

**AGENDA**  
**FREEPORT TOWN COUNCIL MEETING #18-2000**  
**TOWN HALL COUNCIL CHAMBERS**  
**SEPTEMBER 26, 2000 - 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  
John Arsenault, Vice Chairperson, Prout Road  
Genie Beaulieu, Larue Drive  
Edward Campbell, Gay Drive  
Kenneth Mann, Mann Road  
Gloria Fogg DeGrandpre, Wolf Neck Road  
Robert Stevens, Porters Landing

**FIRST ORDER OF BUSINESS:** To waive the reading of the Minutes of #17-2000, September 5 , 2000 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 #18-2000  
September 26, 2000

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ITEM #191-00            To consider action relative to the confirmation of a Warden for the November 7, 2000 Federal, State and Local Election.

**BE IT ORDERED:** That the Town Clerk's appointment of John Arsenault as Warden for the November 7, 2000 Election, be approved.

ITEM #192-00            To consider action relative to waiving Shellfish Conservation time for the year 2000.

**BE IT ORDERED:** That the Shellfish Commission's recommendation that Shellfish Conservation time be waived for the year 2000, be approved.

ITEM #193-00            To consider action relative to proposed amendments to the Zoning Ordinance concerning Mislocated Building Appeals and Limited Setback Reductions. (Chapter 21)

**BE IT ORDERED:** That a Public Hearing be scheduled for October 10, 2000 at 7:00 PM in the Town Hall Council Chambers to discuss proposed amendments to the Zoning Ordinance.

**BE IT FURTHER ORDERED:** That 30 copies be distributed between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

ITEM #194-00            To consider action relative to proposed amendments to the Freeport Zoning Ordinance concerning dwelling units on all floors in the VC-I Zone. (Chapter 21)

**BE IT ORDERED:** That a Public Hearing be scheduled for October 10, 2000 at 7:00 PM in the Town Hall Council Chambers to discuss proposed amendments to the Zoning Ordinance.

**COUNCIL MEETING #18-2000  
SEPTEMBER 26, 2000**

**Item #194-00 - continued**

**BE IT FURTHER ORDERED:** That 30 copies be distributed between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

**OTHER BUSINESS:**

1. Discussion on request to verify the status of Reed Road
2. Presentation by the Region 6 Regional Transportation Advisory Committee.  
(RTAC 6)
3. Discussion on entering into a contract with the State of Maine on the design and replacement of the Burnett Road Bridge.
4. Discussion on Councilor Mann's request on an amendment to the MD & B Zoning District concerning warehouse and storage buildings.

**END OF AGENDA**

**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #18-2000**  
**TOWN HALL COUNCIL CHAMBERS**  
**September 26, 2000 – 7 P.M.**

<u><b>CHAIRPERSON'S CALL TO ORDER:</b></u>	<u><b>Present</b></u>	<u><b>Absent</b></u>	<u><b>Excused</b></u>
Genie Beaulieu, Larue Drive			X
David Soley, Chairperson Arnold Road	X		
Edward Campbell Gay Drive			X
John Arsenault, Vice Chair Prout Road	X		
Kenneth Mann Mann Road	X		
Gloria DeGrandpre Wolf Neck Road	X		
Robert Stevens Porters Landing	X (arrived at 7:10 p.m.)		

**FIRST ORDER OF BUSINESS:** TO WAIVE THE READING OF THE MINUTES OF MEETING #17-2000 HELD ON SEPTEMBER 5, 2000 AND ACCEPT THE MINUTES AS PRINTED.

**MOVED AND SECONDED:** TO WAIVE THE READING OF THE MINUTES OF MEETING #17-2000 HELD ON SEPTEMBER 5, 2000 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Arsenault & DeGrandpre) (4 Ayes) (3 Excused—Stevens, Beaulieu & Campbell).

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

There were no public comments made.

**MOVED AND SECONDED:** To close the Public Comment Period (Councilors Arsenault & DeGrandpre) (4 Ayes) (3 Excused—Stevens, Beaulieu & Campbell).

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

COUNCIL MEETING #18-2000  
September 26, 2000

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ITEM #191-00      To consider action relative to the confirmation of a Warden for the November 7, 2000 Federal, State and Local Election.

**BE IT ORDERED:** That the Town Clerk's appointment of John Arsenault as Warden for the November 7, 2000 Election, be approved. (Councilors DeGrandpre & Stevens) **ROLL CALL VOTE:** (5 Ayes) (2 Excused—Beaulieu & Campbell).

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ITEM #192-00      To consider action relative to waiving Shellfish Conservation time for the year 2000.

**BE IT ORDERED:** That the Shellfish Commission's recommendation that Shellfish Conservation time be waived for the year 2000, be approved. (Councilors Arsenault & Stevens) **ROLL CALL VOTE:** (5 Ayes) (2 Excused—Beaulieu & Campbell)

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**Meeting Dates for October**

After a short discussion, Councilors concurred that they would meet on October 10, 2000. It may turn out that only one meeting in October will be needed. If something important comes up, a second meeting will take place on the 24<sup>th</sup>. Chair Soley noted that he will be late on the 10<sup>th</sup>.

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ITEM #193-00      To consider action relative to proposed amendments to the Zoning Ordinance concerning Mislocated Building Appeals and Limited Setback Reductions. (Chapter 21)

**BE IT ORDERED:** That a Public Hearing be scheduled for October 10, 2000 at 7:00 PM in the Town Hall Council Chambers to discuss proposed amendments to the Zoning Ordinance.

**BE IT FURTHER ORDERED:** That 30 copies be distributed between the Town Clerk's office and the Freeport Community Library for inspection by citizens. (Councilors Mann & Stevens) **ROLL CALL VOTE:** (5 Ayes) (2 Excused—Beaulieu & Campbell)

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ITEM #194-00      To consider action relative to proposed amendments to the Freeport Zoning Ordinance concerning dwelling units on all floors in the VC-I Zone. (Chapter 21)

COUNCIL MEETING #18-2000  
SEPTEMBER 26, 2000

Item #194-00 - continued

**BE IT ORDERED:** That a Public Hearing be scheduled for October 10, 2000 at 7:00 PM in the Town Hall Council Chambers to discuss proposed amendments to the Zoning Ordinance.

**BE IT FURTHER ORDERED:** That 30 copies be distributed between the Town Clerk's office and the Freeport Community Library for inspection by citizens. (Councilors DeGrandpre & Arsenault) **ROLL CALL VOTE:** (5 Ayes) (2 Excused—Beaulieu & Campbell)

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**OTHER BUSINESS:**

1. Discussion on request to verify the status of Reed Road

Mitchell Rasor noted that he has an option on the Keith Parcel and feels that it would be in everyone's best interest if the road was determined to be a Town road. He offered to answer questions on the information he provided.

Councilor Mann pointed out that the Town has not had a review of this item by Chris Vaniotis and he would like to get a legal opinion from Mr. Vaniotis before moving forward. Other Councilors concurred that they would like to have Mr. Vaniotis provide his opinion.

Gary Profenno noted that the Hedgehog Mountain Committee had discussed how important it was to retain automobile access to the Reed Road. Recreational use was a high priority for the committee.

Susan Campbell, abutter, noted that she reviewed all the information provided by Mr. Rasor and discovered some anecdotal information regarding the Reed Road. She pointed out that her end of the Reed Road is not passable. Trees are growing in the road. ATV riders are causing erosion on her property because the road is not passable. She offered to write up the information she has learned and would be willing to share it with Mr. Vaniotis. Joe Carroll, abutter, shared his views on whether the road could be abandoned except for recreational use. Discussion followed. It was the consensus of the Council that a legal opinion should be sought from the Town Attorney and everyone will be provided with the information in a timely manner. Mr. Olmstead noted that an easement for recreational use would make sense. Different uses for different parts of the road were discussed. Councilor Arsenault pointed out where parking is now available on the landfill road as well as the new ballfields.

2. Presentation by the Region 6 Regional Transportation Advisory Committee.  
(RTAC 6)

David Hill and Eric Ortman prepared a Powerpoint presentation to increase local awareness of the Regional Transportation Advisory Committee. They went through a list of projects in the area and answered questions. They provided surveys to Councilors and asked for input on how they can make sure that MDOT is identifying the most important projects in their region or town. Mr. Olmstead advised that the Parking and Traffic Committee would be very interested in seeing one of these presentations. The next scheduled meeting will take place on October 10 at the Buxton Town Hall at 6:30 p.m. While there will be other meetings, this is probably the closest one. Chair Soley asked how someone could be appointed to this committee and Mr. Hill explained the requirements. Councilors strongly endorsed Donna Larsen and Jim Plummer as an alternate.

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3. Discussion on entering into a contract with the State of Maine on the design and replacement of the Burnett Road Bridge.

Councilor Mann explained that the State will not enter into a contract until after the November election. After the vote, there will be a design process and then a construction process. Chair Soley noted that it will be important to explain what a "yes" and "no" vote means. Councilor Mann hopes that the bridge will stay open as long as the bridge is considered safe. Voters have the right to say that they don't want a big half a million dollar bridge. Councilor DeGrandpre noted that people have opinions on the character of the bridge. Councilor Mann hopes people will keep their options open.

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4. Discussion on Councilor Mann's request on an amendment to the MD & B Zoning District concerning warehouse and storage buildings.

Chair Soley noted that the Planning Board should be asked to review this request and provide a recommendation to the Council.

**MOVED AND SECONDED:** To consider an item not on the printed agenda. (Councilor Mann & Arsenault) (5 Ayes) (2 Excused—Beaulieu & Campbell).

**MOVED AND SECONDED:** To ask the Planning Board to consider amending the Ordinance as follows and provide a recommendation to the Council:

34. Warehouse Storage Facility up to 2,500 square feet of gross floor area of building, and outdoor storage area limited to 5,000 square feet; outdoor storage up to 10,000 square feet for lots over 3 acres; outdoor storage up to 10,000 square feet for lumber and wood products. The type of items to be

stored outdoors must be approved by the Planning Board. Also lots over 3 acres; may expand gross floor area by 2,500 square feet per 50,000 square feet of lot MDA, 40,000 MDB, for a gross maximum floor area of 10,000 square feet. No one landowner may locate an additional Warehouse Storage Facility within 500 feet of one already in excess of 2,500 square feet. (Councilors Mann & Arsenault).

Gary Profenno explained the reasons for this proposal.

**ROLL CALL VOTE:** (5 Ayes) (2 Excused—Beaulieu & Campbell).

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#### Kinkaid Gallery

Mr. Olmstead advised that Kinkaid Gallery has requested that they be permitted to use one parking space in front of their building on October 6, 7 and 8 for an artist to display painting techniques. They plan to rope off the space and put the artist in there. They will work with the Police Department.

It was the unanimous consensus of the Council that this would be acceptable subject to Police Department approval.

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#### ADJOURNMENT

**MOVED AND SECONDED:** To adjourn at 8:45 p.m.  
(Councilors Stevens & Mann) (5 Ayes) (2 Excused—Beaulieu & Campbell).

Respectfully Submitted,

*Sharon Coffin*

Sharon Coffin  
Council Secretary