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**TOWN COUNCIL MEETING #20-98  
DECEMBER 1, 1998 - 7:00 P.M.  
TOWN COUNCIL CHAMBERS**

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**SUMMARY AGENDA**

- ITEM #230-98** To consider action relative to an application for a victualer license for Ruth Finch Simons. (Public Hearing).
- ITEM #230-98** To consider action relative to an application for a full-time malt, spirituous, and vinous license for Falcon Restaurant. (Public Hearing).
- ITEM #231-98** To consider action relative to an application for a full-time malt, spirituous, and vinous license for Freeport Café. (Public Hearing).
- ITEM #232-98** To consider action relative to proposed amendments to the Rules for Dunning Boat Yard concerning items for sale and parked or unattended vehicles (Chapter 18). (Public Hearing).
- ITEM #233-98** To consider action relative to the acceptance of a Department of Economic and Community Development Block Grant for the Freeport Elders Association to carry out a community development program. (Public Hearing).
- ITEM #234-98** To consider action relative to the adoption of a New Coastal Waters Ordinance (Chapter 31).
- ITEM #235-98** To consider action relative to a request for a Library Fund Drive to provide for Library programs and equipment.

**OTHER BUSINESS:**

1. Discussion on proposed Tax Increment Financing Guidelines.
2. Discussion on committee assignments, Council goals for the coming year, and the proposed meeting schedule.

**COMMITTEE REPORTS:**

Adjourn.

**AGENDA**  
**FREEPORT TOWN COUNCIL MEETING #20-98**  
**TOWN HALL COUNCIL CHAMBERS**  
**DECEMBER 1, 1998 - 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:** Genie Beaulieu, Chairperson, Larue Drive  
David Soley, Vice Chairperson, Arnold Road  
Edward Campbell, Gay Drive  
Alan Hindley, Wardtown Road  
Kenneth Mann, Mann Road  
Stafford Soule, Arnold Road  
Gloria Fogg DeGrandpre, Wolf Neck Road

**FIRST ORDER OF BUSINESS:** To waive the reading of the Minutes of #19-98 November 10, 1998 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 #20-98  
DECEMBER 1, 1998

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**ITEM #230-98** To consider action relative to an application for a victualer license for Ruth Finch Simons (Public Hearing).

**MOTION:** That the Council adjourn and the Licensing Board convene.

**ROLL CALL OF MEMBERS:**

Genie Beaulieu	Edward Campbell
David Soley	Gloria Fogg DeGrandpre
Stafford Soule	John Arsenault
Kenneth Mann	Dale Olmstead
Patricia Goodwin	

**MOTION:** That the following application for Victualer License be subject to Public Hearing.

Ruth Finch Simons d/b/a Royal River Natural Foods, 319 U.S. Route 1 South

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

**BE IT ORDERED:** That the application issued to the above named applicant be approved.

**MOTION:** That the Licensing Board adjourn and the Council reconvene.

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**ITEM #231-98** To consider action relative to an application for a full-time malt, spirituous, and vinous license for Falcon Restaurant (Public Hearing).

**MOTION:** That the following application for a full-time malt, spirituous, and vinous license be subject to Public Hearing.

Leona M. Smith - Jolee Corp., d/b/a Falcon Restaurant, 8 Bow Street

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

**BE IT ORDERED:** That the application issued to the above named applicant be approved.

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**ITEM #232-98** To consider action relative to an application for a full-time malt, spirituous, and vinous license for Freeport Café. (Public Hearing).

**MOTION:** That the following application for a full-time malt, spirituous, and vinous license be subject to Public Hearing.

Jack Crawford - d/b/a Freeport Café, 335 U.S. Route One South

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

**BE IT ORDERED:** That the application issued to the above named applicant be approved.

**COUNCIL MEETING #20-98  
DECEMBER 1, 1998**

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**ITEM #233-98** To consider action relative to proposed amendments to the Rules for Dunning Boat Yard concerning items for sale and parked or unattended vehicles (Chapter 18) (Public Hearing).

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

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

**MOTION:** That Item #232-98 be tabled until December 15, 1998.

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**ITEM #234-98** To consider action relative to the acceptance of a Department of Economic and Community Development Block Grant for the Freeport Elders Association to carry out a community development program. (Public Hearing).

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

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

**BE IT ORDERED:** That the Department of Economic and Community Development Block Grant awarded to the Freeport Elders Association be accepted.

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**ITEM #235-98** To consider action relative to the adoption of a New Coastal Waters Ordinance (Chapter 31).

**BE IT ORDERED:** That a Public Hearing be scheduled for December 15, 1998.

**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.

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**ITEM #236-98** To consider action relative to a request for a Library Fund Drive to provide for Library programs and equipment.

**BE IT ORDERED:** That the proposed Library Fund Drive be approved.

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**OTHER BUSINESS:**

1. Discussion on proposed Tax Increment Financing Guidelines.
2. Discussion on committee assignments, Council goals for the coming year, and the proposed meeting schedule.

**COMMITTEE REPORTS:**

Adjourn.

**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #20-98**  
**December 1, 1998 – 7:00 P.M.**

<b><u>CHAIRPERSON'S CALL TO ORDER:</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>	<b><u>Excused</u></b>
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 (Arrived Late)

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**FIRST ORDER OF BUSINESS:** TO WAIVE THE READING OF THE MINUTES OF MEETING #19-98 HELD ON NOVEMBER 10, 1998 AND ACCEPT THE MINUTES AS PRINTED.

**MOVED AND SECONDED:** TO WAIVE THE READING OF THE MINUTES OF MEETING #19-98 HELD ON NOVEMBER 10, 1998 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Campbell & Beaulieu) (6 Ayes) (1 Excused-Soule)

**SECOND ORDER OF BUSINESS:** PUBLIC COMMENT PERIOD.

(There were no public comments this evening.)

**MOVED AND SECONDED:** TO CLOSE THE PUBLIC COMMENT PERIOD (Councilors Campbell & DeGrandpre) (6 Ayes) (1 Excused-Soule)

**THIRD ORDER OF BUSINESS:** TO TAKE ACTION ON THE FOLLOWING ITEMS OF BUSINESS AS READ BY THE COUNCIL CHAIRPERSON:

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ITEM #230-98 To consider action relative to applications for victualer licenses for Ruth Finch Simons (Public Hearing).

**MOVED AND SECONDED:** That the Council adjourn and the Licensing Board convene: (Councilors DeGrandpre & Campbell) (6 Ayes) (1 Excused-Soule).

**ROLL CALL OF MEMBERS:**

Genie Beaulieu, Vice Chair – present  
David Soley, Chairperson – present  
Stafford Soule – excused  
Kenneth Mann – present  
Patricia Goodwin – excused  
Edward Campbell – present  
Gloria Fogg DeGrandpre – present  
John Arsenault – present  
Dale Olmstead – present

**MOVED AND SECONDED:** That the following application for Victualer License be subject to Public Hearing.

Ruth Finch Simons d/b/a Royal River Natural Foods, 319 U.S. Route 1 South  
(Councilors DeGrandpre & Campbell) (6 Ayes) (1 Excused-Soule).

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

**BE IT ORDERED:** That the application issued to the above named applicant be approved subject to pending alarm company work, fire code work and obtaining a State Victualer license. (Councilors DeGrandpre & Campbell) (6 Ayes) (1 Excused-Soule).

**MOVED AND SECONDED:** That the Licensing Board adjourn and the Council reconvene. (Councilors DeGrandpre & Campbell) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Soule).

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**ITEM #231-98** To consider action relative to an application for a full-time malt, spirituous, and vinous license for Falcon Restaurant (Public Hearing).

**MOVED AND SECONDED:** That the following application for a full-time malt, spirituous, and vinous license be subject to Public Hearing.

Leona M. Smith – Jolee Corp., d/b/a Falcon Restaurant, 8 Bow Street (Councilors Campbell & Mann) (6 Ayes) 1 Excused-Soule)

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

**BE IT ORDERED:** That the application issued to the above named applicant be approved. (Councilors Mann & Campbell) **ROLL CALL VOTE:** (6 Ayes) 1 Excused-Soule).

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**ITEM #232-98** To consider action relative to an application for a full-time malt, spirituous, and vinous license for Freeport Cafe (Public Hearing).

**MOVED AND SECONDED:** That the following application for a full-time malt, spirituous, and vinous license be subject to Public Hearing.

Jack Crawford – d/b/a/ Freeport Café, 335 U.S. Route One South. (Councilors Beaulieu & Campbell (6 Ayes) (1 Excused-Soule).

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

**BE IT ORDERED:** That the application issued to the above named applicant be approved. (Councilors Beaulieu & Campbell) (5 Ayes) (1 Excused-Soule) (1 Abstention – Soley).

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**ITEM #233-98** To consider action relative to proposed amendments to the Rules for Dunning Boat Yard concerning items for sale and parked or unattended vehicles (Chapter 18) (Public Hearing).

**MOVED AND SECONDED:** That the Public Hearing be opened. (Councilors Arsenault & Campbell (7 Ayes). (Mr. Soule arrived)

Chair Soley read the Boat Yard Rules to the public.

Grady Newman mentioned that Emmy Dunning had boats for sale and vehicles and motors stored outside. He disagrees that the trailer is a disposal container but is being used for storage.

Bob Stevens noted that he lives 200 yards away and is opposed to the trailer that is stored in the boat yard as well as some other things. He has asked Mr. Becker if there is anyway to screen it. Things have been much neater in the yard recently but the trailer is

still there and is painted an ugly shade of green. Mr. Stevens read a letter into the record from Heidi and Tonee Harbert stating their opposition to the trailer as well as anything being stored outside of the boathouse except boats.

Hugh Phelps of Porter's Landing was supportive of maintain this property as a boat yard. He has become dismayed with the trailer and arrival of junk. He is skeptical that Mr. Becker wants to be a good neighbor.

Howard Neilsen of Pine Street likes living in a real town with real people who do real things. He feels that boat yards are not neat places

John Carp of Flying Point noted that Mr. Becker has signed a contract with the Town. He has been working long hours to put food on his table.

John Lowe of North Freeport pointed out that this is a piece of Town property and it should be kept as neat and clean as every other piece of Town property.

John Lannon of West Street agrees that the property has been a bit messy but recognizes that this is a struggling business. He would like to see everyone concerned talk to each other and not allow the controversy to continue.

Sue Morejon of Estes Drive shared her experience in hiring Mr. Becker and how they had to work with the tides. The Town purchased this property as a commercial boat yard not a park. She mentioned that bartering is done all along the coast and Mr. Becker accepted a vehicle in payment for his services.

Richard DeGrandpre pointed out that the marine industry is a small business and everybody can't get by working 8-5. He suggests that the Town work with Mr. Becker to help him work with his neighbors.

Robert Greenleaf works out of South Freeport Harbor. He also worked at B.I.W. where chemicals are stored in six tractor trailer trucks.

Andrew Arsenault recalled vehicles owned by Emmy Dunning and the fact that he never took them all home at night. He pointed out that the neighbors should not be hypocritical about trying to control the view.

Dick Doucette of Lower Mast Landing Road mentioned that there is a tractor trailer parked across from his home that the CEO indicated he cannot do anything about. Grittys also has two trailer boxes that they are using for storage even though the Planning Board did not approve them.

Ann Loth lives a mile away and drives by the boat yard 4-6 times a day. She likes all the stuff that is there. What is pretty to one person is not always pretty to another.



Tom Ring pointed out that the boat yard was zoned Marine Industrial since the 70's. The trailer is a part of the marine industry.

George Waterman of Cushing Briggs owns a marine construction business. He built floats and ramps at the boat yard during the off season and heard that some of the neighbors didn't like his operation. He regretted that anyone unhappy with him, wouldn't come directly to him to work out the problems. He suggested that the line of communications be kept open.

Elaine Rantuccio of South Street likes the boat yard and hopes that the neighbors will talk to Mr. Becker.

Mr. Stevens pointed out that the people in the neighborhood were supportive of keeping the marine zone and that Emmy Dunning was a terrific part of the neighborhood. He did have working vehicles.

Rod Regier of South Street indicated that he would like to keep the boat yard in existence but has problems with the way it looks, the existing trailer and the cars that were for sale.

Mr. Becker thanked everyone for coming out. He explained that he has been six months cleaning out the previous tenant's junk which has been done at his expense and on his time. Incidentally, he has only been contacted by one neighbor. He mentioned all the services he offers at this location. He is not in the auto business. He did use poor judgment by offering a personal car for sale at the edge of the property. The car was checked out by the Police and it was decided that there was no problem. He feels that problems can be worked out by talking. He cannot go to Site Plan Review to take the wheels off the trailer because he does not own the property. He does not have any signage or any lighting on the property. He submitted a list of 80 names of people that are supportive of his operation.

Janie Hilton likes the boat yard and would like to see more boats there. She wanted the record to reflect that Emmerson Dunning did not leave any trash behind when he vacated the property.

Kathleen Sullivan doesn't like looking at trash from her window. She does not feel the neighbors can go and talk to Mr. Becker and communication is supposed to work both ways.

Heidi Bishop suggested that the neighbors try to give Mr. Becker a helping hand.

Thomas Ring pointed out that if Mr. Becker can provide a receipt for hauling trash, it becomes "cargo".

Councilor Mann advised that he was pleased to chair the Dunning Boat Yard Committee. The property was divided into two parts and half of it was leased as a boat yard. This generates an income to fund the improvements that have been made there without relying on property taxes. He agreed that the first tenant did leave behind a lot of things and boats. He feels that Rules 33 and 34 being proposed to the lease will be unproductive. He feels that the Town is fortunate to have Mr. Becker and the only thing he would suggest is that the Town schedule regular meetings with Mr. Becker to make sure the arrangement is working.

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

**MOVED AND SECONDED:** That Item #232-98 be tabled until December 15, 1998. (Councilors Arsenault & Campbell (7 Ayes).

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**ITEM #234-98** To consider action relative to the acceptance of a Department of Economic and Community Development Block Grant for the Freeport Elders Association to carry out a community development program. (Public Hearing)

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

Karen Martin of the Greater Portland Council of Government explained that the Freeport Elders' Association was awarded a \$50,000 State grant to expand their services. The proposed expansion of services is to acquire a van to be used for road trips and to fund a staff person to help them coordinate their programs. The Council needs to decide whether to accept this one-time only grant and move forward with the paperwork to get the Town under contract in order to receive the \$50,000. She offered to answer questions.

Councilor Beaulieu suggested tabling this item because she is concerned that if the elders went ahead with their planned purchases, the Town might have to pour more money into their association during the next budget period. She indicated that she is for the grant but is concerned about the budget. Other Councilors indicated that they did not want to hold up the grant. Amy Adams and Lynda D'Amico both urged the Council to accept the grant and allow the Elders to get help administratively and purchase a van.

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

**MOVED AND SECONDED:** To table this item until December 15, 1998 and request that the Town Manager work up information about the total cost of what it would cost for either the Town taking on the duties of the van and the staff person and also what

the costs would be for the Elders to take on those responsibilities as a comparison. The Town Manager should also look into whether FCS also wants to get involved. (Councilors Beaulieu & Soley) (2 Ayes-Beaulieu & Soley) (5 Nays).

Mr. Olmstead recommended that the Town look at a contract situation for the employee to be contracted directly by the Elders. The van issue can wait.

**BE IT ORDERED:** That the Department of Economic and Community Development Block Grant awarded to the Freeport Elders Association be accepted. (Councilors Campbell & DeGrandpre) ROLL CALL VOTE: (7 Ayes)

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**ITEM #235-98** To consider action relative to the adoption of a New Coastal Waters Ordinance (Chapter 31) (Public Hearing).

Councilor Mann noted that there may need to be two public hearings on this item. Other Councilors concurred.

**BE IT ORDERED:** That a Public Hearing be scheduled for December 15, 1998 at 7 p.m. in the Town Council Chambers.

**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 (DeGrandpre & Arsenault) ROLL CALL VOTE: (7 Ayes).

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**ITEM #236-98** To consider action relative request for a Library Fund Drive to provide for Library programs and equipment.

Jane Fox explained that they have book bags, book marks and note paper to sell and are also planning to host a book sale in the spring.

**BE IT ORDERED:** That the proposed Library Fund Drive be approved. (Councilors Soule & Campbell) (7 Ayes).

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**OTHER BUSINESS:**

1. Discussion on proposed Tax Increment Financing Guidelines

Kevin Kelly of the Freeport Economic Development Commission presented a set of guidelines for Tax Increment Financing to encourage economic development in the

Town of Freeport. He feels it is important to diversify the tax base in Freeport. Other towns already offer these types of financing programs. The State strongly recommends that Freeport develop these guidelines. He introduced Jack Lufkin.

Councilor Mann asked about the \$500 non-refundable fee and mentioned that it is not clear who gets the money. He also referred to the top of page 2 concerning a 1% administrative fee and it is not clear where the fee is supposed to go.

**MOVED AND SECONDED:** To take up an item not on the printed agenda. (Councilors Campbell & Beaulieu) (6 Ayes) (1 Nay-Mann).

**MOVED AND SECONDED:** To amend the guidelines as follows: On Page 2, second line, add the words "payable to the Town of Freeport" after 1 percent annual administrative fee and add to Page 2, Item 5, "to FDEC" after non-refundable fee; on Page 2, Line 2 add the word "tax" after the word "total". (Councilors Campbell & Beaulieu) (7 Ayes).

**BE IT ORDERED:** That the proposed Tax Increment Financing Guidelines be adopted as amended. (Councilor Campbell & Arsenault) (6 Ayes) (1 Nay-Mann).

Chair Soley thanked Mr. Kelly and Mr. Lufkin for their hard work in developing these guidelines.

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2. Discussion on committee assignments, Council goals for the coming year, and the proposed meeting schedule.

Chair Soley advised that the 2/16 regular meeting is being canceled. An extra meeting with the Planning Board will be added.

**Council Committee Appointments**—Chair Soley noted that most everyone got their first choice except for Mr. Arsenault but he got his second and third choices. Chair Soley explained some of the committee functions. Mr. Olmstead noted that each committee elects its own chair.

Mr. Olmstead asked if the Appointment Committee could meet on December 8 at 6 p.m. since there are several vacancies on different boards because of terms expiring and resignations. Councilors concurred and Mr. Olmstead will send out an agenda.

**Town Council Goals for this upcoming year**—Chair Soley listed them:

- Improving the school system and the relationship with the School Committee.
- Streamlining government/regulatory process.
- Supporting the existing policy on tax rate increases

- Exploring opportunities for obtaining a large grocery store in Town and building a train station.
- Consolidating functions within the Town, School and Regional (such as a water tanker)

**MOVED AND SECONDED:** To take up an item not on the printed agenda (Councilors Beaulieu & Campbell) (7 Ayes).

**MOVED AND SECONDED:** That the following Freeport Town Council goals be adopted:

Improving the school system and the relationship with the School Committee.  
Streamlining government/regulatory process.  
Supporting the existing policy on tax rate increases

- Exploring opportunities for obtaining a large grocery store in Town and building a train station.
- Consolidating functions within the Town, School and Regional.

(Councilors Beaulieu & Arsenault) (7 Ayes).

**Other Items:**

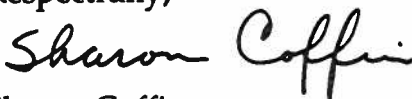
Mr. Olmstead pointed out that Pat Goodwin has resigned as the Council's Recording Secretary. Councilor Mann suggested sending her a note expressing appreciation for all the work she has done. Other Councilors concurred. Mr. Olmstead offered to take care of it.

Councilor Mann noted that tomorrow night the Route One North Committee will be meeting. Members of the public are welcome. The purpose of tomorrow night's meeting is to solicit input and views from property owners on Route One North to see what changes if any, they would like to see in zoning situations.

Councilor Beaulieu requested a list of phone numbers and email addresses for Councilors. Mr. Olmstead offered to provide one.

**MOVED AND SECONDED:** To adjourn at 10:45 p.m. (Councilors Beaulieu and Campbell) (7 Ayes).

Respectfully,



Sharon Coffin  
Recorder

# TOWN OF FREEPORT

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



October 26, 1998

TO: Neighbors of the Dunning Boat Yard

Over the past several weeks it has become obvious to me and other Town Council members that we have a problem with the current lessee of the Dunning Boat Yard. David Soley and I have been working through the Town Manager to try to correct the situation; however, these efforts have been to no avail.

The Town Council has the responsibility of fixing any problems that have resulted from leasing the property. At the October 20th Council meeting, a motion was made to set a public hearing to discuss amending the rules for the Dunning Boat Yard (see attached sheet).

**Public Hearing: Tuesday, December 1, 1998, 7 pm - Town Hall Council Chambers**

I urge you to attend this public hearing to express your opinions on changes to the Dunning Boat Yard rules. If you are unable to attend the public hearing on December 1st, please call me (865-4696) or any other councilor with your input, or send your comments in writing to: Dale Olmstead, Freeport Town Hall, 30 Main Street, Freeport (indicate the comments are to be included in the public hearing record).

At the October 20th meeting the Council also unanimously voted that the Town of Freeport, as owner of the Dunning Boat Yard, deny the lessee the right to go before the Planning Board with a site plan review for a storage/disposal container. The only party that can apply for site plan review is the property owner of record.

As District 1 Town Councilor, I am working through every avenue possible to eliminate the problems caused to your neighborhoods. As the saying goes, hindsight is always 20/20. As a Council, we wanted to give a small, local business person the ability to use the boat yard. We believed what we were told by the lessee when he said he would be a good, caring and listening neighbor. For myself, I apologize to you for the current condition of the boat yard. Let's get the Dunning Boat Yard back on track — see you on December 1.

Sincerely,

Gene A. Beaulieu  
Chair of the Freeport Town Council/  
District 1 Councilor

**MOTION:** To introduce an item not on the printed agenda.

**ITEM #226-98**

**BE IT ORDERED:** That a Public Hearing be scheduled for December 1, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the rules for Dunning Boatyard concerning items for sale and parked or unattended vehicles (Chapter 18)

**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.

**PROPOSED AMENDMENT TO THE  
RULES FOR DUNNING BOAT YARD  
(CHAPTER 18)**

**Parking**

- 33. No vehicles, vessels or other items for sale to the public shall be parked or displayed outside of buildings. This includes the leased areas of Dunning Boat Yard.**
- 34. No vehicles shall be parked or left unattended on the premises between 10:00 p.m. and 6:00 a.m.**

Carter Becker  
3 South Freeport Rd.  
Freeport, ME 04032


November 23, 1998

Town of Freeport  
Maine St.  
Freeport, ME 04032

To Whom It May Concern:

After a conversation with Genie Beaulieu it was suggested that I request any legal rulings pertaining to the Dunning Boat yard under my right to know laws. Seeing that the information is needed before the council meeting on the first of December could you please if possible have it back by the November 23, 1998 to give time to study them.

Thank you,

A handwritten signature in cursive script, appearing to read "Carter Becker", written in dark ink.

Carter Becker



Carter Becker  
3 South Freeport Rd.

November 19, 1998

Dear Neighbors

I moved into the barn at the end of January which was filled inside and out with the previous tenants belongings and mess. It has been a long and teadeus process that has taken over six months to remove his boats, mess and equipment. Getting the property cleaned up from the previous tenant has been done at my expense and gift of time.

At the time of lease negotiations I offered to paint the barn, and rebuild the bulkhead, but was turned away being told that the town would do all the major maintenance. Re; painting, bulkhead, grating work... Nothing has happened on these fronts with the exception of a consulting engineer from Squall Bay stopping by to look at the property in the late spring.

At this time I do boat repair, maintenance, restoration, construction, fabrication, consulting, salvage, towing, Island freight, sales, pier, ramp, dock, mooring, diving, light crane, mast stepping, and sailing lessons. I am a small low impact marine business, doing much mobile off sight work.

I am not in the auto business, the car for sale was a personal item in need of a new owner, and the other truck was abandoned on the property and I had to have it removed through legal process. No neighbors came to me to discuss the presents on the leased property, Thou a police officer was dispatched to check the legality of it and left satisfied. A brief meeting with Dale Omsted was had and I was informed that their had been some concern as to a car being parked on the public access aria, I assured Dale that the car has always been on the leased property and not the public area as the apparent complaints had stated, Dale was satisfied and happy. I then left his office with the understanding the issue was resolved, only latter to receive a letter from Dale, hand delivered to my residence by a police officer, demanding the removal, or the matter would be turned over to the Town Attorney to commence legal action against me.

The next letter was a certified letter falsely stating that I was in violation of my lease.

And the last letter I have received from the town was a proposed amendment to the Zoning ordinance.

A neighbor then gave me a copy of a letter from Genie Beaulieu to the neighbors of the dunning boat yard; I apparently am not on the mailing list to be consulted on such concerns!

Only one neighbor has come over to discuss a concern, and I believe that I have listened and addressed that concern to their satisfaction. No one else has called me to discuss any problems or concerns. My phone numbers are; H 865-2145 W 865-4567 please call or stop by at any time, I will listen!

Sincerely,

Carter Becker  
Falls Point Marine

<b>Date</b>	<b>Printed Name</b>	<b>Address</b>	<b>Signature</b>
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[illegible]

We the undersigned support Carter Becker in his efforts to establish a small marine business at the former Dunning boatyard. We urge the council to work with Mr. Becker and preserve this area as it is zoned- a marine waterfront district.

Date	Printed Name	Address	Signature	
Nov. 22	SALLY H. SAULDER	C. P. <del>Becker</del> Landing	Sally H. Saulder	
Nov. 22	Dick B. Miller	15 Cove Rd	Dick B. Miller	6722
Nov. 24	Agnes Schuchert	78 So. Freeport Rd.	Agnes Schuchert	
Nov. 25	PAUL C. BEEM	6 MIDDLE ST. SO FREE	Paul C. Beem	
11-25	FRED MORRILL	59 S. FREEPORT RD	Fred Morrill	4351
11/25	Gerald Kennedy	45 Pine St	Gerald Kennedy	
11/25	David Jones	48 Pine St	David Jones	
11-29	Nancy Randall Clark	6 Randall Road	Nancy Randall Clark	
11-29	Timantha J. Wilson	39 Pine St. Freeport	Timantha J. Wilson	
11-30	Robert E. Noyes	182 Durham Rd Freeport	Robert E. Noyes	4124
11-30	Wm. H. Blum	Rt. 1 Box 101 Haysville	Wm. H. Blum	
11-30	Raymond Cairns	67 S. Freeport Rd	Raymond Cairns	
11/30	Felix Small	7 BECKER LANE	Felix Small	
11/30	JAMES GOODRICH	10 JUSTINS WAY	James Goodrich	
12/1	Robert S. Lavin	93 Wolf's Neck	Robert S. Lavin	2928
12/1	C. Patrick Pettit	82 S. Freeport Rd	C. Patrick Pettit	
12/1	Wm. B. Rice	116 So. Freeport Rd	Wm. B. Rice	4114
12/1	Barbara R. Rice	116 So. Freeport Rd	Barbara R. Rice	
12/1	Robert P. Scurry	58 Osprey Cove Rd	Robert P. Scurry	
12/1	Cynthia Hughes	Main St. So. Free	Cynthia Hughes	

We the undersigned support Carter Becker in his efforts to establish a small marine business at the former Dunning boatyard. We urge the council to work with Mr. Becker and preserve this area as it is zoned- a marine waterfront district.

Date	Printed Name	Address	Signature
18 Nov 98	George G. Waterman	6 Roland Kimball Road	<i>George G. Waterman</i> 9818
Nov 18 98	Greta A. Waterman	6 Roland Kimball Rd	<i>Greta A. Waterman</i>
11/18/98	HEIDI BISHOP	260 Lower Flying P/RD	<i>Heidi Bishop</i>
11/18/98	KEN GARDINER	317 US Rd, S	<i>Ken Gardiner</i>
11/19/98	John H. Thompson	17 Carriage Rd.	<i>John H. Thompson</i>
11-18/98	William A. Harris	20 Island View Lane	<i>William A. Harris</i>
11-18/98	Sherry L. CARTER	24 Island View Lane	<i>Sherry L. Carter</i>
11-19-98	Timothy O'Hagan	Leat Road	<i>Timothy O'Hagan</i>
11-19-98	Fred Pinner	Harrassee Rd So Freeport	<i>Fred Pinner</i>
11-19-98	Malcolm E. Elburn	146 So. Freeport Rd.	<i>Malcolm E. Elburn</i>
11-19-98	Daniel Wentworth	4 Chase Dr Freeport	<i>Daniel Wentworth</i> 9856
11-20-98	Leslie A. Rues	89 E Broadway Rd Freeport	<i>Leslie A. Rues</i>
11-21/98	Hugh Finell	1 Porter's Landing	<i>Hugh Finell</i> 4571
11/21/98	Helen N. Lyon	3 Porter's Landing	<i>Helen N. Lyon</i>
11/21/98	Emma J. Williams	One Porter's Landing	<i>Emma J. Williams</i>
11/21/98	Grace P. Ritchie	78 South St	<i>Grace P. Ritchie</i>
11/21/98	Erin M. Lehane	79 South St. Freeport ME 04032	<i>Erin M. Lehane</i> 0276
11/21/98	Julius (Nelson) Embury	79 South St Freeport, ME 04032	<i>Julius (Nelson) Embury</i> 0276
11/22/98	H. Nielson	Pine St. So. Freeport	<i>H. Nielson</i> 4259
11/22/98	Will Cus	70 Pine St Freeport	<i>Will Cus</i> 4269

We the undersigned support Carter Becker in his efforts to establish a small marine business at the former Dunning boatyard. We urge the council to work with Mr. Becker and preserve this area as it is zoned- a marine waterfront district.

Date	Printed Name	Address	Signature
Nov. 16/98	Josh Lincoln	1 Arnold Lane	Josh Lincoln
Nov. 16/98	Marilyn Holbrook	1422 Hallwell Rd Auburn	Marilyn Holbrook
Nov. 16/98	Edmond Began	6 Hill St. Richmond	Edmond Began
Nov. 16/98	Grady Newmark	2 Theabean Ln Freeport	Grady Newmark
Nov. 16/98	ROY E. MOREJON	5 ESTES DR. Freeport	ROY E. MOREJON
Nov. 16/98	Jason M York	1 Talbot Way Freeport	Jason M York
Nov. 16/98	Scott Crone	44 Marvin Way	Scott R. Crone
11/16/98	Mark M Dorsey	27 Bartol Island Rd	Mark M Dorsey
11/16/98	Donald Dorsey	11 S. Freeport Rd	Donald Dorsey
11/16/98	Lorna Dorsey	11 S. Freeport Rd	Lorna Dorsey
11/16/98	Morgan Pettit	82 S. Freeport Rd	Morgan Pettit
11/16/98	Richard DeGrupe	11 Timber Ridge	Richard DeGrupe
11/16/98	ROBERT C WALL	60 PINE ST FREEPORT	Robert C Wall
11-16-98	Greg Wiley	7 School St. BB Harbor	Greg Wiley
11-17-98	Dick Y. Circo	41 Lower Mast Ldg. Rd.	Dick Y. Circo
11/17/98	Bart Conhart	97 S. Freeport Rd.	Bart Conhart
11/17/98	Mr. How Jahant	97 S. Freeport Rd.	Mr. How Jahant

**We the undersigned support Carter Becker in his efforts to establish a small marine business at the former Dunning boatyard. We urge the council to work with Mr. Becker and preserve this area as it is zoned- a marine waterfront district.**

[illegible]

**Attachment; regarding registered trailer**

**When I moved my registered box trailer onto the property I went to the town CEO to see if there were any permits necessary and was told that there were no such regulations or permits required. Several weeks latter I was notified that I should contact Jacky Coen for a sight plan review. The process of sight plan review has been unjustly denied by the town council on the ground that it wold set a precedent? And this I do not understand! There are already regulations, committees and ordinances in place to deal with the process. I feel that I am getting stone walled at every avenue.**

Dale Olmstead  
Freeport Town Hall  
30 Main Street  
Freeport

**Public Hearing  
Tuesday, December 1, 1998-7 p.m.  
Town Hall Council Chambers**

**From:  
Roy E Morejon**

After careful review of the proposed amendments, I would comment as both a concerned town taxpayer and customer of the yard and its facilities. I have had several occasions to employ Mr. Becker and the facility. I have found him to be knowledgeable, helpful and interested in doing what's right to conduct a successful small business enterprise.

I am a commercial lobsterman and have a lobster fishing vessel that Mr. Becker has helped maintain. I would ask that you consider the tidal issues at the yard and the inconvenience of trying to haul out or beach vessels there given your proposal disallowing parking between 10 p.m. and 6 a.m. In attempting to operate a commercial fishing operation, down time and repairs to a vessel are extremely critical. I have been forced to leave my truck at the yard at 1 a.m. to get back and return to the yard for beaching by 3 a.m. in order to do repairs and get underway as soon as possible that morning. Such a parking restriction as proposed would have a detrimental effect on the Dunning yard operation. I know that I'm not the only commercial fishing vessel in town to have to operate at such hours in order to conduct my business.

With regard to the proposal to ban the sale of vessels, vehicles, etc. at the Dunning Yard. I would remind you that I can remember in the not too distant past, where the launching ramp parking lot is now situated, probably 8 to 10 vessels, some commercial and recreational boats, were hauled out in various states of disrepair, displayed all winter to spring and many having "For Sale" signs attached. I personally looked at several of these boats. The concept of running a boat yard without the expectation of "For Sale" signs seems askew. I can't think of a single time in the past fourteen years that I've been at Brewer's or Strout's Point Wharf Marine and not seen boats for sale. In some instances Trailers and other related items and equipment.



In conclusion, the proposed measures appear to be harsh and overly restrictive, to the operation as I know it at the Dunning Boat Yard. In total, the amendments lack the good spirit that might be interpreted from the council's stated desire to give a small business person the ability to use the yard efficiently and effectively.

I would ask that my concerns be entered as a matter of record at the Public Hearing scheduled December 1, 1998 on said topic. Thank you for the attention to this matter.

Respectfully,



Roy E. Morejon  
5 Estes Drive  
Freeport, ME  
865-3273

To: Town Council

From: Heidi and Tance Harbert

Re: Dummings Boatyard

We live across the road from the boatyard, and are regrettably unable to be here in person tonight, so we have asked Bob Stevens to read this statement from us.

We are opposed to the trailer that sits in the boatyard, and we are opposed to anything being stored outside of the boathouse except boats.

Earlier this spring when the trailer showed up at the boatyard, we went down to talk to Mr. Becker to voice our opposition to it being there. He said he didn't even need to have a permit to keep it there. Faced with no choice in the matter, we suggested the trailer be taken off its wheels, lowered to the ground, lined up next to the building, and painted the same color as the building. Mr. Becker said he would be glad to do that. Six months passed, nothing happened, and we never heard from him.

● Then two weeks before this hearing, the trailer was painted an ugly shade of green. We want the trailer removed and have felt this way from the beginning.

We attended all of The Dunning Boatyard Committee meetings, and were pleased that The committee, under the direction of Ken Mann, took such steps to preserve the natural beauty of this piece of land. Boulders were put in, along with picnic tables and plantings. We feel that any trailers, machinery, or junk other than boats stored outside the boathouse, takes away from the progress made by this committee. [NEXT PARAGRAPH OPTIONAL]

Mr Becker has been respectful to the neighborhood regarding other ~~things~~ issues, however we would like to see neighborhood concerns reflected in the lease. ~~nothing~~

~~nothing~~ These concerns would include excess noise, lighting, toxic substances, and after hours work. ~~nothing~~

● We feel that in trying to work directly with Mr. Becker, his commitment was not followed through.

Respectfully submitted,  
Heidi and Toney Harbert