

May

**TOWN COUNCIL MEETING #12-99
JUNE 15, 1999 - 7:00 P.M.
TOWN COUNCIL CHAMBERS**

SUMMARY AGENDA

- ITEM #158-99 To consider action relative to the approval of the June 15, 1999 Consent Agenda Items #154-99 through #157-99.
- ITEM #159-99 To consider action relative to an Open Space Plan.
- ITEM #160-99 To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning exiting from Howard Place onto Main Street (Chapter 48). (Public Hearing).
- ITEM #161-99 To consider action relative to a proposed amendment to the Design Review Ordinance concerning activities in the Public Right of Way (Chapter 22).
- ITEM #162-99 To consider action relative to the renewal of a Lease Agreement between the Town of Freeport and MDOT concerning the Park and Ride Lot next to Dexter Shoe, U.S. Route #1 South.
- ITEM #163-99 To consider action relative to proposed amendments to the Ordinance Prohibiting Camping on Public Streets and in Parking Lots (Chapter 47).
- ITEM #164-99 To consider action relative to Emergency Amendments to the Ordinance Prohibiting Camping on Public Streets and in Parking Lots (Chapter 47).
- ITEM #165-99 To consider active relative to accepting a bid for the purchase of a Fire Department Brush Truck.
- ITEM #166-99 To consider action relative to adopting a policy on the training and orientation of new and continuing members of the Planning Board, the Board of Appeals and the Design Review Board.
- ITEM #114-99 Approved May 18, 1999.
- To consider action relative to an application for a victualer license for Jean/Eldon Macleod d/b/a Ocean Farms Restaurant, 23 Main Street.
- ITEM #133-99 Tabled June 1, 1999.
- To consider action relative to a proposed amendment to the Peddlers Ordinance concerning the use of space located at Map 11, Lot 107 (Chapter 43).

OTHER BUSINESS:

1. Meeting with Roger Wold to discuss the Town's investment policy.

COMMITTEE REPORTS:

Adjourn.



**AGENDA
FREEPORT TOWN COUNCIL MEETING #12-99
TOWN HALL COUNCIL CHAMBERS
JUNE 15, 1999 - 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: David Soley, Chairperson, Arnold Road
Genie Beaulieu, Vice Chairperson, Larue Drive
Edward Campbell, Gay Drive
Kenneth Mann, Mann Road
Stafford Soule, Arnold Road
Gloria Fogg DeGrandpre, Wolf Neck Road
John Arsenault, Prout Road

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of #11-99, June 1, 1999 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 #12-99
JUNE 15, 1999

ITEM #158-99 To consider action relative to the approval of the June 15, 1999 Consent Agenda, Items #154-99 through #157-99.

BE IT ORDERED: That the June 15, 1999 Consent Agenda be approved.

ITEM #159-99 To consider action relative to an Open Space Plan. (Public Hearing).

MOTION: That the Public Hearing be opened.

MOTION: That the Public Hearing be closed.

MOTION: That the proposed Open Space Plan be referred to the Planning Board for its recommendation to the Town Council.

ITEM #160-99 To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning exiting from Howard Place onto Main Street (Chapter 48). (Public Hearing).

MOTION: That the Public Hearing be opened.

MOTION: That the Public Hearing be closed.

MOTION: That Item #160-99 be tabled until July 20, 1999.

ITEM #161-99 To consider action relative to a proposed amendment to the Design Review Ordinance concerning activities in the Public Right of Way (Chapter 22).

BE IT ORDERED: That a Public Hearing be scheduled for July 20, 1999 at 7:00 p.m. in the Town Hall Council Chambers to discuss a proposed amendment to the Design Review Ordinance.

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.

ITEM #162-99 To consider action relative to the renewal of a Lease Agreement between the Town of Freeport and MDOT concerning the Park and Ride Lot next to Dexter Shoe, U.S. Route #1 South.

BE IT ORDERED: That the Lease Agreement between the Town of Freeport and MDOT for the lease of the Park and Ride Lot on U.S. Route #1 South be renewed in accordance with the letter from MDOT dated June 1, 1999.

ITEM #163-99 To consider action relative to proposed amendments to the Ordinance Prohibiting Camping on Public Streets and in Parking Lots (Chapter 47).

BE IT ORDERED: That a Public Hearing be scheduled for July 20, 1999 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Ordinance Prohibiting Camping on Public Streets and in Parking Lots.

COUNCIL MEETING #12-99
JUNE 15, 1999

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.

ITEM #164-99 To consider action relative to Emergency Amendments to the Ordinance Prohibiting Camping on Public Streets and in Parking Lots (Chapter 47).

BE IT ORDERED: That in accordance with the Town Chapter Section 2.13, the proposed Emergency Amendment to the Ordinance Prohibiting Camping on Public Streets and in Parking Lots be approved.

NOTE: The Traffic and Parking Committee has requested this action citing concerns about an emergency affecting life and health.

ITEM #165-99 To consider action relative to accepting a bid for the purchase of a Fire Department Brush Truck.

MOTION: That the Fire Chief report on bids received.

BE IT ORDERED: That the bid from Casco Bay Ford in the amount of \$27,259 be accepted.

ITEM #166-99 To consider action relative to adopting a policy on the training and orientation for new and continuing members of the Planning Board, the Board of Appeals and the Design Review Board.

BE IT ORDERED: That the Training and Orientation Policy for the Planning Board, the Board of Appeals and the Design Review Board, as recommended by the Planning Board, be adopted.

ITEM #114-99 Approved May 18, 1999.

To consider action relative to a application for a victualer license for Jean/Eldon Macleod d/b/a Ocean Farms Restaurant, 23 Main Street.

BE IT ORDERED: That in accordance with the Victualers Licensing Ordinance Chapter 30, Section 5.3, the Council's action regarding the application for a victualer license by Jean/Eldon Macleod d/b/a Ocean Farms Restaurant, 23 Main Street, [be reversed and the application be denied, be extended until _____, or _____].

NOTE: The victualer license issued to Ocean Farms expired on May 31, 1999. The Town Council approved a new license conditioned on payment of taxes. To date approximately \$16,000 in taxes are past due. The applicants have been notified of this situation.

**COUNCIL MEETING #12-99
JUNE 15, 1999**

ITEM #133-99 Tabled June 1, 1999.

To consider action relative to a proposed amendment to the Peddlers Ordinance concerning the use of space located at Map 11, Lot 107 (Chapter 43).

BE IT ORDERED: That the proposed amendment to the Peddlers Ordinance concerning the use of space located at Map 11, Lot 107, as submitted to Public Hearing on June 1, 1999, be approved.

OTHER BUSINESS:

1. Meeting with Roger Wold to discuss the Town's investment policy.

COMMITTEE REPORTS:

Adjourn.

TOWN COUNCIL MEETING #12-99

JUNE 15, 1999

To consider an item not on the printed consent agenda.

ITEM #154-99 To consider action relative to an application for a victualer license.

BE IT ORDERED: That the application issued to the following applicant be approved.

Wolfe's Neck Farm Foundation, Inc., Peddler Cart, 122 Main Street



TOWN COUNCIL

CONSENT AGENDA

JUNE 15, 1999 - #12-99

ITEM #154-99 To consider action relative to applications for victualer licenses.

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

Mary Esther Hannan d/b/a Mostly Maine, 200 Lower Main Street
Edward Collett d/b/a Red Wheel Snack Bar, 291 U.S. Route 1
Johnathan Soule d/b/a Gritty McDuff's, 187 Lower Main Street
Amy Cartmell d/b/a Brewster House B&B, 180 Main Street
Philip Kerber d/b/a White Cedar Inn, 178 Main Street
David Cates d/b/a 181 Main Street B&B, 181 Main Street
Phyllis St. Laurent d/b/a Country at Heart B&B, 37 Bow Street
Laura Washburn d/b/a It's Only Natural Catering, 75 Eagle's Nest Dr.
Michael Ashby d/b/a Dick's Sub Shop, 15 South Street
Peter Anastos d/b/a Comfort Suites, 500 U.S. Route 1

ITEM #155-99 To consider action relative to the adoption of a Town Council Summer Meeting Schedule.

BE IT ORDERED: That the following Town Council Summer Meeting Schedule be adopted.

| | |
|--------------------------|--------------------|
| Regular Council Meeting: | July 20, 1999 |
| | August 10, 1999 |
| | August 24, 1999 |
| | September 7, 1999 |
| | September 21, 1999 |

NOTE: This schedule was established based on availability of Councilors.

ITEM #156-99 To consider action relative to the re-issuance of a malt, spirituous and vinous license to Gerald Clements.

BE IT ORDERED: That a malt, spirituous and vinous license be re-issued to the following:

Gerald Clements, d/b/a Sam's Italian Foods, Inc., 7 Main Street



ITEM #157-99 To consider action relative to the approval of Waste Hauler Licenses.

BE IT ORDERED: That the following Waste Hauler licenses be approved for fiscal year 1999:

1. Danny Wentworth, d/b/a D. Wentworth Rubbish Removal, Varney Sq. Est., Freeport
2. Jerry Regis, d/b/a Pine Tree Waste, Inc., 33 Rigby Road, South Portland
3. James N. Brown, d/b/a Waste Management of Maine, Inc., 2000 Forest Avenue, Portland
4. William B. Reynolds, d/b/a Reynolds & Sons Disposal, Inc., P.O. Box 1092, Portland
5. Filomena Troiano, d/b/a Troiano Waste Services, Inc., 197 Lincoln Street, South Portland
6. Russell G. Stull, d/b/a KTI Specialty Waste, Inc. (Yarmouth Rubbish and Recycling), 33 Rigby Road, South Portland
7. Keith Wentworth, d/b/a Keith Wentworth Rubbish Removal, 158 Upper Minot Road, Pownal
8. Frank Waterman, Sr., d/b/a Waterman's Rubbish Removal/Recycling, Inc., 345 Route 1 North, Freeport

End of Consent Agenda

Clerk

MINUTES
FREEPORT TOWN COUNCIL MEETING #12-99
June 15, 1999 - 7 P.M.

| <u>CHAIRPERSON'S CALL TO ORDER:</u> | <u>Present</u> | <u>Absent</u> | <u>Excused</u> |
|--|-----------------------|----------------------|-----------------------|
| Genie Beaulieu, Vice Chair Larue Drive | X | | |
| David Soley, Chairperson Arnold Road | X | | |
| Edward Campbell Gay Drive | | | X |
| John Arsenault Prout Road | X | | |
| Kenneth Mann Mann Road | X | | |
| Gloria DeGrandpre Wolf Neck Road | X | | |
| Stafford Soule Arnold Road | X | | |

NOTE: Mr. Olmstead had a family emergency. Jacki Cohen served as the acting Town Manager.

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #11-99 HELD ON JUNE 1, 1999 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #11-99 HELD ON JUNE 1, 1999 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Beaulieu & Arsenault) (6 Ayes) (1-Excused-Campbell)

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

MOVED AND SECONDED: To open the public comment period. (Councilors Beaulieu & Arsenault) (6 Ayes) (1 Excused-Campbell)

No public comments were made.

MOVED AND SECONDED: To close the public comment period. (Councilors Beaulieu & Arsenault) (6 Ayes) (1 Excused-Campbell)

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

ITEM #158-99 To consider action relative to the approval of the June 15, 1999 Consent Agenda, Items #154-99 through #157-99.

BE IT ORDERED: That the June 15, 1999 Consent Agenda be approved.(Councilors DeGrandpre & Arsenault) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Campbell)

ITEM #159-99 To consider action relative to an Open Space Plan. (Public Hearing).

MOVED AND SECONDED That the Public Hearing be opened.(Councilors Mann & Beaulieu) (6 Ayes) 1 Excused-Campbell)

MOVED AND SECONDED That the Public Hearing be opened regarding the Open Space Plan.. (Planning Board Chair, George Fraser & Alan Caron) (Unanimous)

Bob Moore of the Conservation Commission explained the plan. Comments were received from Stuart Pfeffer, Steve Walker, Katrina VanDusen, Andrew Cadot, Gary Profenno, Rod Regier, George Fraser, Jacki Cohen, Alan Caron, Terry Brobst, Joseph Horne, Ben Niles and Rebecca Hotelling. Mr. Regier provided a letter to add to the public record.

Councilor Mann suggested sending this plan back to the Planning Board and asking them to come back with their recommendations. Chair Soley asked for a consensus of how Councilors wanted to proceed. Councilors Soley, Soule and DeGrandpre indicated that they would be willing to vote on the plan at the next meeting to keep the ball rolling. Councilors Beaulieu, Mann and Arsenault preferred to wait until more information is available from the Residential Growth Committee. Chair Soley offered to include options on the next agenda for July 20 to vote procedurally on.

MOVED AND SECONDED That the Public Hearing be closed. (Councilors Mann & Beaulieu) (6 Ayes) 1 Excused-Campbell)

MOVED AND SECONDED That the Public Hearing be closed. (Planning Board Chair Fraser & Alan Caron) (Unanimous)

MOVED AND SECONDED That the third motion on Item #159-99 be tabled to the next meeting. (Councilors Mann & Soule) (6 Ayes) 1 Excused-Campbell)

MOVED AND SECONDED: That the Council take Items 163-99 and 164-99 out of order and then take up Other Business with Mr. Wold. (Councilors Soley & Beaulieu) (6 Ayes) (1 Excused -Campbell)

ITEM #163-99 To consider action relative to proposed amendments to the Ordinance Prohibiting Camping on Public Streets and in Parking Lots (Chapter 47).

BE IT ORDERED: That a Public Hearing be scheduled for July 20, 1999 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Ordinance Prohibiting Camping on Public Streets and in Parking Lots.

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 Soule & Arsenault) **ROLL CALL VOTE:** (5 Ayes) (1 Nay-Mann) (1-Excused-Campbell).

ITEM #164-99 To consider action relative to Emergency Amendments to the Ordinance Prohibiting Camping on Public Streets and in Parking Lots (Chapter 47).

BE IT ORDERED: That in accordance with the Town Chapter Section 2.13, the proposed Emergency Amendment to the Ordinance Prohibiting Camping on Public Streets and in Parking Lots be approved.

NOTE: The Traffic and Parking Committee has requested this action citing concerns about an emergency affecting life and health. (Councilors Arsenault & Beaulieu)

Councilor Beaulieu explained the reasons for this amendment. Representatives from Sandy Cedar Haven, Desert of Maine and Flying Point campgrounds made comments and a discussion followed.

MOVED: To add a #5 to the Ordinance that says "any person may camp in a private lot between 11:50 p.m. and 6 a.m. the following day with the owner's permission for that night only. (Councilors Mann) Motion failed due to lack of a second.

ROLL CALL VOTE: (5 Ayes) (1 Nay-Mann) (1-Excused-Campbell).

OTHER BUSINESS:

Roger Wold discussed the Town's investment policy and a discussion followed. Mr. Wold suggested waiting until the Y2K problem is behind us before considering adjusting the mix toward the equity side. He was asked to return to the Council in November, December or January.

ITEM #160-99 To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning exiting from Howard Place onto Main Street (Chapter 48). (Public Hearing).

MOVED AND SECONDED: That the Public Hearing be opened. (Councilors DeGrandpre & Soule) (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That the Public Hearing be closed. (Councilors DeGrandpre & Beaulieu) (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That Item #160-99 be tabled until July 20, 1999. (Councilors DeGrandpre & Soule) (6 Ayes) (1 Excused-Campbell).

COUNCIL MEETING #12-99
JUNE 15, 1999

ITEM #161-99 To consider action relative to a proposed amendment to the Design Review Ordinance concerning activities in the Public Right of Way (Chapter 22).

BE IT ORDERED: That a Public Hearing be scheduled for July 20, 1999 at 7:00 p.m. in the Town Hall Council Chambers to discuss a proposed amendment to the Design Review Ordinance.

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 Mann & Soule) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Campbell)

ITEM #162-99 To consider action relative to the renewal of a Lease Agreement between the Town of Freeport and MDOT concerning the Park and Ride Lot next to Dexter Shoe, U.S. Route #1 South.

BE IT ORDERED: That the Lease Agreement between the Town of Freeport and MDOT for the lease of the Park and Ride Lot on U.S. Route #1 South be renewed in accordance with the letter from MDOT dated June 1, 1999. (Councilors Beaulieu & Soule) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Campbell)

ITEM #165-99 To consider action relative to accepting a bid for the purchase of a Fire Department Brush Truck.

MOTION: That the Acting Town Manager report on bids received. (Councilors Soule & Arsenault) (6 Ayes) (1 Excused-Campbell)

Ms. Cohen reported on the three bids received and the Fire Chief's recommendation.

BE IT ORDERED: That the bid from Casco Bay Ford in the amount of \$27,259 be accepted. (Councilors Soule & Beaulieu) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Campbell)

ITEM #166-99 To consider action relative to adopting a policy on the training and orientation for new and continuing members of the Planning Board, the Board of Appeals and the Design Review Board.

BE IT ORDERED: That the Training and Orientation Policy for the Planning Board, the Board of Appeals and the Design Review Board, as recommended by the Planning Board, be adopted. (Councilors Arsenault & Soule) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Campbell)

ITEM #114-99 Approved May 18, 1999.

To consider action relative to a application for a victualers license for Jean/Eldon Macleod d/b/a Ocean Farms Restaurant, 23 Main Street.

BE IT ORDERED: That in accordance with the Victualers Licensing Ordinance Chapter 30, Section 5.3, the Council's action regarding the application for a victualer license by Jean/Eldon Macleod d/b/a Ocean Farms Restaurant, 23 Main Street, be reversed and the application be denied.

NOTE: The victualer license issued to Ocean Farms expired on May 31, 1999. The Town Council approved a new license conditioned on payment of taxes. To date approximately \$14,000 in taxes are past due. The applicants have been notified of this situation. (Councilors Beaulieu & Arsenault)

Councilor Mann advised that the corporation applying for the license does not own any property. He asked how the Town could force one corporation to pay the taxes for another corporation. While there may be taxes owned on the property, there are none due on the restaurant. Councilors concurred that more information is needed.

MOVED AND SECONDED: To table Item 114-99 to the July 20 meeting for further discussion. (Councilors Beaulieu & Soule) (5 Ayes) (1 Nay-Soley). (1 Excused-Campbell).

ITEM #133-99 Tabled June 1, 1999.

To consider action relative to a proposed amendment to the Peddlers Ordinance concerning the use of space located at Map 11, Lot 107 (Chapter 43).

BE IT ORDERED: That the proposed amendment to the Peddlers Ordinance concerning the use of space located at Map 11, Lot 107, as submitted to Public Hearing on June 1, 1999, be approved. (Councilors DeGrandpre & Arsenault) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Campbell).

ITEM #~~135~~¹⁵⁴⁻⁹⁹-99 To consider action relative to an application for a victualer license.

MOVED AND SECONDED: To move an item not on the printed agenda. (Councilors Beaulieu & Soule) (5 Ayes) (1 Excused -Campbell) (1 Abstention-DeGrandpre).

BE IT ORDERED: That the application issued to the following applicant be approved. Wolfe's Neck Farm Foundation, Inc., Peddler Cart, 122 Main Street. . (Councilors Beaulieu & Arsenault) **ROLL CALL VOTE:** (5 Ayes) (1 Excused-Campbell). 1-Abstention-DeGrandpre).

MOVED AND SECONDED: To adjourn at 10:50 p.m. (Councilors Beaulieu & Soule) 6 Ayes) (1 Excused -Campbell)

Respectfully,

Sharon Coffin

Sharon Coffin
Recording Secretary

56 South Street
Freeport, Maine 04032
15 June, 1999

David Soley, Chair, Freeport Town Council

Re: open space

Dear David:

We are interested in the continuing discussion of open space in town, and wish to comment on the Draft Open Space and Public Access Plan. As various committees and the Town Council consider this issue, we hope that the following principles might be kept in mind:

It is desirable and appropriate to direct public resources as well as encourage private effort toward the preservation of the open land which is such a visible part of the fabric of this town. In a variety of ways we have tried through the years to act on this belief; its correctness is affirmed each we drive through any East Coast city.

Legislative means to retain open space should be economically neutral to landowners, who must not be forced to pay a disproportionate share of the cost of conservation as an increasing population seeks to leave undeveloped a decreasing amount of acreage. To treat unfairly those whose practices in the past have preserved the woodlands and meadows others enjoy today is to alienate the most obvious allies of future land stewardship efforts.

Any transfer of ownership rights should respect the open market, include an array of tax and grant considerations, and require substantial private support. The pocketbook must back the polls, or else we will face the bitter paralysis which so frequently has been the result of these discussions, as property rights advocates debate proponents arguing the public good.

Documents describing public policy must be clear, defensible, and straightforward

Regarding the final point, we offer specific criticism of the Draft Open Space and Public Access Plan, dated 5/19/98. The goals of the Freeport Conservation Commission are laudable, but we challenge some of the details in the Draft, including:

map opposite p. 4, "Potential development pattern..." No one seems to know what this map means, yet it is a banner waved to rally conservation efforts. What population is assumed? How many dwelling units? At present growth rates, how immediate is this specter? We urge that this map either be deleted or explained.

11

12

13

14

Intermittent stream

map opposite p. 8. "Shoreland areas..." "This map includes a few more perennial streams than does Freeport's Shoreland Zoning Map..." (p.7). Why? On what criteria were the "few more" streams selected? Does the revised map purport to be comprehensive in its inclusions? Enormous controversy surrounded the eventual incorporation of shoreland zoning standards into local land use ordinances; is this intended to renew the debate? Is it an oblique attempt to alter an ordinance? The Zoning Ordinance, incidentally, does not limit shoreland zoning only to "those [rivers] draining 25 square miles or more", but by map and definition includes a half-dozen streams. We urge that this map be deleted, or that its variance with the Shoreland Zoning Map be explained, or at the least that this map be marked boldly as not intended for any purpose concerning the Zoning Ordinance.

p. 11, trails. We have never understood if this is the tail, or if it is the dog. Land for trails requires a very different acquisition pattern than land for more general open space purposes, particularly if the stated goal is permanently protecting 1500 new acres. Trail use is not benign, and maintenance is not free. It is irresponsible to propose an extensive trail system, and not mention the resources necessary to keep it, especially in the fragile, erosion-prone coastline areas mapped by the Conservation Commission as most desirable for preservation. We urge that a realistic assessment of trail maintenance costs be included as a corollary to any stated desire for trail acquisition.

p. 14, Planning Board and site plan review. An extensive network of trails exists quietly, unmapped on private property, throughout the town. We hope this pattern continues. To include trails under site plan review legitimizes them, giving formal standing to a use which exists only unofficially. For the Planning Board to recognize these trails would effectively change them into public easements. We urge that this reference be deleted.

p. 22, \$1 million bond issue. We are sorry that to date this proposal has been stated publicly only as an apologetic afterthought. It should be a central pillar for the Open Space Plan. That said, we urge that a genuine analysis of this proposal be included in the Plan. Why \$1 million? Given precedents around Maine, what might it be expected to achieve? What limits on disbursements, either over time, or area of town, or participation in specific transactions might be expected? Public acquisition of land typically involves many participants, and to permit a particular pot of money to be the bank of only resort would be a grievous mistake. We would like evidence of consideration that a public expenditure would be made as carefully as our own, and that public involvement would be leveraged by substantial partnership with other sources.

Thank you for your consideration. We are deeply appreciative of the many hours given by you and other of our neighbors to this important matter.

Sincerely,

Rod
Rodney J. Regier

Shirley
Shirley A. Mathews



*Approved June 15, 1999
Meeting # 12-99; item # 164-99*

Adopted
**PROPOSED EMERGENCY AMENDMENTS
ORDINANCE PROHIBITING CAMPING ON
PUBLIC STREETS AND IN MUNICIPAL PARKING LOTS
(CHAPTER 47)**

1. Definitions. As used in this ordinance, the following terms have the following meaning:
 - a. "Camp" means: to occupy a recreational vehicle as temporary living quarters. "Camp" also means to park a recreational vehicle on a street or in a municipal parking lot for three or more consecutive hours between the hours of 11:50 p.m. and 6:00 a.m. the following day, unless the recreational vehicle is unoccupied the entire time it is parked there.
 - b. "Municipal Parking Lot" means: any parking area, whether publicly or privately owned, ~~except the parking provided for a single family or two family dwelling.~~
 - c. "Recreational Vehicle" means: a vehicular-type portable structure, without permanent foundation, which can be towed, hauled or driven over the road and which is primarily designed as a temporary living accommodation for recreational, camping and travel use, including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.
 - d. "Street" means: any public way, private way or driveway, except a private way or driveway providing access only to a single family or two family dwelling.
2. Camping on Streets and in Municipal Parking Lots Prohibited. No person shall camp or permit any other person to camp on any street or in any municipal parking lot within the Town of Freeport.
3. Penalties and Persons Liable. Any person who violates this ordinance commits a civil violation punishable by a civil penalty in the amount of \$100.00. The following persons shall be liable for the penalty, provided that the Town shall not collect more than one penalty for any single violation:
 - a. Any person above the age of majority who is occupying the recreational vehicle at the time of the violation.
 - b. The driver who parked the recreational vehicle.
 - c. Any person who owns or controls a street ~~or parking lot~~ and gives permission to any person to camp thereon.
4. Enforcement. This ordinance may be enforced by any police officer.

Approved June 15, 1999
Meeting #12-99; item #133-99
PH - mtg. #11-99 (June 1, 1999)

Adopted
PROPOSED AMENDMENT

PEDDLERS ORDINANCE

CHAPTER 43

Section 43-203 General Provisions

2. The sidewalk in front of Map 11, Lot 107 shall be reserved for use by a Freeport school group, ~~during the period from Memorial Day through Labor Day.~~ Each year a license shall be granted to a qualified Freeport school organization by the ~~Licensing Board.~~ Town Council. Revenues raised during this period shall be used for school related purposes. During the period from the day after Labor Day to Memorial Day, ~~a license to use the space shall be issued to a qualified Freeport public service, school or municipal group on a first come first serve weekly basis by the Town Clerk. The licensee must follow all provisions of the Ordinance except no fees or proof of insurance shall be required.~~ The School group holding the license shall make a portion of the space available to other qualified Freeport Public Service, school or municipal group on a first-come-first-serve weekly basis. Requests must be made to the license holder in writing with a copy provided to the Town Clerk.

