
AGENDA
TOWN COUNCIL MEETING #23-2003
TOWN HALL COUNCIL CHAMBERS
DECEMBER 16, 2003 – 7:00 PM

From: Dale C. Olmstead, Jr.

To: Rod Regier, South Street
Thomas Rumpf, P.O. Box 819, So. Freeport
John Arsenault, Prout Road
Charlotte Bishop, Maquoit Drive
Rich DeGrandpre, Timber Ridge Road
Frederick White, 45 Pleasant Hill Road
James Cassida, 5 Timber Ridge Road

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #22-03 held on December 2, 2003 and accept the Minutes as printed.

SECOND ORDER OF BUSINESS: Announcements

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

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

COUNCIL AGENDA #23-2003
DECEMBER 16, 2003

ITEM #177-03 To consider action relative to adopting the December 16, 2003 Consent Agenda.

BE IT ORDERED: That the December 16, 2003 Consent be adopted.

ITEM #178-03 To consider action relative to an application for an Automobile Graveyard and/or Junkyard Permit. (Public Hearing).

MOTION: That the following re-application for an Automobile Graveyard and/or Junkyard Permit be subject to Public Hearing.

John Ingerson d/b/a Freeport Auto Parts, 2 Allen Range Road.

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the re-application for an Automobile Graveyard and/or Junkyard Permit issued to the above named applicant be approved.

ITEM #179-03 To consider action relative to an application for an Automobile Graveyard and/or Junkyard Permit. (Public Hearing).

MOTION: That the following re-application for an Automobile Graveyard and/or Junkyard Permit be subject to Public Hearing.

David Bolduc, d/b/a Allen Range Road Used Auto Parts, 13 Allen Range Road.

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the re-application for an Automobile Graveyard and/or Junkyard Permit issued to the above named applicant be approved.

ITEM #180-03

To consider action relative to a proposed Zoning Ordinance Amendment concerning the minimum land area per dwelling unit in the Commercial II District.

BE IT ORDERED: That the Town Council refer to the Planning Board a proposed amendment to the Zoning Ordinance on behalf of the Freeport Housing Trust.

OTHER BUSINESS:

1. Presentation on PACTS – John Duncan
2. Discussion of Council Goals for the Coming Year
3. Informational Exchange

Note: The report from the Mast Landing Property Committee has been postponed until January 6, 2004.

**TOWN COUNCIL SUMMARY AGENDA #23-2003
DECEMBER 16, 2003**

ITEM #177-03 To consider action relative to adopting the December 16, 2003
Consent Agenda.

ITEM #178-03 To consider action relative to an application for an Automobile
Graveyard and/or Junkyard Permit. **(Public Hearing)**.

ITEM #179-03 To consider action relative to an application for an Automobile
Graveyard and/or Junkyard Permit. **(Public Hearing)**.

ITEM #180-03 To consider action relative to a proposed Zoning Ordinance
Amendment concerning the minimum land area per dwelling
unit in the Commercial II District.

OTHER BUSINESS:

1. Presentation on PACTS – John Duncan
2. Discussion of Council Goals for the Coming Year
3. Informational Exchange

Note: The report from the Mast Landing Property Committee has been postponed until
January 6, 2004.

END OF SUMMARY AGENDA



Clerk

**FREEPORT TOWN COUNCIL
CONSENT AGENDA
DECEMBER 16, 2003
7:00 PM- COUNCIL CHAMBERS**

ITEM #173-03 To consider action relative to awards from the Dr. Gould Fund.

BE IT ORDERED: That 8 individuals be awarded a total of \$653.67 to provide for the payment of medical expenses.

ITEM #174-03 To consider action relative to an award from the Davis Fund.

BE IT ORDERED: That one individual be awarded a total of \$124,13 to provide payment of medical expenses.

ITEM #175-03 To consider action relative to an application for an Alcoholic Beverage License.

BE IT ORDERED: That the application for an Alcoholic Beverage License be issued to Winn Road LLC d/b/a School Street Café be approved.

ITEM #176-03 To consider action relative to applications for Victualer Licenses.

BE IT ORDERED: That the following applications for Victualer Licenses be approved.

Ruth Fitch Simons d/b/a Royal River Natural Foods
443 US Route #1

Cheer-Up, Inc. d/b/a Doherty's N. Freeport General Store
130 Wardtown Road

Dayna Riley d/b/a Freeport Café
31 US Route #1

R.E. Management, Inc. d/b/a Kids Food Stand- Peddler
LL Kids Store

R.E.Management, Inc. d/b/a Kelley Hot Dogs – Peddler
Polo Store

R.E.Management, Inc. d/b/a Maine Made Ice Cream
76 Main Street

END OF AGENDA

FREEPORT TOWN COUNCIL MEETING #23-2003
TOWN HALL COUNCIL CHAMBERS
DECEMBER 16, 2003 – 7:00 P.M.

CHAIRPERSON'S CALL TO ORDER

PRESENT

ABSENT

EXCUSED

Rod Regier, South Street	X		
Thomas Rumpf, P.O. Box 819, S. Freeport	X		
John Arsenault, Prout Road	X		
Charlotte Bishop, Maquoit Drive	X		
Rich DeGrandpre, Timber Ridge Road	X		
Frederick White, 45 Pleasant Hill Road	X		
James Cassida, 5 Timber Ridge Road	X		

Chair Regier called the meeting to order at 7 p.m.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #22-2003 held on December 2, 2003 and accept the Minutes as printed.

Chair Regier pointed out that on page 3, under Item #172-2003 the lease is adjusted annually by 4% not 3% or 4% as recorded.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #22-2003 held on December 2, 2003 and accept the Minutes as amended. (Arsenault & Rumpf) **VOTE:** (7 Ayes).

SECOND ORDER OF BUSINESS: Announcements

- The Town Office will close at 3 p.m. on Christmas Eve, December 24 and also on New Year's Eve, December 31.
- Dog licenses expire at the end of December.
- Chair Regier noted that the Solid Waste Committee and the Recreation Committee are in need of new members.
- The report from the Mast Landing Property Committee has been postponed until January 6, 2004.
- On December 17 at 5 p.m. the Municipal Facilities Committee meeting will be held in the Town Office. Soule School will be discussed. This is a public meeting and anyone that has ideas for this site should plan to make them known to the people on this committee.

- The Planning Board will be considering its reassignment tomorrow night at 6:30 here in the Council Chambers.
- Freeport was awarded \$500,000 from the Municipal Investment Trust Fund program of the Department of Economic and Community Development for further development of its Community Center. Everyone owes thanks to Linda Hardacker for putting this application together and driving it forward. It is a huge step forward and will benefit the Town.

Councilor Arsenault announced that last night Cumberland County adopted its final budget with an increase of 2.49% which equates to a little more than \$20,000 for the Town of Freeport from where it is now.

Chair Regier and Vice Chair Rumpf will be meeting this Friday with the School leadership to discuss financial policies.

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

MOVED AND SECONDED: To open the Public Comment Period for Non-Agenda Items Only) (Arsenault & DeGrandpre) **VOTE:** (7 Ayes).

Vaughndella Curtis thanked Councilors for all their efforts in obtaining the \$500,000 grant. She is confident it will go a long way after being added to the \$750,000 already designated for a Community Center.

MOVED AND SECONDED: To close the Public Comment Period. (White & Cassida) **VOTE:** (7 Ayes).

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

ITEM #177-2003 To consider action relative to adopting the December 16, 2003 Consent Agenda.

Councilor DeGrandpre noted the need for a correction under Item #174-03. Sentence should read: "To consider action relative to an award from the Davis Fund" not David Fund. Councilor Bishop noted the amount should read "\$124.13" not \$123.13. Mr. Olmstead indicated that all the license fees are paid.

BE IT ORDERED: That the December 16, 2003 Consent Agenda be adopted as amended. (Arsenault & Bishop) **ROLL CALL VOTE:** (7 Ayes).

ITEM #178-2003 To consider action relative to an application for an Automobile Graveyard and/or Junkyard Permit. (Public Hearing).

MOVED AND SECONDED: That the following re-application for an Automobile Graveyard and/or Junkyard Permit be subject to Public Hearing.

John Ingerson d/b/a Freeport Auto Parts, 2 Allen Range Road. (DeGrandpre & Rumpf)
VOTE: (7 Ayes).

Mr. Olmstead explained that State law requires that junkyard permits be subject to public hearing, they cannot be Consent Agenda item. Based on the Ordinance, junkyard operators are required to provide an inventory annually of the vehicles they have in their yards. He has their inventory list. Councilor DeGrandpre brought up the matter of an unsigned letter that was included in Councilors' packets. Mr. Olmstead pointed out that the complaints outlined in the letter have not surfaced at the Police Department level. Chair Regier referred to the letter written by Fred Reeder to David Bolduc at Freeport Auto Parts and suspects that he has the two junkyards confused in his letter. Discussion followed. Mr. Olmstead suggested continuing the public hearings until January 6 and inviting the Codes Enforcement Officer and the operators of the two junkyards to see if the Council can straighten this out and confirm whether they are in compliance with State Law. There will be no peril to these businesses operating between December 31 and January 6.

MOVED AND SECONDED: To continue this public hearing on January 6, 2004.
(DeGrandpre & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

ITEM #179-2003 To consider action relative to an application for an Automobile Graveyard and/or Junkyard Permit. (Public Hearing).

MOVED AND SECONDED: That the following re-application for an Automobile Graveyard and/or Junkyard Permit be subject to Public Hearing.

David Bolduc, d/b/a Allen Range Road Used Auto Parts, 13 Allen Range Road.

BE IT FURTHER ORDERED: That the public hearing be continued to January 6, 2004. (Cassida & DeGrandpre)

Councilor White asked the Town Manager to direct the Codes Enforcement Officer to explore this particular application relative to compliance and report back to the Council on January 6, 2004.

ROLL CALL VOTE: (7 Ayes).

ITEM #180-2003 To consider action relative to a proposed Zoning Ordinance Amendment concerning the minimum land area per dwelling unit in the Commercial III District.

BE IT ORDERED: That the Town Council refer to the Planning Board a proposed amendment to the Zoning Ordinance on behalf of the Freeport Housing Trust.
(Bishop & Arsenault)

Jim Hatch, Executive Director of the Freeport Housing Trust explained that they are bringing forth this proposal due to their desire to redevelop their property at Varney Road since it was originally understood that more units would be developed. He has been working with the Town Planner and has learned that much

COUNCIL MEETING #23-2003
DECEMBER 16, 2003

of the land is not developable. The proposal is to reduce the minimum lot size per dwelling unit in the C-III District from 10,000 square feet per unit to 5,000 square feet per unit which is in keeping with some of the other areas in the Village area. Discussion followed.

Councilor White noted the need for this type of housing and that he will be supportive of this amendment. Councilor Arsenault agreed that this is something that is needed in Freeport. Chair Regier noted that the Planning Office has developed a detailed map of this area.

Vaughndella Curtis mentioned that a Town employee is on their Board and is well aware of the need for this type of housing. She hopes the Council will support this amendment when the Planning Board presents it to the Council. The Board has been working with architects to ensure that whatever goes in at this location will be very attractive since it faces Main Street.

Mr. Hatch pointed out that the village has lost 140 housing units to development and the Housing Trust has added 30 units.

ROLL CALL VOTE: (7 Ayes).

OTHER BUSINESS:

Mr. Olmstead has learned that most municipal, county and state offices will be closed on December 26. It doesn't make a lot of sense to open for four hours the day after Christmas. He plans to have the Town office open on January 2, 2004. Discussion followed. Councilors agreed that Freeport municipal services should be closed on December 26 except for Landfill and Public Safety employees. These employees will have four hours off on a day of their choosing.

MOVED AND SECONDED: To move an item not on the printed agenda.
(DeGrandpre & Arsenault) **VOTE:** (7 Ayes).

MOVED AND SECONDED: That Town Municipal Offices be closed the day after Christmas, December 26 with the exception of the Public Safety and Landfill. (Cassida & DeGrandpre) **ROLL CALL VOTE:** (7 Ayes).

Councilor Bishop, Chair of Appointments Committee indicated that there are openings on the Solid Waste and the Recreation Committees which meet once a month. She suggested that members of the public come in and fill out an application.

1. Presentation on PACTS—John Duncan presented an overview of the PACTS process. He displayed a map and answered questions for Councilors. The Council needs to decide whether it wants the entire community in or less than the entire community.

Mr. Duncan noted a willingness to come and speak about the expanded regional transportation plan they are working on. He did advise that his office cannot do anything about the overweight trucks that drive through the center of Freeport.

Mr. Olmstead advised that the newly reconstructed Route One road has been turned over to Freeport but the Town has no authority over postings. Discussion followed. Mr. Duncan left information for Councilors.

COUNCIL MEETING #23-2003
DECEMBER 16, 2003

2. Discussion of Council Goals for the coming year—Chair Regier worked closely with Vice Chair Rump on the Council's goals. Vice Chair Rump explained how he put the Council Goal draft together. He read them into the public record. By consensus the Council will adopt them for the coming year.
-

Informational Exchange:

Ridge Road—Mr. Olmstead advised that the Cable Company is willing to pay one-half of the cost of running the drop to the Edsons, estimated at \$9,660, provided the Town is willing to adopt an amendment that would protect them from being faced with this situation again.

Adjournment

MOVED AND SECONDED: To adjourn at 8:38 p.m. (Cassida & DeGrandpre)
VOTE: (7 Ayes).

Respectfully Submitted,

Sharon Coffin

Sharon Coffin
Council Secretary

Section 411. Commercial District III - "C-III"

A. Purpose:

It is the intent of this District to create an attractive entrance to the Village. A mix of commercial and residential uses are permitted with restrictions on building size and parking locations. Landscaping requirements are mandated in the front setback. In order to limit access points on heavily traveled U.S. Route 1, access on other streets and on service roads is encouraged through decreased road frontage requirements. This District is part of the Design Review District and contains historically and architecturally significant buildings and structures which should influence the design of future development.

B. Permitted Uses:

1. Single Family Dwelling
2. Two Family Dwelling

The following uses are subject to site review regardless of size:

3. Public or Private School
4. Commercial School
5. Outdoor Recreation School
6. Cemeteries
7. Public Utilities excluding commercial communications towers
8. Municipal Use
9. Multiple-family Dwelling
 - a. Existing buildings shall not be subject to the provisions of Section 411.D.6 below
10. PUD (Subject to the provisions of Article V, Section 504)
11. Restaurant
12. Restaurant - Carry-Out
13. Bed & Breakfast Inn
14. Business and Professional Offices
15. Public Assembly - Indoor
16. Private Assembly
17. Auto Repair Service Garage
18. Religious Institutions
19. Hotel - Motel
20. Commercial Sales and Service, including up to 200 square feet of incidental, accessory outdoor storage. This outdoor storage is permitted only on a seasonal basis (April to October). Materials such as propane, which must be located outdoors at all times, are exempt from the seasonal restriction, but they must be screened from abuttor and street views.
21. Parking Facility
22. Retail Trade

23. Manufacturing and Processing
24. Day Care Center Facilities
25. Commercial Recreation - Indoor

C. Prohibited Uses:

Specifically include, but are not limited to, the following:

1. Manufacturing, fabrication, disposal, or any use of asbestos products.
2. Paper manufacturing
3. Petroleum and petrochemical refining and reprocessing
4. Production of lubrication oils and grease
5. Manufacture of explosives including, but not limited to, ammunition and fireworks
6. Offal or deer animal disposal and reprocessing
7. Abattoirs and slaughterhouses

D. Space Standards:

1. Minimum lot size: 2 acres
2. Maximum Building Height: 35 feet
3. Minimum Road Frontage
 - U.S. Route 1 and Pine Street: 300 feet
 - Other Streets: 150 feet
4. Maximum Impervious Surface to lot area ratio: 70%
5. Minimum Setback:
 - a. All setbacks except from I-95 boundary:

Front: 50 feet, if parking is located between the 25' front landscaped setback and the 50' setback. 25' if parking is located beyond 50' of the front property boundary line.

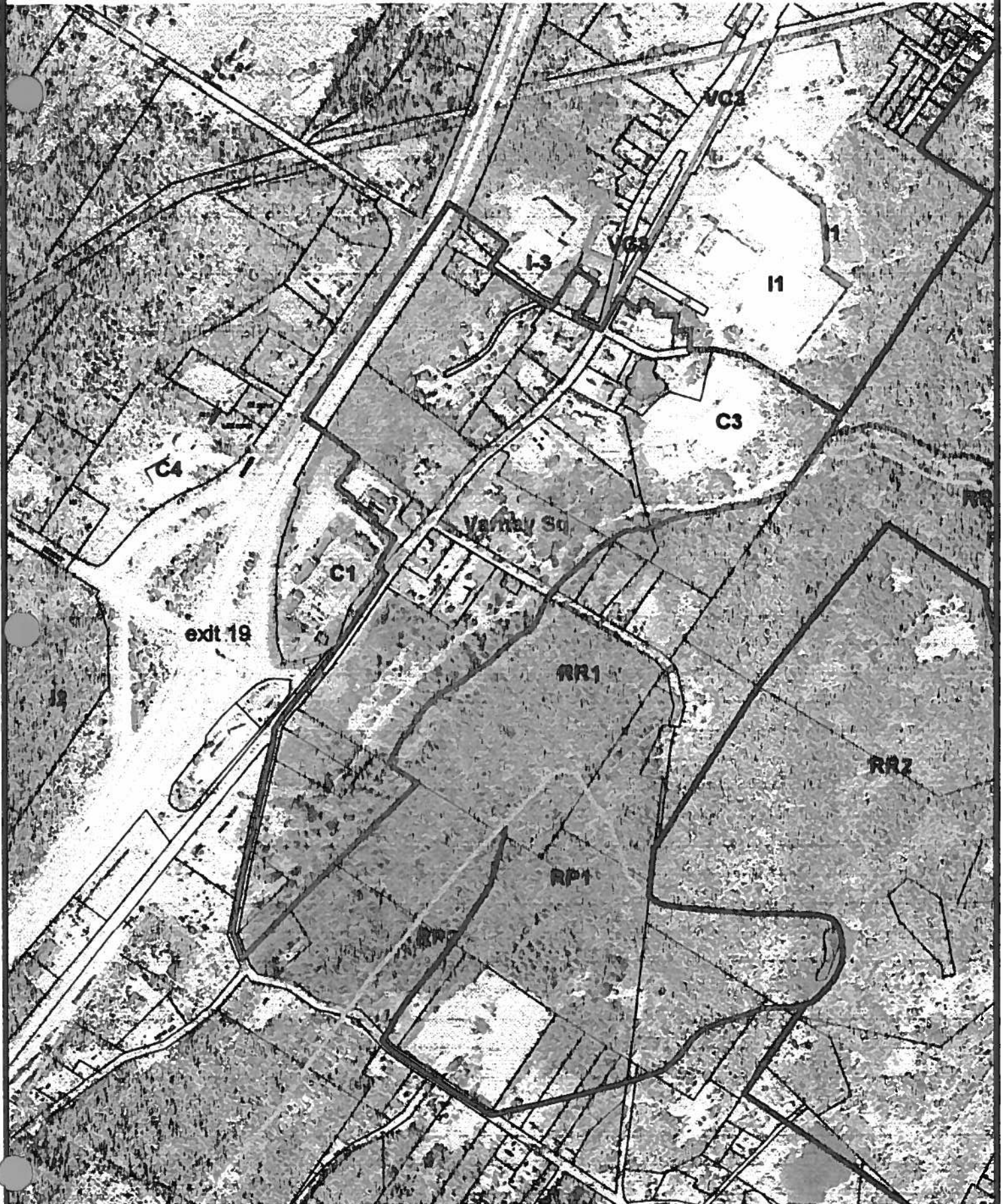
Side: On a lot with two side lot lines, the total combined minimum width of both side setbacks shall be 75' and the minimum side setback from one of the side lot lines shall be 25'. If a parcel has only one side lot line, the minimum side setback shall be 35'.

Rear: 35 feet
 - b. All setbacks from I-95 boundary: 25 feet
6. Minimum Land Area per Dwelling Unit:
~~10,000-20,000~~ s.f.
7. Maximum Gross Floor Area per lot: 40,000 s.f.

E. Other Standards:

- 1. Buffer strips, as required by Section 506, shall consist of at least the minimum required setbacks.**
- 2. Landscaping is required in the setback from U.S. Route 1 and in the front setback from all other streets for a minimum of 25 feet except for driveways. Landscaping is required in all side setbacks for a depth of 15 feet extending from the front property line to the furthest back edge of the developed area (buildings, parking lots, other impervious surface). The Planning Board shall determine whether the side landscaping shall consist of plantings and/or retention of the natural vegetative cover. Only accessways, walkways, pedestrian and vehicle connectors between parking lots on abutting lots and common driveways for abutting lots are permitted in the side setback.**
- 3. Outdoor storage is prohibited except as permitted in Section 411 B.17 above.**
- 4. The Performance Standards of Section 527 shall be considered.**
- 5. If existing or proposed parking spaces are eliminated due to the creation of parking lot connectors and/or common driveways for abutting lots, the property shall be credited for each lost space so that no net loss of parking spaces shall occur.**
- 6. Curb cuts on Route One and Pine Street should be limited, where possible, to one per lot. In addition, because of the limited sight distance at certain parcels containing frontage on Pine Street, if any lot fronting on Pine Street is subdivided after May 1, 1997, one common driveway location which provides access to all existing and new lots shall be provided in the deed. The common driveway location shall meet MDOT requirements for sight distance and all necessary easements shall be included in each deed.**

Freeport Commercial III District



600 0 600 1200 Feet

prepared by the Freeport Planning Department
December 8, 2003



MEMORANDUM

TO: Freeport Town Council
FROM: Town Council Chairperson and Vice-Chairperson
RE: 2004 Town Council Goals
DATE: November 13, 2003

At a future Council Workshop, we would like to have a discussion on Town Council goals for the coming year. Please list your goals and try to limit your goals to a manageable number. Drop off your goals to Kelly by **Friday, December 5, 2002, no later than noon.**

I am enclosing a copy of last year's goals for your information.

2004 Goals

Name: _____

To: John Arsenault
From: Rick White
Re: Council Goals

March 12, 2003

- **To provide council representation for district two that incorporates a style and approach that is informing and involving relative to district two residents.**
- **To ensure the future viability of the village core by integrating the deliverables from the Vision 2010 and Village Planning processes with the comprehensive plan with immediate application to village decisions in 2003.**
- **To mitigate long term rate of tax increase through the application of a planned approach to developing an increased commercial tax base. This goal would balance the need for commercial growth with minimal compromise to the values and traditions that characterize Freeport as a comfortable and balanced community in which to live and work.**
- **To manage residential growth through continued work relative to open space planning. To develop a long-range approach for designating land for preservation. To preserve one piece of property in 2003.**
- **To support the Community Center Coalition (in 2003) in the acquisition of property and development of a facility.**
- **To review all town owned properties to ensure maximization of use and financial return.**
- **To pilot one cost saving measure in 2003 leveraging the concept of Regionalization.**

2002-2003

1. **Limit property tax increases to a sustainable level**
Limit contractual obligations with guaranteed, unrestricted price increases
2. **Encourage economic development**
Retain present geographic focus for retail
Expand downtown diversity while protecting existing neighborhoods
3. **Continue growth management effort**
Consider auxiliary apartments
Assist Planning Department to write handbook for land conservation
Continue to preserve open space
4. **Expand dialogue with School Committee for school improvement**
Try again to alter State school funding formula and State taxation policies
5. **Determine the future use of the Soule School and the Soule School site**
6. **Continue encouraging the creation of a Community Center**
7. **Settle paper streets issue**

RJR March 11, 2003

Rod Regier 3/11/03

MEMORANDUM

TO: Freeport Town Council

FROM: Town Council Interim Chairperson and Interim Vice-Chairperson

RE: 2003 Town Council Goals

DATE: March 4, 2003

At our March 11, 2003 Council Workshop, we would like to have a discussion on Town Council goals for the coming year. Please list your goals and try to limit your goals to a manageable number.

I am enclosing a copy of last year's goals for your information.

2003 Goals

Name: Tom Rumpf

- Control Taxes
- Maintain Quality Schools
- Explore Regionalization of Services
- Determine appropriate future of Soule School property.
- Ensure that Consumers Water wells off Webster Rd. do not threaten private well supplies - ~~we~~ work w/ Pl. Bd. on review of application of 2nd well.
- Continue to pursue Growth Mgmt. efforts
- Work w/ Town Mgr. + staff to ensure good customer service for Freeport residents + tax payers

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2003 Goals

Name: Charlotte H. Bishop

1. REGIONALIZATION OF SERVICES EXPLORATION.
2. CONTROL TAX INCREASES
3. Support + work to PROMOTE Economic Development.
ENCOURAGE FEDC TOWARDS NEW GROWTH AND FILLING
EMPTY COMMERCIAL SPACES IN TOWN.
4. GET LARGE TRUCKS/VEHICLES OFF ROUTE 1

MEMORANDUM

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2003 Goals

Name: James Cassida

- ① Support Redevelopment of East End Site Property providing a solid economic use that coexists with neighboring residential uses.
- ② Begin discussion w/MDOT on improvement to exit & intersection
- ③ Review & learn from Budget with minimal tax increase to residents
- ④ Explore Requirements of Municipal Services
- ⑤ Update town website to provide improved information exchange with residents to include e-mail address for Councilors



MEMORANDUM

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2003 Goals

Name: John B. Bessett

- 1 - Maintain low Budget policy
- 2 Support Economic Development
as well as Regionalizing with surrounding communities
- 3 Continue ~~working~~ follow up preventing by trucks
from using Rt 1 instead of 95
- 4 Provide a grocery store.

MEMORANDUM

TO: Freeport Town Council

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RE: 2003 Town Council Goals

DATE: November 12, 2002

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2003 Goals

Name: Rich DeGrosche

- ① work to Solve Problems, Not Just Treat Symptoms
- ② Improve Relationship between Town Council and School Committee
- ③ Work with Legislators to change School Funding from State of Maine
- ④ Continue Worker Growth Management
- ⑤ Encourage Small Business Development and Growth
- ⑥ Maintain Existing Commercial Development

