee.

BE IT ORDERED: That the following individuals be appointed members of a Freeport High School Building Committee.

Ken Carew
Laura George
Lynn Heinz
Sam Hunneman
Cathy Wagner
Ken Guimond
Deb Olken
Rick Hendee
Keith Lowell

(Councilors Arsenault & Mann). Councilor Beaulieu asked if a Council member would be assigned to this committee. Others concurred that it would make sense. Ken Guimond explained that it was assumed that a Town Councilor would be added to the committee.

MOVED AND SECONDED: To amend Item #124-01 to add Councilor Soley to serve as a representative from the Town Council. (Councilors Beaulieu & Arsenault) **ROLL CALL VOTE:** (5 Ayes) (1 Excused—Lowell).

Main motion as amended: **ROLL CALL VOTE:** (5 Ayes) (1 Excused—Lowell).

ITEM #125-01 To consider action relative to an expenditure from the Cable T.V. Reserve Account to provide for the purchase of equipment.

BE IT ORDERED: That up to \$10,000 be expended from the Cable T.V. Reserve Account to provide for the purchase of a DV Camera/Recorder and battery system.

NOTE: The reserve account stands at \$54,000. (Councilors Soley & Arsenault)

Rick Simard advised that existing cameras are not giving good quality recordings and he would like a new camera for their upcoming projects. He has gone out and secured bids. Mr. Olmstead clarified the status of the account and noted that he supports this purchase.

ROLL CALL VOTE: (5 Ayes) (1 Excused—Lowell).

Vice Chair Stevens asked Chair Arsenault to proceed with this item since he requested it.

ITEM #126-01 To consider action relative to accepting certain recommendations of the former Residential Growth Management Committee, as they relate to the creation of areas where increased density is allowed, and to forward those recommendations to the Planning Board for further action.

Whereas the former Residential Growth Management Committee has recommended a plan to manage residential growth in Freeport, which includes the designation of certain areas that would allow greater density, new rules for subdivisions, greater flexibility in allowing

accessory units and apartments, protections for streambeds and open space and a limit on the number of building permits that can be issued in any given year; and

Whereas the Town Council has tentatively approved and forwarded to the Planning Board for further action all elements of the plan, with some revisions, except for the recommended areas of allowable increased density, or growth areas. The plan recommended a total of ten such areas, including two in North Freeport, the existing villages of Freeport and South Freeport, an area along route one just south of the existing downtown area, an area to the north of the existing South Freeport village, west Freeport, Old County Road, and two areas near the intersection of route one and the South Freeport Road, and

Whereas the creation of areas with greater allowable density requires further technical study and public involvement, and

Whereas the proper and thoughtful development of such areas requires careful oversight and monitoring.

BE IT ORDERED: That the Town Council preliminarily adopts, and sends to the Planning Board for further study, the recommendation for three areas which would allow greater density to occur. Those areas are:

1. The existing Freeport village;
2. The Route One South Gateway, near the intersection of U.S. Route One and South Freeport Road, and
3. The Old County Road.

BE IT FURTHER ORDERED: That the Town Planner is authorized to seek any available assistance, including but not limited to funding, from regional, state or federal entities, that could be used to assist the Planning Board in its review of this plan, in undertaking technical or design reviews for the recommended areas of allowable density, and for improving the public's involvement in, and contribution to, the implementation of a plan to manage future residential growth in Freeport. The acceptance of any such funds must be approved by the Council.

BE IT FURTHER ORDERED: That the following growth areas not be accepted:

1. South Freeport Village
2. South Freeport Village Extension
3. West Freeport Growth Area
4. Cousins River Growth Area
5. North Freeport Growth Area
6. Route One North Growth Area
7. Freeport Village Extension

NOTE: This item was requested by Councilor Arsenault. (Councilor Arsenault & Beaulieu)

Chair Arsenault pointed out that he requested this item on the agenda because there is a need to talk about communication and how necessary it is for residential growth. He explained what has evolved during the past two and a half years on managing growth and that a referendum has been started to change the Town Charter. The proposal before the Council tonight came from discussions held last week with various people to determine if there was a way to move forward with a growth plan that took into consideration the concerns that were shared. He noted that areas without sewer and water cannot become growth areas. He feels this proposal strikes a fair

balance and will open the door to communication. He referred to a *Portland Press Herald* article regarding sprawl in Southern Maine. He mentioned that a developer has purchased the Good Earth Farm and is waiting to develop it.

Jerry Tims of Richard's Lane noted that he wants to help manage growth and has empathy for the people who live in the areas designated for the study and recommendation that would allow greater density to occur. He suggested focusing energy on conservation and preservation as opposed to concentrated growth and development. He made reference to the Comprehensive Plan.

Rich DeGrandpre of Beech Hill Road shared his thoughts on dense development and added that Freeport has chosen to not utilize the mechanisms available for keeping open space open. He does not want to see dense development encouraged and pointed out that it costs \$10,000 per year to educate one student in Freeport. He asked if Freeport applied for the Great American Neighborhood Grant and there was no answer for this question.

Tom Schwarm of Grover's Crossing described his neighborhood. He cautioned about including his road in a growth area. He has concerns with storm water run-off, traffic and bicycle paths. Mr. Soley clarified that growth areas will have sewer and water and that Mr. Schwarm's neighborhood does not. Vice Chair Stevens tried to explain the area that is included in the growth areas that have sewer and water because the map provided appears to be in error. Chair Arsenaault suspected that the Town Planner was not able to reduce the circle area correctly. Discussion followed.

MOVED AND SECONDED To Amend: **BE IT ORDERED:** that the Town Council preliminary adopts and sends to the Planning Board for further study, the recommendation for three areas, to the extent these areas are covered by public sewer and water, which would allow greater density to occur.

1. The existing Freeport Village;
2. The Route One South Gateway as the concept was shown on the U.S. Route One South Vision Plan near the intersection of U.S. Route One and South Freeport Road to the extent of what is shown on that plan. It has already been accepted by the Town Council. It has been accepted by the Planning Board and it virtually shows some dense development in there so as an area for the Planning Board to look at, that would show it on the face of the earth.
3. The Old County Road (Soley & Arsenaault).

Councilor Mann mentioned that Mrs. Rand has been paying high taxes on property she has been trying to keep as open space.

Brad Guay of Holbrook Street noted that he is opposed to using growth zones as a planning tool and explained what has been done in Oregon. He would like to see Freeport get a running start towards conservation. He referred to the Comprehensive Plan and the growth areas that are already designated. He suggested another survey to try to ferret out what the sentiment is in town for regulating growth.

Vice Chair Stevens noted that there was a mistake done on the agenda tonight. 1.—Discussion of the next phase in managing residential growth in Freeport should not have appeared. It will not be dealt with tonight.

Susan Campbell of 38 Hunter Road noted that some pieces of Chair Arsenaault's proposal have merit. She referred to meetings that Alan Caron and Jerry Tims participated in which they couldn't reach common ground. She also met with Vice Chair Stevens, Jerry Tims, and Alan Caron to talk about important issues but didn't get to what would be the focus of a future group. She learned that Chair Arsenaault was meeting at the same time with a larger group of residents and came up with the proposal that is being considered tonight. She is disheartened to learn that

**COUNCIL MEETING #12-2001
JULY 24, 2001**

no one from West Freeport was invited to participate in the larger group. Vice Chair Stevens addressed her concerns. She suggested backing up a bit to make sure that there is good solid data. She agreed that the Town needs to plan well and would like to see a survey done to get public sentiment. Perhaps focus groups should be held as well.

Rod Regier of South Street served on the Residential Growth Committee urged the Council to support the proposal that is before them tonight. He outlined what was included in the original proposal. There is no statutory requirement that the Comprehensive Plan needs to be dealt with before anything else. He feels there has been genuine efforts made to answer all the concerns that have been raised.

Ann Hindley of Wardtown Road noted that this proposal is good news because the land that has been in her husband's family for generations has been removed from a growth area. She has knocked on hundreds of doors and learned many good ideas for conservation and how to develop subdivisions. She noted that there are areas being targeted that are very small and cannot possibly hold the 800 homes proposed for the West Freeport Village. She suggested that people take a moment and sit back and come to the table and rehash the issues. Growth areas are not the answer.

Alan Caron noted that the circles are not correctly shown and tried to explain how they could have been drawn. Lots of discussions have taken place over the past few weeks and a lot of people have been trying to figure out how to move forward. People have been trying to find compromise. While it is still necessary to explore what the process will be and classify what is on the table, he urged the Council to pass this proposal and provide some direction to the Planning Board.

Peter Troast of South Freeport Road thanked the Council for the breakthrough to keep this moving. He explained that the committee tried to be neutral in the growth rate in the town but tried to change the pattern of development.

Councilor Mann referred to a copy of Draft #3 that was voted on at the last meeting. It was voted to create a committee to review the growth areas included in the report. He noted that the Council is being asked to vote on a proposal tonight without the benefit of a new committee. He is unclear as to who the people were that Chair Arsenault discussed these three growth areas with which were not originally proposed. He mentioned that the people whose property is being rezoned should be involved. Some of the areas mentioned are protected in the Comprehensive Plan. He suggested tabling the proposal tonight.

Councilor Beaulieu advised that she never thought a new committee would work. There are people that don't believe in growth areas and then there are others that think they are good. After looking at the three areas, she pointed out that consideration should be given to people that need apartments. She tore up her map because she feels it is not correct. Others followed her example. Sprawl is a new issue that she is just getting into. She hopes people will teach her what she does not understand. She pointed out that she feels there is not a Councilor in attendance that ever really believed West Freeport Village would ever happen. The amount of bonding needed alone would have been phenomenal.

Valerie Gamache of Beech Hill Road advised that she has attended meetings over the past few months. She noted her concerns with Ms. Beaulieu's comments. She trusts that Councilors are looking at the entire community and not just the West Freeport Village. She mentioned that one person discussing issues with multiple people and then coming up with a proposal is not necessarily a good plan, particularly after the Council voted to create a new committee at its last meeting.

VOICE VOTE on Amendment: (4 Ayes) (1 Nay—Mann) (1 Excused—Lowell).

MOVED AND SECONDED: To delete "authorize the Town Planner to go ahead and start technical designs of the areas". (Mann) (no second was received).

MOVED: To apply for Comprehensive Plan Implementation Grants to specifically involve the public in amending the Comprehensive Plan. (Mann) (no second was received).

MOVED AND SECONDED: To amend by adding the words "recommended by the Residential Growth Committee" after **BE IT FURTHER ORDERED:** That the following growth areas, not be accepted: (Soley & Arsenault) (5 Ayes) (1 Excused—Lowell).

MOVED AND SECONDED: That the Council direct the Planning Board in their workings that they continue with the Subdivision Amendment and the Permit Cap and then move on to looking at the density issues. (Beaulieu & Soley) Discussion followed. (Councilor Beaulieu removed this motion from the table)

VOTE ON MOTION AS AMENDED: Roll Call Vote: (4 Ayes) (1 Nay—Mann) (1 Excused—Lowell)

ITEM #127-01 To consider action relative to amending the Fiscal Year 2002 Municipal Budget to provide for Aerial Spray Program for Browntail Moths.

BE IT ORDERED: That the Fiscal Year 2002 Municipal Budget be amended as follows to provide for an Aerial Spray Program for Browntail Moths.

<u>Appropriations</u>	<u>From</u>	<u>To</u>
Unclassified	259,587	312,087
Total appropriations	19,895,206	19,947,706
Estimated Revenues		
<u>Amount to be raised by Taxation</u>	14,904,682	14,957,182
Total Revenues	19,895,206	19,947,706

BE IT FURTHER ORDERED: That the following policy for the 2002 Spray Program be adopted:

The Town of Freeport shall pay the costs of spraying for browntail moths as follows:

- The cost of aerial spraying for those areas identified by the Maine Forest Service for a municipal aerial spray program.
- Reimbursement for the cost of ground spraying equal to the per acre cost of aerial spraying for those areas excluded from the municipal aerial program due to non-consent of neighboring residents.

NOTE: This item was requested by Councilor Soley. (Councilors Beaulieu & Mann)

Councilor Soley pointed out that this is a serious health issue and gave examples of people that suffered from Browntail Moths. He feels certain that people that opted out last time may think twice. Mr. Olmstead agreed that people may not opt out next year but 60 or 70 opt outs could possibly kill the spray program.

MOVED AND SECONDED: To add another bullet that reads: "Provided that the Maine Forest Service determines that the spray program will not be rendered ineffective by citizens refusing to be sprayed." (Councilors Soley & Beaulieu).

Councilor Mann noted that this amendment may kill the spray program for next year and asked that it not be included. Vice Chair Stevens agreed with Councilor Mann. Councilor Soley offered to remove the language if the majority of the Council would vote for the item without the friendly amendment.

Chair Arsenault explained that two different chemicals will be used—Confirm and Demalin. Marilyn McMahon of West Shore Drive asked that the Town come up with the money to spray from the ground. She does not feel that aerial spraying is effective. Councilor Soley advised that West Shore Drive will be sprayed unless people opt out. Mr. Bradbury will be asked to come to a Council meeting and will explain the program for residents.

Tom Schwarm of Grover's Crossing is in favor of Councilor Soley's proposal. He has had his property sprayed in the past and will have it sprayed if the Town does not spray next year. His family experienced health problems as a result of the browntail moths.

Jane Pat Cameron, adjacent to Wolfe Neck Park explained how her family was affected by the Browntail Moths and she is in favor of the spray program. She does not want anyone to have the ability to opt out and Councilor Soley explained that there is a State law that permits people the opportunity to opt out.

Ed Abrams of Maquoit Drive had questions on the chemicals used and advised that their neighborhood ground sprayed this year.

Charlotte Bishop of Maquoit Drive mentioned that \$30 only sprays one tree and asked Councilor Soley to look closely at the costs involved. She shared her experiences this year battling the moths. She asked that the Council make a better effort to educate the public on this health issue.

Bill MacDonald of Winthrop advised that his family owns property on several islands and Wolfe's Neck. They have battling the moths since 1995. They are unable to use their property because of health issues. He urged the Council to make sure that the Town has the best program possible by voting to fund the program. Councilor Soley explained that Williams Island with nesting eagles cannot be sprayed every year.

Jeff Ladner of Maquoit Drive explained that his wife has experienced health problems. The program that they paid for this year was not effective. He is concerned that the chemicals used are not effective and that property owners have the option to opt out.

Vice Chair Stevens noted that public education is needed and Councilor Soley asked people to be sure to attend any meetings scheduled on this topic.

Councilors Soley and Beaulieu withdrew their amendment.

ROLL CALL VOTE ON MAIN MOTION: (5 Ayes) (1 Excused—Lowell)

OTHER BUSINESS:

1. Discussion of the next phase in managing residential growth in Freeport – Alan Caren.

2. Discussion on the status of Reed Road – requested by Councilors Mann & Stevens.

Vice Chair Stevens advised that he and Councilor Mann met with Susan Campbell and Mr. Carroll out at their property and reached the conclusion that there isn't any public road there anymore. It is apparent that the Council should take some action to acknowledge the abandonment of that road in the future. A discussion took place on an easement which would allow the Town to get back to the Keith property and to allow the Carrolls to get to the back of their property. Councilor Mann noted that they also agreed to go to the Conservation Commission and try to have an item on the agenda to work towards a process that determines what the property will be used for and how access to the property should be gained, all terrain vehicles, etc. After a public discussion is held, a decision will be made on whether there will be a Hedgehog Mountain type of report on the use of the property. He noted that he and Vice Chair Stevens should take the initiative to work with the Conservation Commission. Councilor Mann advised that big trees are growing up in the middle of the Reed Road. Mrs. Campbell noted that she appreciates Councilors Mann and Stevens efforts. She is still waiting for a copy of the plan that John Schwanda offered to provide showing boundary lines. Ms. Campbell clarified that there is no final agreement on the easement at this time. She advised that Mrs. Binnetti has not been approached by the Town. Joe Carroll advised how dangerous it is to use the exit to Reed Road coming out on Hunter Road and the potential for liability issues. Councilor Mann noted that this issue will be brought to the public meeting with the Conservation Commission.

3. Update on the Middle School Building Project – Kenn Guimond.

Mr. Guimond, Chair of the Building Committee, thanked the Council for the support given to their building projects. He advised that they received all their final permits and are now on their way. They are moving the portables. By Christmas break they will be moving the 6th and 7th grade students into their new wing. The 8th Grade wing will be finished by the end of January. The whole project should be completed by April. Councilor Beaulieu commented on how diligently the committee has been working.

4. Discuss proposal to lease municipal property for a commercial development – Councilor Stevens.

Vice Chair Stevens advised that he and Councilor Soley have met with Kevin and Paul Kelly to have preliminary discussions on leasing the Town's Howard Place property to them to allow for significant construction. The building would revert to the Town at the end of the lease. He asked if the Town should go out on an RFP basis. Councilor Mann suggested discussing whether the Council would want to change the use of that property to allow for the development of an office building. Mr. Olmstead added that the Town has 117 parking spaces on this property. Discussion followed. Vice Chair Stevens pointed out that it is clear the Council will need advice and Mr. Olmstead has contacted Ed Haddad of Freeport and learned that he is available to consult on this project. An RFP also makes sense if the Council wants to enhance this property. Vice Chair Stevens suggested proceeding with an RFP process as quickly as possible and the consultant will come in and help the Council analyze the responses it received. Funding can be identified and voted on at its next meeting on August 7. A proposed RFP may be available on August 7. Councilor Beaulieu wanted it very clear that the parking spaces need to be relocated in the VCI. Councilor Soley has a preference for a parking garage for any offers the Town gets. He would prefer to lease the property and not sell it. He would like a use put in the RFP that is consistent with school use. Councilor Mann wanted to ensure that the bidders will provide new spaces and any proposal should incorporate in their plans the sidewalk and the open gate for access to the high school. He would like to see some traffic circulation analysis done as well. Kevin Kelly, developer, shared his views and that timing is important.

There was unanimous consensus from Councilors to move forward.

5. Discussion of reclassifying Route 125 from a minor to a major collector road.

Councilor Beaulieu explained that the Bicycle and Pedestrian Committee are moving forward in identifying roads for sidewalks or bicycle paths and it became clear that Route 125 is designated a minor collector currently when it is truly a major collector road.

MOVED AND SECONDED: To move something on the printed agenda. (Councilors Beaulieu & Soley) (5 Ayes) (1 Excused—Lowell)

MOVED AND SECONDED: To authorize sending this letter. (Councilors Mann & Stevens).

Councilor Mann had questions on where Route 125 starts and discussion followed. Vice Chair Stevens noted that the Council will find out.

(5 Ayes) (1 Excused—Lowell)

6. Discussion on the rules of the Public Comment Period – requested by Councilor Stevens.

Vice Chair Stevens does not feel any discussion is needed on this issue and other Councilors concurred.

7. Update on the Maine Service Center Coalition.

Mr. Olmstead noted that the State Planning Office some years ago surveyed communities and designated Freeport as one of 69 service center communities. The 69 communities have been meeting for the past year. The goal of this coalition is to have at the State funding level, recognize the high level of service provided to Freeport's surrounding communities and change various State policies to reward us for these extra services. He feels the group will be very effective. He asked the Council to vote to formally join the Coalition.

MOVED AND SECONDED: To move an item not on the printed agenda. (Councilors Stevens & Arsenault) (5 Ayes) (1 Excused—Lowell)

MOVED AND SECONDED: To authorize Freeport to join the Coalition (Councilors Stevens & Arsenault) (5 Ayes) (1 Excused—Lowell).

Councilor Soley mentioned that in his packet there was information that advised that Freeport received a State grant to provide a shed at the recycling center and also some training. He asked if Bart Carhart was responsible and Mr. Olmstead advised that he was and no match is involved.

MOVED AND SECONDED: To move an item not on the printed agenda. (Councilors Stevens & Soley) (5 Ayes) (1 Excused—Lowell).

MOVED AND SECONDED: That the Town Council recommend and commend Bart Carhart for his efforts in successfully getting Freeport the grant set forth in his memo dated July 24, 2001. (Soley & Mann) (5 Ayes) (1 Excused—Lowell).

Councilor Beaulieu advised that she read a letter from the State DOT talking about a change on bridges and asked if the Town is really not responsible for the Burnett Bridge. Mr. Olmstead advised that her information is correct and that the Burnett Bridge is now classified as a State bridge and will be replaced at State

COUNCIL MEETING #12-2001
JULY 24, 2001

cost. Mr. Olmstead advised that a bridge on Desert Road has been reclassified a Town bridge and it is not in very good shape.

Vice Chair Stevens advised that a draft agreement has been tentatively accepted by the Rogers family subject to Council approval on Florida Lake Campground. The Conservation Commission will be coming to the Council's next meeting to get authorization to enter into a contract. Councilor Soley asked about the other side of Florida Lake and Vice Chair Stevens offered to give Steve Walker a call to see what is happening. He will do a draft and the commission can do its magic.

Adjournment.

MOVED AND SECONDED: To adjourn at 11:20 p.m.(Councilors Mann & Soley)
(5 Ayes) (1 Excused—Lowell).

Respectfully Submitted,



Sharon Coffin
Council Secretary

**TOWN COUNCIL
CONSENT AGENDA
JULY 24, 2001**

ITEM #116-2001 To consider action relative to the approval of victualer licenses for Socorro Espana, Constance Blackmer, Catherine Carty-Wilbur, The Vickery Co. and Jeffrey Hurd.

BE IT ORDERED: That the applications issued to the following applicants be approved:

Socorro Espana d/b/a Vita's Tortillas, 71 Curtis Road
Constance Blackmer d/b/a 3 Sisters B&B, 8 Independence Drive
Catherine Carty-Wilbur d/b/a Wilburs of Maine, 32 Independence Drive
The Vickery Co. d/b/a The Hampton Inn, 194 Lower Main Street
Jeffery Hurd, Peddler, Private Property, 83 Main Street

ITEM #117-2001 To consider action relative to the approval of a Malt, Spirituous and Vinous License for the Corsican Restaurant.

BE IT ORDERED: That the application for a Malt, Spirituous and Vinous License issued to Robin Wade d/b/a The Corsican Restaurant, 9 Mechanic Street, be approved.

ITEM #118-2001 To consider action relative to the approval of a Special Amusement Permits for the Harraseeket Inn and Gritty McDuff's.

BE IT ORDERED: That the applications issued to the following applicants be approved.

Nancy Gray, Mystic Motor Inn d/b/a Harraseeket Inn, 162 Main Street
Jonathan Soule, Center-Cotton, Inc. d/b/a Gritty McDuff's, 187 Lower Main Street

ITEM #119-2001 To consider action relative to the acceptance of gifts made to the Freeport Community Library.

BE IT ORDERED: That the following gifts made to the Freeport Community Library be accepted.

<u>Name/Organization</u>	<u>Amount</u>
Max Kagan Family Foundation	\$250.00
Adam & Sheila Nappi	\$50.00
Kenneth R.Libby	\$1,000.00
Lola S. Lea	\$150.00
Dr. Kathleen J. Wininger	\$100.00
L.L. Bean	\$100.00
Henry C. Thomas	\$250.00
Janica K. Peppard	\$86.00
National Association of Investors Corp.	\$300.00
St. Mary's Garden Club	\$200.00
Jacqueline A. Soley	\$50.00

Mary Gribbel	\$14.95
John D. Gleason	\$20.00
Brunswick All Officers Spouse Club	\$200.00
L.L. Bean	\$75.00
Freeport Woman's Club	\$100.00
Hillside Hookers Rug Group	\$20.00
Catherine M. Lawrence	\$50.00
L.L. Bean	\$200.00
Mr. & Mrs. Hugh Saunders	\$100.00
Fore River Foundation	\$1,000.00
Spencer & Sandra Drake	\$20.00
L.L. Bean	\$150.00
Coastal Conservation	\$30.00
Maine Development Foundation	\$50.00
Freeport Woman's Club	\$100.00
L.L. Bean	\$150.00
EBSCO	\$596.65
Dona & Craig Sickles	\$25.00

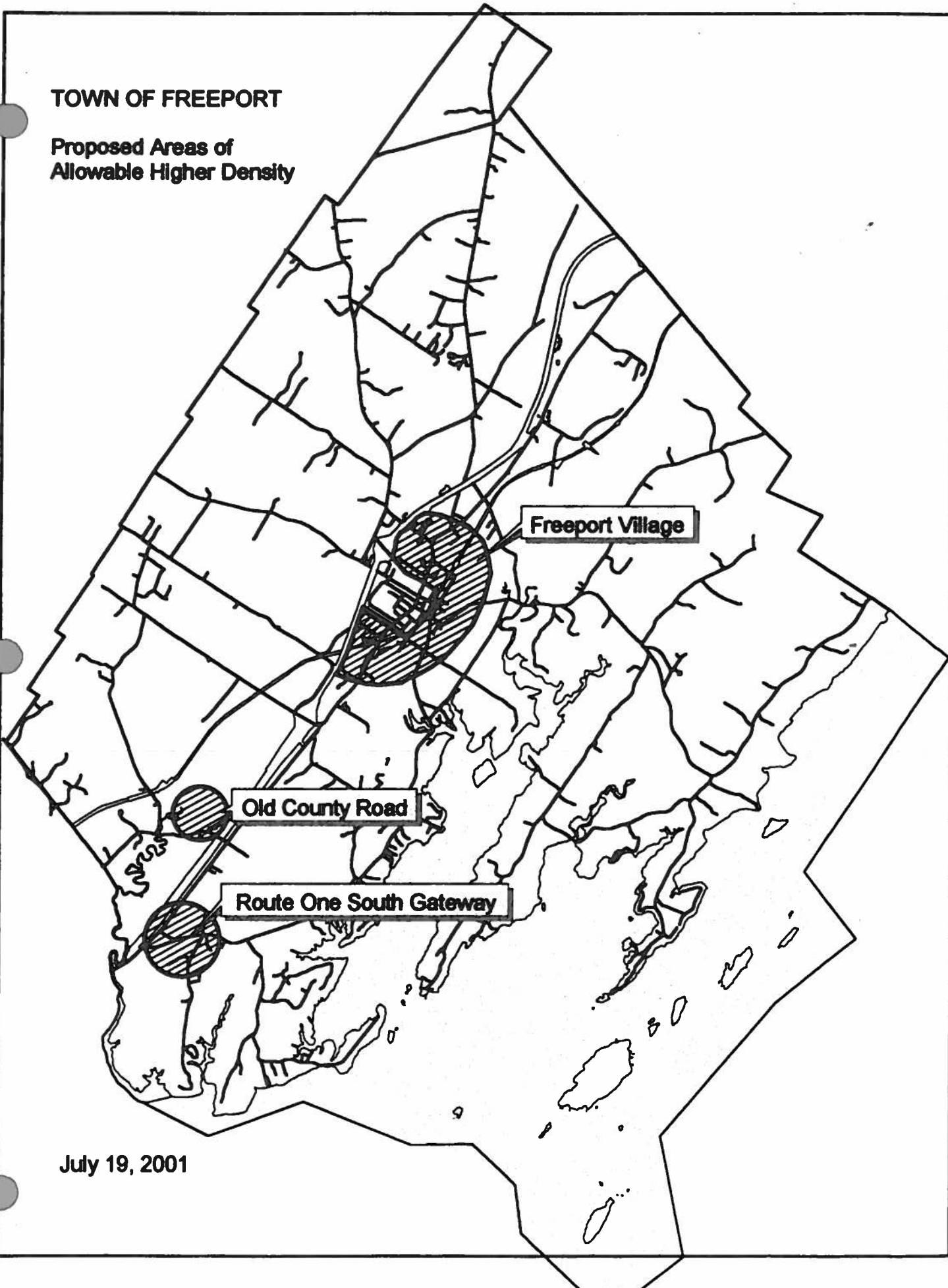
#120-2001 To consider action relative to accepting a bid for a new recycling facility.

BE IT ORDERED: That the bid from the Sheridan Corp. in the amount of \$395,400 be accepted.

End of Consent Agenda

TOWN OF FREEPORT

Proposed Areas of
Allowable Higher Density



July 19, 2001