

**TOWN COUNCIL MEETING #21-99
DECEMBER 21, 1999 - 7:00 P.M.
TOWN COUNCIL CHAMBERS**

SUMMARY AGENDA

- ITEM #256-99** To consider action relative to amendments to the Zoning Ordinance concerning residential and non-residential uses located on the same lot (Chapter 21). (Public Hearing).
- ITEM #257-99** To consider action relative to proposed amendments to the Zoning Ordinance concerning the Medium Density A&B Districts (Chapter 21). (Public Hearing).
- ITEM #258-99** To consider action relative to the adoption of a proposed Discharge of Firearms Ordinance (Chapter 42). (Public Hearing).
- ITEM #259-99** To consider action relative to proposed amendments to the General Assistance Ordinance Appendixes concerning Maximum Levels of Assistance (Chapter 46). (Public Hearing).
- ITEM #260-99** To consider action relative to an Emergency Moratorium on the location or operation of "Adult" Bookstores, Video Stores, Theaters and Similar Businesses.
- ITEM #261-99** To consider action relative to a Moratorium on the location or operation of "Adult" Bookstores, Video Stores, Theaters and Similar Businesses.
- ITEM #262-99** To consider action relative to the confirmation of a Tax Assessor.
- ITEM #254-99** Tabled December 7, 1999.

To consider action relative to billing for Fire and Rescue Service rendered during motor vehicle accidents and structure fires.

OTHER BUSINESS:

1. Report from Residential Growth Management Committee on the funding of future committee structure and prioritization of the Committee's recommendations.
2. Report on potential costs of a Browntail Moth Spray Program for the Spring of 2000.

COMMITTEE REPORTS:

Municipal Facilities Committee.

Adjourn.



AGENDA
FREEPORT TOWN COUNCIL MEETING #21-99
TOWN HALL COUNCIL CHAMBERS
DECEMBER 21, 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
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 #20-99, December 7, 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 #21-99
DECEMBER 21, 1999

ITEM #256-99 To consider action relative to amendments to the Zoning Ordinance concerning residential and non-residential uses located on the same lot (Chapter 21). (Public Hearing).

MOTION: That the proposed amendments to the Zoning Ordinance be subject to Public Hearing.

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the proposed amendments to the Zoning Ordinance be approved.

ITEM #257-99 To consider action relative to proposed amendments to the Zoning Ordinance concerning the Medium Density A&B Districts (Chapter 21). (Public Hearing).

MOTION: That the proposed amendments to the Zoning Ordinance be subject to Public Hearing.

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the proposed amendments to the Zoning Ordinance be approved.

ITEM #258-99 To consider action relative to the adoption of a proposed Discharge of Firearms Ordinance (Chapter 42). (Public Hearing).

MOTION: That the proposed ordinance be subject to Public Hearing.

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the proposed ordinance be adopted.

ITEM #259-99 To consider action relative to proposed amendments to the General Assistance Ordinance Appendixes concerning Maximum Levels of Assistance (Chapter 46). (Public Hearing).

MOTION: That the proposed amendments be subject to Public Hearing.

MOTION: That the Public Hearing be closed.

BE IT FURTHER ORDERED: That the proposed amendments be approved.

ITEM #260-99 To consider action relative to an Emergency Moratorium on the location or operation of "Adult" Bookstores, Video Store, Theaters and Similar Businesses.

WHEREAS, the Town of Freeport currently has no zoning or licensing regulations governing the location of and imposing reasonable time, place and manner restrictions on the operation of so-called "adult" bookstores, video stores, movie

theaters and similar businesses which sell, rent, exhibit, display or otherwise deal in sexually explicit materials; and

WHEREAS, the Town Council concludes that the location of such businesses in certain neighborhoods and certain areas of the Town of Freeport, or in close proximity to incompatible uses such as residences, schools, parks, playgrounds, churches and public buildings would be detrimental to the public health, safety and welfare; and

WHEREAS, the Town Council concludes that such "adult" businesses have the potential to attract and encourage various types of criminal, illicit or unhealthful behaviors unless appropriately controlled as to the time, place and manner of their operation; and

WHEREAS, "adult" businesses can, if not appropriately located and properly controlled, have a negative impact upon both residential and commercial property values; and

WHEREAS, "adult" businesses can, unless properly controlled, provide a potential locus for illicit and undesirable activities by providing a place of contact for potential customers for prostitution, pandering, and other activities; and

WHEREAS, in combination with on-site or nearby alcoholic beverage service or other sexually oriented businesses, the concentration of such uses can increase the quantity of undesirable activities; and

WHEREAS, there is a strong tendency for inappropriate activities associated with "adult" businesses to seek nearby venues such as parks, parking lots, alleys and other public or semi-public spaces; and

WHEREAS, "adult" businesses can, by their very presence set a context for interpreting pedestrian presence in the area as potentially related to the "adult" businesses, leading to propositioning of passers by and discouraging legitimate pedestrian activities; and

WHEREAS, the Town Council is not aware of any existing "adult" businesses in the Town of Freeport but is aware that at least one such "adult" business has inquired about locating in the Town; and

WHEREAS, it would be detrimental to the public health, safety and welfare to allow the location of such "adult" businesses until the Town has been able to formulate and implement reasonable zoning and/or licensing regulations to ensure that any such "adult" businesses are conducted in a way which is not detrimental to the public health, safety and welfare; and

WHEREAS, the situation described above constitutes an emergency within the meaning of Section 213 of the Charter of the Town of Freeport;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Freeport, Maine, in Town Council assembled, as follows:

1. Operation and location of adult businesses prohibited. During the time this Ordinance is in effect, no person shall locate or commence operation of any adult business within the Town of Freeport.

2. Acceptance of applications and issuance of permits prohibited. During the time this Ordinance is in effect, no officer, employee, office, board or agency of the Town of Freeport shall receive, accept or act upon any application or grant any permit, approval or permission to locate or operate an adult business within the Town of Freeport.

3. Definitions.

(a) "Adult business" means any business, a substantial or significant portion of which consists of selling, renting, leasing, exhibiting, displaying or otherwise dealing in materials or devices of any kind which appeal to prurient interests and which depict or describe specified sexual activities.

(b) "Specified sexual activities" means: (1) human genitals in a state of sexual stimulation or arousal; (2) acts of human masturbation, sexual intercourse or sodomy; (3) fondling or other erotic touching of human genitals, pubic regions, buttock or female breast.

4. Effective date and duration. This Ordinance takes effect on December 21, 1999 and shall remain in effect through February 19, 2000, unless earlier re-enacted, amended or repealed by the Town Council.

5. Applicability. Notwithstanding anything to the contrary in 1 M.R.S.A. Section 302, this Ordinance applies to any applications or requests to locate or operate an adult business previously submitted to the Town of Freeport.

ITEM #261-99 To consider action relative to a Moratorium on the location or operation of "Adult" Bookstores, Video Stores, Theaters and Similar Businesses.

BE IT ORDERED: That a Public Hearing be scheduled for January 4, 2000 at 7:00 p.m. in the Town Hall Council Chambers to discuss adopting a Moratorium on the location or operation of "Adult" Bookstores, Video Stores, Theaters and Similar Businesses.

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 #262-99 To consider action relative to the confirmation of a Tax Assessor.

BE IT ORDERED: That the Town Manager's appointment of James Thomas as Freeport Tax Assessor be confirmed.

ITEM #254-99 Tabled December 7, 1999.

To consider action relative to billing for Fire and Rescue Service rendered during motor vehicle accidents and structure fires.

BE IT ORDERED: That the following fees and conditions regarding Fire and Rescue Services be adopted, effective immediately.

- Motor Vehicle accidents - \$200 or to the extent of the insurance;
- Structure Fires - \$475 or to the extent of the insurance;
- Billings shall be made directly to insurance companies;
- Billings shall not be sent to individuals nor will individuals be expected to pay the fees should insurers fail or refuse to pay.

OTHER BUSINESS:

1. Report from the Residential Growth Management Committee on the funding of future committee structure and prioritization of the Committee's recommendations.
2. Report on potential costs of a Browntail Moth Spray Program for the Spring of 2000.

COMMITTEE REPORTS:

Municipal Facilities Committee.

Adjourn.

MINUTES
FREEPORT TOWN COUNCIL MEETING #21-99
December 21, 1999 – 7 P.M.

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</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		

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #20-99 HELD ON DECEMBER 7, 1999 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #20-99 HELD ON DECEMBER 7, 1999 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Campbell & Beaulieu) (7 Ayes)

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

MOVED AND SECONDED: To open the Public Comment Period (Councilors Campbell & Beaulieu) (7 Ayes)

Cliff Goodall, President of the Freeport Historical Society, reported on the meeting held with Brewer's Marine and the Historical Society regarding resolution of the Soule Shipyard Building in South Freeport. Councilor Arsenault was instrumental in getting this meeting scheduled. It appears that all parties may be moving towards a central ground of the building being preserved and remaining in South Freeport. More meetings are being planned and progress is being made. This may come back to the Council for a tax break for historic resources sometime in the future.

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Chair Soley commended all parties for their efforts to try to work this issue out and would like to invite everyone back for punch and cookies to celebrate any agreement that gets reached.

MOVED AND SECONDED: To close the Public Comment Period. (Councilors Campbell & Beaulieu) (7 Ayes)

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

ITEM #256-99 To consider action relative to amendments to the Zoning Ordinance concerning residential and non-residential uses located on the same lot (Chapter 21). **(Public Hearing)**.

MOVED AND SECONDED: That the proposed amendments to the Zoning Ordinance be subject to Public Hearing. . (Councilors Campbell & Beaulieu) (7 Ayes)

Planning Board Chair, George Fraser, explained the amendments to the Council. Councilor Beaulieu read a letter from Betsy Ruff, President of the Freeport Housing Trust, in support of the proposed changes. Bob Fulmer clarified the vehicles issue for Councilors.

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

BE IT ORDERED: That the proposed amendments to the Zoning Ordinance be approved. (Councilors Campbell & Stevens)

MOVED AND SECONDED TO AMEND: Under 14B add after the word "less" except for loading and unloading. (Councilors Mann & DeGrandpre)
ROLL CALL VOTE: (5 Ayes) (2 Nays-Soley & Campbell).

ROLL CALL VOTE: (7 Ayes)

ITEM #257-99 To consider action relative to proposed amendments to the Zoning Ordinance concerning the Medium Density A&B Districts (Chapter 21). **(Public Hearing)**.

MOVED AND SECONDED: That the proposed amendments to the Zoning Ordinance be subject to Public Hearing.(Councilors Beaulieu & Campbell) (7 Ayes).

Planning Board Chair, George Fraser, and Town Planner, Jacki Cohen explained the amendments. Louis Marstaller of Route One North asked the Council to look at the size of the original proposal rather than the Planning Board's smaller size. Chair Soley read a letter received from David Marstaller into the record asking that the Council approve the original size.

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

BE IT ORDERED: That the proposed amendments to the Zoning Ordinance be approved. (Councilors Beaulieu & Campbell)

MOVED AND SECONDED TO AMEND: On page 3 under Permitted Uses, remove the word "all" (Councilors Mann & Stevens) (7 Ayes).

MOVED AND SECONDED TO AMEND: In B— Permitted Uses, #31 Manufacturing and processing up to 10,000 sq. ft. of gross floor area of building and outdoor storage area limited to 5,000 sq. ft. Councilors Beaulieu & Arsenault) (5 Ayes) (2 Nays-Soley & Stevens)

MOVED AND SECONDED TO AMEND: In B— Permitted Uses, #34 Add Outdoor Storage up to 10,000 sq. ft. for lots over 3 acres. (Councilors Mann & Stevens) 3 Ayes (Mann, Stevens, DeGrandpre) (4 Nays). (Defeated)

MOVED AND SECONDED TO AMEND: In B— Permitted Uses, #34 Add Outdoor Storage up to 10,000 sq. ft. for lumber and wood products. (Councilors Stevens & Mann) (7 Ayes)

ROLL CALL VOTE: (7 Ayes)

Chair Soley thanked everyone that worked so hard on these amendments.

ITEM #258-99 To consider action relative to the adoption of a proposed Discharge of Firearms Ordinance (Chapter 42). (**Public Hearing**).

MOVED AND SECONDED: That the proposed ordinance be subject to Public Hearing. (Councilors Arsenault & Campbell) (7 Ayes)

Chair Soley explained that he receives a lot of calls from residents demanding hunting limitations in certain areas.

Peter Harrison, Judy Thompson, Tom Bennett, Peter Cutler, Arthur Colburn, James Gorman, Lloyd Jones, Jason Lavers, Andrew Arsenault, Rebecca Davis, Leon Arsenault and Alan Hindley voiced opposition to this ordinance. They had no knowledge of any homes being hit by bullets. Hunting safety was pointed out and that in certain situations rifles are needed because of the distances involved. Competitive rifle shooting and target shooting was mentioned. The absence of game wardens tonight was noted. How this ordinance would be communicated to out-of-towners was questioned. They urged Councilors to vote no tonight or at least give this issue more consideration to determine if it is really needed. More public hearings are needed as are scheduled for other Town issues.

Andrew Cadot of northern Flying Point advised that someone shot 20-30 rounds within 400' of his home. He is not opposed to hunting but does not feel homeowners should be fearful during hunting season. He supports the proposed ordinance. Craig Young of Poland Road pointed out that a juvenile criminally shot through his home and he supports this

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ordinance. Dick Doucette of Lower Mast Landing Road would like the Council to seek more input. Jane Fuller feels this Ordinance is being handled too quickly and asked Councilors to gather more information. Having the only meeting the week of Christmas is not fair to the public.

Michael Whitehouse, Freeport Police outlined the calls received by the Police Department this past fall. In 1986 there was one hunting accident where a hunter shot himself in the leg practicing his "fast draw". He was familiar with Mr. Young's incident of gross negligence. It was not associated with hunting. He did not share any personal feelings in this issue. He indicated that the Police Department did not receive any calls from homeowners whose house was hit by a bullet. Bud Fillmore suggested that residents that have complaints should post their land. State experts have already regulated how close to a house a hunter can shoot. If the Town has any issue, it should take it up with the State.

MOVED AND SECONDED: That the Public Hearing be closed. (Councilors Stevens & Beaulieu) (7 Ayes).

BE IT ORDERED: That the proposed ordinance be adopted. (Councilors Arsenault & Stevens)

Councilor Campbell advised that he is a certified firearms instructor and noted his qualifications. He had samples of slugs to share with the Council. He indicated that he and other citizens have not had any input in this Ordinance.

Councilor Mann also did not have any input in this ordinance and people with legitimate concerns were not included. He suggests that this issue be sent to the Ordinance Committee for review. The committee will hold public hearings and all the meetings will be posted.

Councilor Stevens supports sending this to the ordinance Committee.

Councilor Beaulieu noted that she is not in favor of this bill but it was set for a public hearing two weeks ago. All Councilors were aware that it was coming up.

MOVED AND SECONDED TO TABLE: (Councilors Mann & Campbell)
(7 ayes)

MOVED AND SECONDED: That review of this matter be sent to the Ordinance Committee (Councilors Mann & Stevens) (7 ayes)

Councilor Campbell indicated that the Ordinance Committee will set up some meetings and will seek public input. Times and dates will be put out in the Town Hall, Library and in the *TIMES RECORD*. Notices are also provided to establishments in Town.

ITEM #259-99 To consider action relative to proposed amendments to the General Assistance Ordinance Appendixes concerning Maximum Levels of Assistance (Chapter 46). (**Public Hearing**).

MOVED AND SECONDED: That the proposed amendments be subject to Public Hearing. (Councilors Stevens & Beaulieu) (7 Ayes).

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Chair Soley explained that the State gives the Town amendments each year that must be addressed..

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

BE IT FURTHER ORDERED: That the proposed amendments be approved. (Councilors Stevens & Beaulieu) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Campbell).

ITEM #260-99 To consider action relative to an Emergency Moratorium on the location or operation of "Adult" Bookstores, Video Store, Theaters and Similar Businesses.

WHEREAS, the Town of Freeport currently has no zoning or licensing regulations governing the location of and imposing reasonable time, place and manner restrictions on the operation of so-called "adult" bookstores, video stores, movie theaters and similar businesses which sell, rent, exhibit, display or otherwise deal in sexually explicit materials; and

WHEREAS, the Town Council concludes that the location of such businesses in certain neighborhoods and certain areas of the Town of Freeport, or in close proximity to incompatible uses such as residences, schools, parks, playgrounds, churches and public buildings would be detrimental to the public health, safety and welfare; and

WHEREAS, the Town Council concludes that such "adult" businesses have the potential to attract and encourage various types of criminal, illicit or unhealthful behaviors unless appropriately controlled as to the time, place and manner of their operation; and

WHEREAS, "adult" businesses can, if not appropriately located and properly controlled, have a negative impact upon both residential and commercial property values; and

WHEREAS, "adult" businesses can, unless properly controlled, provide a potential locus for illicit and undesirable activities by providing a place of contact for potential customers for prostitution, pandering, and other activities; and

WHEREAS, in combination with on-site or nearby alcoholic beverage service or other sexually oriented businesses, the concentration of such uses can increase the quantity of undesirable activities; and

WHEREAS, there is a strong tendency for inappropriate activities associated with "adult" businesses to seek nearby venues such as parks, parking lots, alleys and other public or semi-public spaces; and

WHEREAS, "adult" businesses can, by their very presence set a context for interpreting pedestrian presence in the area as potentially related to the "adult" businesses, leading to propositioning of passers by and discouraging legitimate pedestrian activities; and

WHEREAS, the Town Council is not aware of any existing "adult" businesses in the Town of Freeport but is aware that at least one such "adult" business has inquired about locating in the Town; and

WHEREAS, it would be detrimental to the public health, safety and welfare to allow the location of such "adult" businesses until the Town has been able to formulate and implement reasonable zoning and/or licensing regulations to ensure that any such "adult" businesses are conducted in a way which is not detrimental to the public health, safety and welfare; and

WHEREAS, the situation described above constitutes an emergency within the meaning of Section 213 of the Charter of the Town of Freeport;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Freeport, Maine, in Town Council assembled, as follows:

1. Operation and location of adult businesses prohibited. During the time this Ordinance is in effect, no person shall locate or commence operation of any adult business within the Town of Freeport.
2. Acceptance of applications and issuance of permits prohibited. During the time this Ordinance is in effect, no officer, employee, office, board or agency of the Town of Freeport shall receive, accept or act upon any application or grant any permit, approval or permission to locate or operate an adult business within the Town of Freeport.
3. Definitions.
 - (a) "Adult business" means any business, a substantial or significant portion of which consists of selling, renting, leasing, exhibiting, displaying or otherwise dealing in materials or devices of any kind which appeal to prurient interests and which depict or describe specified sexual activities.
 - (b) "Specified sexual activities" means: (1) human genitals in a state of sexual stimulation or arousal; (2) acts of human masturbation, sexual intercourse or sodomy; (3) fondling or other erotic touching of human genitals, pubic regions, buttock or female breast.
4. Effective date and duration. This Ordinance takes effect on December 21, 1999 and shall remain in effect through February 19, 2000, unless earlier re-enacted, amended or repealed by the Town Council.
4. Applicability. Notwithstanding anything to the contrary in 1 M.R.S.A. Section 302, this Ordinance applies to any applications or requests to locate or operate an adult business previously submitted to the Town of Freeport.

MOVED AND SECONDED: To accept the reading as printed (Councilors Mann & Stevens) (7 Ayes).

Mr. Olmstead explained why this issue is on the agenda.

MOVED AND SECONDED: To adopt an Emergency Moratorium on the location or operation of "Adult" Bookstores, Video Store, Theaters and Similar Businesses. (Councilors Mann & Stevens)

Fred Morrill noted that he feels the Council should pass this Moratorium. Councilor Arsenault asked if the Freeport Variety would be excluded. Chair Soley noted that Freeport Variety is not substantially an adult video store and would not be affected.

ROLL CALL VOTE: (7 ayes).

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ITEM #261-99 To consider action relative to a Moratorium on the location or operation of "Adult" Bookstores, Video Stores, Theaters and Similar Businesses.

BE IT ORDERED: That a Public Hearing be scheduled for January 4, 2000 at 7:00 p.m. in the Town Hall Council Chambers to discuss adopting a Moratorium on the location or operation of "Adult" Bookstores, Video Stores, Theaters and Similar Businesses.

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 & Stevens) **ROLL CALL VOTE:** (7 Ayes).

ITEM #262-99 To consider action relative to the confirmation of a Tax Assessor.

BE IT ORDERED: That the Town Manager's appointment of James Thomas as Freeport Tax Assessor be confirmed. (Councilors Campbell & Beaulieu)

Chair Soley advised that Mr. Thomas' father is his tenant and asked if Councilors feel he is disqualified from voting. Councilors concurred that this is not a problem and Chair Soley should be allowed to vote on the confirmation.

ROLL CALL VOTE: (7 Ayes).

ITEM #254-99 Tabled December 7, 1999.

To consider action relative to billing for Fire and Rescue Service rendered during motor vehicle accidents and structure fires.

BE IT ORDERED: That the following fees and conditions regarding Fire and Rescue Services be adopted, effective immediately.

- Motor Vehicle accidents - \$200 or to the extent of the insurance;
 - Structure Fires - \$475 or to the extent of the insurance;
 - Billings shall be made directly to insurance companies;
 - Billings shall not be sent to individuals nor will individuals be expected to pay the fees should insurers fail or refuse to pay.
- (Councilors Beaulieu & Campbell)

MOVED AND SECONDED TO AMEND: Billings shall not be made to individuals. (Councilors Soley & Campbell) (7 Ayes).

ROLL CALL VOTE: (5 Ayes) (2 Nays-Beaulieu & Mann).

OTHER BUSINESS:

Report on potential costs of a Browntail Moth Spray Program for the Spring of 2000.

Mr. Olmstead reported that the State has surveyed Freeport and has informed the Town that it can expect to expend approximately \$40,000 for aerial spraying next year. \$20,000 is

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allowed in the budget and the balance will have to come out of the Miscellaneous and Contingency Fund.

Mr. Olmstead developed a brief policy on spraying for the Council's consideration which is consistent with every other policy that surrounding communities have adopted. Discussion followed.

MOVED AND SECONDED: To adopt the policy as written. (Councilors Beaulieu & Campbell) (6 Ayes) (1 Nay-Mann).

Letter from Rod Regier

Councilor Beaulieu asked if she could enter a letter received from Rod Regier into the record at this late hour on the proposed Freeport Rifle Ordinance citing reasons why he supports the issue. Councilor concurred that it could be added at this time.

Report from the Residential Growth Management Committee on the funding of future committee structure and prioritization of the Committee's recommendations.

Alan Caron shared his thoughts on timelines and stressed how important it is to get public input. The committee wants to get as many people involved as possible. He recommends that the existing committee continue and they will add other members as needed. He explained the budgeting concepts. To move forward, it will take a little less than \$20,000 in this budget year. Consultants will be required and contracts will need to be signed. Discussion followed. Mr. Olmstead pointed out that the Town will be facing some unusual fixed cost increases in the Municipal budget, i.e. spraying costs, water hydrants, fire department increases, etc.

MOVED AND SECONDED: To move an item not on the printed agenda. (Councilors Soley & Stevens) (7 Ayes).

MOVED AND SECONDED: That we accept the Residential Growth Management Committee's timeline in front of us, that we change the two \$7,500 items to \$9,000 and we give the Town Manager the authority to spend up to \$18,200 from the Miscellaneous and Contingency Account to accomplish the goals set forth in this time line and that we do it in the hope that whenever we can use in-house services with the necessary and appropriate skill set, that we look to accomplish that end. We vest the Town Manager to enter into contracts with the various consultants that need to be engaged. We also instruct the Town Manager to place \$28,300 in the FY 2001 Operating Budget to complete the committee's tasks. (Councilors Soley & Campbell) **ROLL CALL VOTE:** (6 Ayes) (1 Nay-Mann).

Letter from Pat Goodwin

Councilor Beaulieu advised that a letter was received commending the Freeport Public Works for taking care of a problem on her street.

Mr. & Mrs. Reid Potter's Request for Leaf Removal

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Councilor Soley advised that the Public Works Dept. also removed the leaves from the Town property adjoining the Potter's property in a timely fashion.

COMMITTEE REPORTS:

Municipal Facilities Committee.

Staples Point Road - Iverson's Corner

Councilor Arsenault reported that Peter Tubbs presented two options but recommends getting an easement from the landowner to go from the inside of the corner to repair it. The committee unanimously made a motion for Mr. Tubbs and the Town Manager to contact the abutter. Mr. Tubbs will report back at a later date to the committee. Mr. Olmstead indicated that they hope to do this after the holidays but they are hoping to have the project done by mid-May.

Morse Street Easement

Councilor Arsenault advised that there is a boundary discrepancy on Morse Street that the Boulos Company would like to resolve. The Town made an offer but it was rejected. The matter was tabled to allow for more study.

Nextel and AT & T

Councilor Arsenault pointed out that Nextel would like to put communication devices on the water tower. A T & T would like to construct a free-standing unit behind the tower. Mr. Olmstead explained what the two companies are proposing. He suggests that a capacity study be done with Omni which he estimates will cost approximately \$1,000. Councilors concurred that this would be fine.

MOVED AND SECONDED: To move an item not on the printed agenda.
(Councilors Soley & Beaulieu) (7 Ayes)

MOVED AND SECONDED: That the Town Council authorize the Town Manager to immediately enter into negotiations with Nextel and A T & T and other comparable companies to discuss an agreement to rent out space on public water towers and surrounding properties. The contracts themselves will have to come back to the Council. (Councilors Soley & Beaulieu) (7 Ayes).

MOVED AND SECONDED: To move an item not on the printed agenda.
(Councilors Mann & Soley) (7 Ayes).

MOVED AND SECONDED: That a public hearing will be held on January 4, 2000 at 7 p.m. in the Town Hall Council Chambers to discuss locating telecommunications devices on the Town's water towers and surrounding properties. (Councilors Mann & Stevens) (2 Ayes-Mann & Stevens). (5 Ayes)

Recreation Committee

*WAYS
(typogr.
error)*

Councilor Arsenault advised that the Recreation Committee would like to purchase an additional 4 1/2 acres from the abutter, Ida Hanscom. John Mann has defined the line that was in question. The Recreation Committee has designed their fields on some land that the Town does not own. One possibility is to move the fields to land that the Town owns or purchase more land. Ed Campbell, Chris Pinkham and Cynthia Orcutt will approach the owner and ask if she would consider selling the 4 1/2 acre house lot. The Committee will come to the Council on January 4 or January 18. The Committee is unsure of where the money will come from to purchase the additional land. Mr. Olmstead noted that only the Council can authorize the purchase of this additional land.

Florida Lake Property

Councilor Mann reported on the topography of the land being donated to the Town and noted what a generous donation this is. He is very impressed with the property and views and feels citizens will really enjoy it.

MOVED AND SECONDED: To adjourn at 11 p.m. (Councilors Stevens and Beaulieu) (7 Ayes).

Respectfully,



Sharon Coffin
Council Secretary

Approved as per .
Dec. 21, 1999
Mtg. # 21-99
Item # 256-99

ADOPTED
PROPOSED AMENDMENTS - AS AMENDED
FREEPORT ZONING ORDINANCE
CHAPTER 21

Section 201. General Restrictions

- I. If residential and non-residential uses are located on the same lot, the area of the lot must equal or exceed the sum of the minimum lot sizes required for each user, except in the Village I District (V-I) and as provided in Section 402.II.C. below.

Section 407. Village I "V-I"

B. Permitted Uses ...

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

10. **Business and Professional Offices:**
A minimum 20,000 sq. ft. lot or a nonconforming lot of record may contain one of the following:

14. Construction Services, provided the use is:

- (a) conducted in a building existing on November 17, 1999**
- (b) engages in no outdoor storage or outdoor parking of commercial vehicles except for vehicles with load capacity of one ton or less; and** *EXCEPT FOR LOADING AND UNLOADING*
- (c) produces no noise, smoke, dust, odors or glare detectable beyond the boundaries of the lot.**



TOWN OF FREEPORT

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



MEMO

TO: Freeport Town Council
FROM: Freeport Planning Board
SUBJECT: ZONING AMENDMENTS TO THE V-I DISTRICT
DATE: December 1, 1999

On December 1, 1999, the Planning Board held a public hearing on proposed amendments to the V-I District. The proposed amendments would permit a combination of residential and non-residential uses in the V-I District on a smaller lot (20,000 sf) than the existing Ordinance permits (40,000 sf) and would permit a new use, construction services, in the V-I District, with three conditions.

The Board voted unanimously (7-0) to support the following motion:

Move to recommend to the Town Council that the proposed amendments to Section 201 and Section 407 be approved for the following reasons:

1. The proposed amendments to the V-I District will permit more compact development in a District designated as a growth area in the adopted Freeport Comprehensive Plan.
2. The proposed new use (construction services) will be of limited scope since it requires the utilization of an existing structure, and no outdoor storage of any sort, and minimal outdoor storage of vehicles is permitted.

PROPOSED AMENDMENTS
FREEPORT ZONING ORDINANCE
CHAPTER 21

Section 201. General Restrictions

- I. If residential and non-residential uses are located on the same lot, the area of the lot must equal or exceed the sum of the minimum lot sizes required for each user, except in the Village I District (V-I) and as provided in Section 402.II.C. below.

Section 407. Village I "V-I"

B. Permitted Uses ...

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

10. Business and Professional Offices:

A minimum 20,000 sq. ft. lot or a nonconforming lot of record may contain one of the following:

14. Construction Services, provided the use is:

- (a) conducted in a building existing on November 17, 1999
- (b) engages in no outdoor storage or outdoor parking of commercial vehicles except for vehicles with load capacity of one ton or less; and
- (c) produces no noise, smoke, dust, odors or glare detectable beyond the boundaries of the lot.

TOWN OF FREEPORT

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



MEMO

TO: Freeport Town Council
FROM: Freeport Planning Board
SUBJECT: MDA/B ZONING AMENDMENTS
DATE: December 1, 1999

On December 1, 1999, the Freeport Planning Board concluded its review of the proposed amendments to the MDA/B Districts. The MDA/B Subcommittee had previously submitted its recommendations to the Planning Board. The Board discussed them and held a public hearing. The Subcommittee proposal was then revised by the Board with the objective of retaining the original purpose of the District which is to "maintain the present balance between residential and limited business uses...".

The Planning Board voted unanimously (7-0) to support the following motion:

Move to recommend to the Town Council, Exhibit I, the Planning Board's proposed zoning amendments for Section 104 (Definitions) and Section 406 (MDA/B District) of the Freeport Zoning Ordinance for the following reasons:

1. These amendments are consistent with the Comprehensive Plan which recommended that the setbacks, buffering and permitted uses in various zones, including the MD District, be reviewed for consistency. The Comprehensive Plan suggested reviewing additional permitted uses such as campgrounds, construction services, and size limitations on convenience stores and hotel/motels.
2. A Council appointed Sub-committee met for nine months and submitted its recommendations (Exhibit II) to the Planning Board. The Board held a public hearing on the recommendations of the Subcommittee and voted to revise their proposed amendments mainly by limiting the number and size of new commercial uses in the District and adding buffering requirements and limitations on outdoor storage.

3. The Planning Board's recommendations (Exhibit I) focus on maintaining the predominantly residential purpose and character of this District while permitting some modest additional commercial uses. The Board's recommendations include adding campgrounds, increasing the size of convenience stores, and adding modestly sized new commercial uses as well as new buffering requirements which will protect residential properties from any potential adverse impacts of commercial uses.

Approved at PH:
Dec 21, 1999
Ord # 21-99
Item # 257-99

Exhibit 1
Planning Board
Recommendations

December 1, 1999

~~PROPOSED~~ ^{ADOPTED} AMENDMENTS *(as amended below)*
FREEPORT ZONING ORDINANCE
CHAPTER 21

Section 104. Definitions

Art Gallery/Museum: A type of "public assembly - indoor" use which consists of a building containing objects such as, but not limited to, paintings, prints, sculptures, scientific and historical objects which are either for sale to the general public or are displayed for viewing only. Outdoor display is permitted only as an accessory use and shall permit only the display of large objects, such as sculptures, which are affixed to the ground and incorporated into a garden setting with or without pedestrian paths whose purpose is to permit viewing of the large objects.

Section 406. Medium Density Districts - "MD-A and MD-B"

A. Purpose:

It is the intent of this District to maintain the present balance between residential and limited business uses in an area which includes some moderately densely developed areas containing structures of historical significance in sections which are more rural in nature. Route 1 is the major roadway in this District and extends from the Village to the Town of Brunswick border. Provisions below are intended to encourage a more limited commercial development pattern than is planned for or exists in the rest of Route 1.

B. Permitted Uses:

1. Single Family Dwelling
2. Two-Family Dwelling
3. Mobile Home
4. General Agriculture
5. Timber Harvesting
6. Peddler on Private Property subject to the requirements of Section 526.

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

7. Municipal Facility
8. Planned Unit Development (subject to provisions of Article V, Section 504)
9. Multiple Family Dwelling
10. Hotel/Motel - Maximum of 30 units including retail trade as an accessory use up to 1,000 square feet of gross floor area.
11. Commercial Recreation - Outdoor
12. Commercial Recreation - Indoor
13. Public Utilities
14. Business and Professional Office
15. Hospital
16. Nursing Home
17. Religious Institution
18. School
19. Cemeteries
20. Private Assembly
21. Animal Husbandry and Animal Feedlots
22. Bed and Breakfast Inn
23. Convenience Store limited to a maximum of 1500 2500 square feet of gross floor area
24. Junkyard existing as of May 11, 1999.
25. Mobile Home Park subject to the requirements of Article V, Sec. 524
26. Day Care Center Facilities
27. Wireless Telecommunication Facility (see Sec 528)

28. Auto Repair Service Garage up to 2,500 square feet of building footprint and up to 5,000 square feet of outdoor vehicle storage area. Auto sales may occur on the premises with no limitation on the percentage of the above building and storage area used as long as an auto repair service garage is operated on the premises within the enclosed building.

29. Campgrounds

30. Art Gallery/Museum up to 2,500 square feet of building footprint

gross floor area of building and outdoor storage area limited to 5,000 sq. ft.
31. Manufacturing and processing up to ^{10,000} 2,500 square feet of building footprint with up to 5,000 square feet of outdoor storage area. The type of items to be stored outdoors must be approved by the Planning Board.

32. Restaurant limited to a maximum of fifty (50) seats.

33. Retail Trade up to 1,000 square feet of gross floor area

Outdoor storage upto 10,000 sq. ft. for lumber and wood products
34. Warehouse and Storage Facility up to 2,500 square feet of gross floor area of building, and outdoor storage area limited to 5,000 square feet. The type of items to be stored outdoors must be approved by the Planning Board.

The following use is subject to a Planning Board permit as described in Section 507.R.

28-35. Aquaculture

C. Space Standards:

1. Minimum lot size: MD-A - 50,000 square feet
MD-B - 40,000 square feet without public water & sewer
20,000 square feet with public water & sewer

2. Minimum road frontage:
 - Route 1: 200 feet
 - All other roads: 100 feet

3. Maximum building height: 35 feet

4. Minimum setbacks:

Minor Street:

front: 60 feet
side: 40 feet
rear: 40 feet

U.S. Route 1:

front: 50 feet
side: 50 feet
rear: 50 feet

MDA/B - Page 3

Permitted uses 28,
31, 32, 34 for all
buildings and
storage areas:

<u>front:</u>	<u>100 feet</u>
<u>side:</u>	<u>100 feet</u>
<u>rear:</u>	<u>100 feet</u>

5. Minimum land area per dwelling unit: 20,000 sq. feet
6. Maximum impervious surface to lot area: 50%
7. Minimum lot width: 75 feet
8. Maximum Height - Wireless Telecommunication Facility (single user): 100 feet
Wireless Telecommunication Facility, Co-located: 150 feet

D. Prohibited Uses: Specifically include, but are not limited to, the following:

1. Manufacture, 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 dead animal disposal and reprocessing
7. Abattoirs and slaughterhouses

ED. Other Standards:

1. Outdoor storage for non-residential home occupation uses is prohibited in the front setback. ~~from U.S. Route 1.~~
- ~~2. In the front setback in a strip extending along the entire frontage of U.S. Route 1, except for access ways, for a depth of 15 feet, landscaping is required. Parking is permitted in the remainder of the front setback.~~
2. For all lots other than those with single and two-family uses, the following buffer requirements shall apply:

Landscaping is required in all front, side and rear setbacks for a minimum depth of 25 feet. The purpose of the landscaping is to provide a buffer between low density residential uses and commercial/industrial uses. The Planning Board shall determine the type of landscaping to be required and may use the applicable standards listed in Section 506 (Buffer Zones) below.

MD A/B - P.4

3. Minimum outdoor storage standards for non-residential uses are:

- a. The storage area shall be fully fenced with an opaque material 5 to 6 feet high.
- b. Only materials and/or equipment used in the business shall be stored.
- c. Stored materials shall be no higher than the height of the fence.
- d. No outdoor storage shall be allowed in any setback areas.

*Sent to Ordinance Committee for
review 12/21/99
Item # 258-99*

PROPOSED - *not adopted at PH 12/21/99*

DISCHARGE OF FIREARMS

ORDINANCE

CHAPTER 42

ARTICLE I. Discharge of firearms prohibited.

A. It shall be unlawful for any person to shoot or discharge a firearm of any kind of description, except a shotgun, black powder gun, or handgun, within that portion of the Town of Freeport bounded and described as follows and as shown on the attached map, Exhibit A:

All lands easterly of U.S. Route I-95, including islands, commencing in a general northeasterly direction along I-95 from the Freeport boundary with the Town of Yarmouth at the Cousins River to Bennett Road; thence along Bennett Road in a general southerly direction to its intersection with Upper Mast Landing Road; thence along Upper Mast Landing Road in a general southerly direction to its intersection with Flying Point Road; thence in a general southerly direction along the confluence of Frost Gully Brook and Mill Stream as it enters the Harraseeket River estuary to a line which extends to the westerly end of Birch Point Road; thence along Birch Point Road in a general southeasterly direction; thence along Wolfe's Neck Road in a general southwesterly direction; thence along Burnett Road in a general northeasterly direction; thence along Marietta Lane in a general easterly direction to Little Fox Island on Maquoit Bay; thence in a general southerly direction along Maquoit Bay and the Cousins River to the intersection of the Cousins River and I-95.

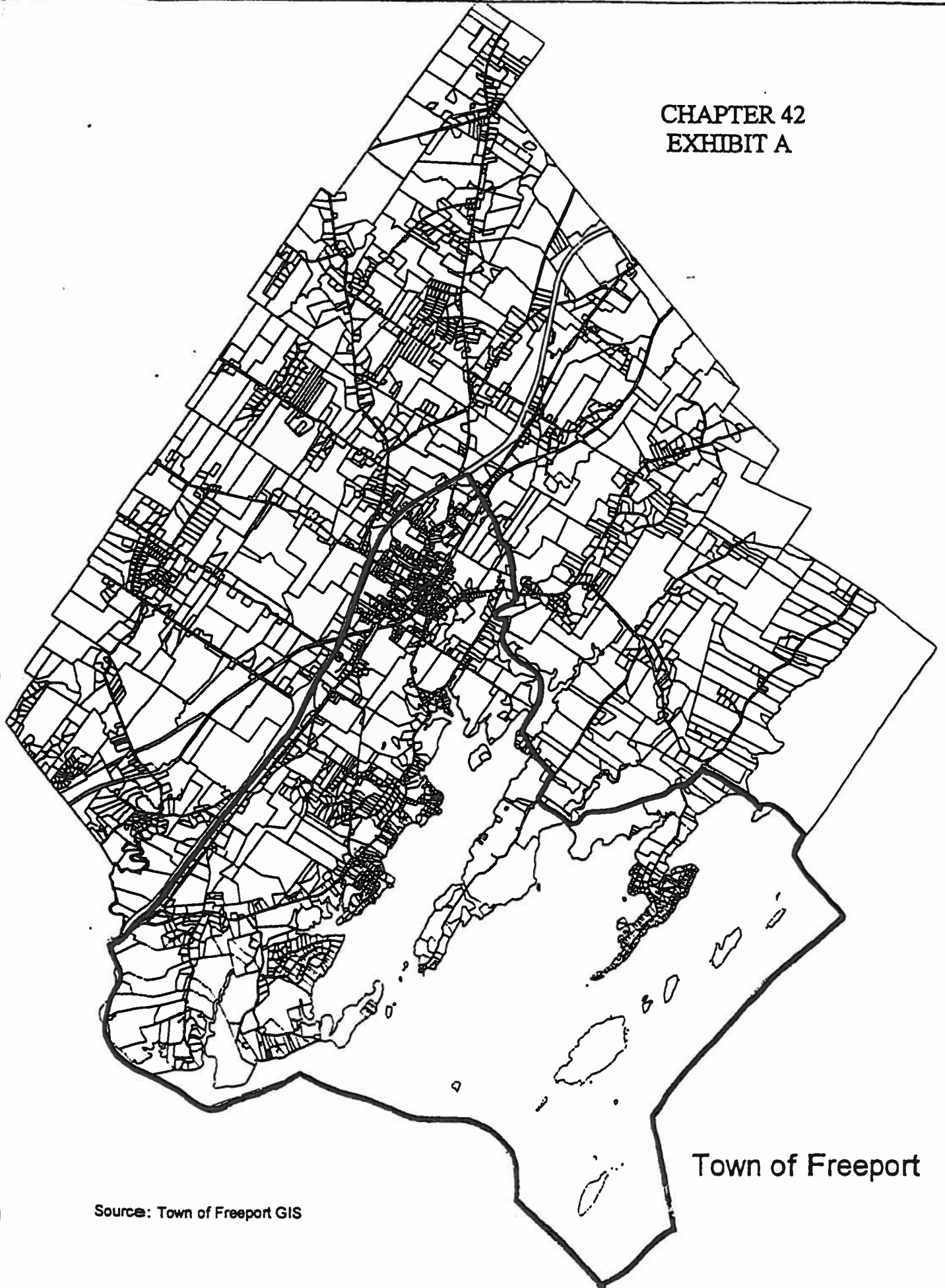
B. Nothing in this section shall be construed to prohibit the use of firearms when justified for the protection of persons, under 17-A M.R.S.A. §101, or for killing wild animals attacking domestic animals or destroying property, under 12 M.R.S.A. §2501, or by any duly authorized police officers or agents in the proper exercise of their duties.

C. The discharge of a firearm for the purpose of target practice shall be prohibited unless the property used for target practice has an adequate backstop which can be either:

- 1. A natural pit, gully or depression of sufficient depth and density so as to prevent the escape of any bullet or ricocheted bullet from the immediate area with consideration for the caliber of firearm being discharged.**
- 2. A manmade structure constructed of appropriate materials with sufficient height and density so as to prevent the escape of any bullet or ricocheted bullet from the immediate area with consideration for the caliber of firearm being discharged.**

D. Any person violating this section shall be punished by a fine of not more than five hundred dollars (\$500.00).

CHAPTER 42
EXHIBIT A




Town of Freeport

Source: Town of Freeport GIS

Approved at PH - 12/21/99
Mtg # 21-99
Item # 259-99

Town of Freeport

MEMO

MEMO TO: Dale C. Olmstead, Jr., Town Manager 
FROM: Johanna H. Hammond, GA Administrator
SUBJECT: General Assistance Ordinance Appendixes Updates (Maximum Levels of Assistance)
DATE: October 4, 1999

Attached you will find MMA's new sample General Assistance Ordinance Appendixes (A,B and C) containing the new maximums for the period of October 1, 1999 - October 1, 2000. The various maximum levels of General Assistance that are controlled by these values are established as a matter of law or regulation based on certain federal values that are made effective on the first day of October each year. These new Appendixes, once adopted by the Freeport Town Council, should replace the existing Appendixes dated October 1998.

Appendix A is a listing of the overall maximum levels of assistance pertaining to all municipalities in Maine. These new overall maximum levels of assistance have been calculated on the basis of the 1999-00 HUD Fair Market Rental (FMR's) values that are effective October 1, 1999. These maximum levels of assistance are established by Maine General Assistance law (22 MRSA 94305(3-B)) and cannot be altered by action of the municipal officers.

Appendix B is a listing of the maximum levels of assistance for food. These maximum levels are the same as the USDA 1999-00 Thrifty Food Plan, which are presumed to be reasonable by regulation of the Department of Human Services. Appendix C is a listing of the maximum levels of assistance for housing. These maximum levels are developed from the 1999-00 HUD Fair Market Rent values, with the applicable housing, electric utility and heating allowances, as developed by the Maine State Housing Authority (MSHA), "backed out" or subtracted from the FMR's.

GENERAL ASSISTANCE ORDINANCE

The Town of Freeport enacts the following General Assistance Ordinance. This Ordinance is filed with the Department of Human Services (DHS) in compliance with Title 22 M.R.S.A. 4305.4.

Signed the _____ day of _____, _____
by the Municipal Officers.

APPENDIX A

Total Monthly Allowed GA Maximums

(Rates at 110% of HUD with averaged rates for metropolitan areas)

COUNTY	Persons In Household					
	1	2	3	4	5	6*
Androscoggin SMSA	354	432	564	706	795	870
<i>Municipalities:</i>						
Auburn						
Greene						
Lewiston						
Lisbon						
Mechanic Falls						
Poland						
Sabattus						
Turner						
Wales						
Androscoggin Non-SMSA	353	437	580	724	811	886
Aroostook	353	415	531	677	779	854
Cumberland SMSA	468	534	706	922	1046	1121
<i>Municipalities:</i>						
Brunswick						
Cape Elizabeth						
Casco						
Cumberland						
Falmouth						
Freeport						
Gorham						
Gray						
North Yarmouth						
Portland						
Raymond						
Scarborough						
South Portland						
Standish						
Westbrook						
Windham						
Yarmouth						

* Please Note: Add \$75 for each additional person

COUNTY	Persons In Household					
	1	2	3	4	5	6*
Cumberland Non-SMSA	517	527	702	955	1096	1171
Franklin	361	415	531	677	779	854
Hancock	381	466	578	727	807	882
Kennebec	367	459	551	692	779	854
Knox	353	455	591	788	829	904
Lincoln	460	512	582	809	955	1030
Oxford	353	415	531	677	779	854
Penobscot SMSA	369	442	567	732	811	886
<i>Municipalities:</i>						
Bangor						
Brewer						
Eddington						
Glenburn						
Hampden						
Hermon						
Holden						
Kenduskeag						
Milford						
Old Town						
Orono						
Orrington						
Penobscot Indian Township						
Veazie						
Penobscot Non-SMSA	353	415	531	677	779	854
Piscataquis	353	415	531	677	779	854
Sagadahoc	497	569	700	934	1153	1228
Son set	370	422	531	677	799	874

* Please Note: Add \$75 for each additional person

COUNTY	Persons In Household					
	1	2	3	4	5	6*
Waldo SMSA	369	442	567	732	811	886
<i>Municipalities:</i>						
Winterport						
Waldo Non-SMSA	353	415	531	677	779	854
Washington	353	415	531	677	779	854
York SMSA	482	565	740	938	1106	1181
<i>Municipalities:</i>						
Berwick						
Biddeford						
Eliot						
Kittery						
Saco						
Sanford						
South Berwick						
York						
Buxton	428	520	690	863	966	1041
Hollis						
Limington						
Old Orchard Beach						

Please Note: 24 CFR Part 888—HUD regulations (May 7, 1999) re: Fair Market Rents (FMR), allocate Cumberland SMSA FMR rates for Buxton, Hollis, Limington & Old Orchard Beach.

York Non-SMSA	437	499	669	837	936	1011
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* Please Note: Add \$75 for each additional person

APPENDIX B

Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. Through October 2000, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	29.53	127
2	54.42	234
3	77.91	335
4	99.07	426
5	117.67	506
6	141.16	607
7	156.05	671
8	178.37	767

Please Note: For additional persons, add \$96 per month



APPENDIX C

Housing Maximums

(Heated & Unheated Rents)

<u>Androscoggin County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		57	245	64	277
1		69	298	79	342
2		91	393	106	457
3		114	490	133	572
4		123	530	146	628
<u>Aroostook County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		55	238	65	278
1		63	270	75	324
2		78	337	97	415
3		100	431	123	531
4		112	483	140	603
<u>Cumberland County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		91	392	99	425
1		88	379	98	423
2		117	502	132	566
3		162	698	181	780
4		183	787	206	885
<u>Franklin County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		57	247	66	286
1		63	273	75	325
2		79	340	97	416
3		103	442	125	539
4		111	476	139	597
<u>Hancock County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		61	260	69	296
1		73	315	84	362
2		88	379	104	445
3		112	480	131	563
4		119	512	142	611

<u>Kennebec County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		60	258	67	290
1		74	318	84	362
2		85	367	100	431
3		107	461	126	543
4		116	501	139	599
<u>Knox County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		56	243	64	276
1		73	314	83	358
2		93	401	108	465
3		127	546	146	628
4		127	545	150	643
<u>Lincoln County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		79	340	87	373
1		85	365	95	409
2		91	393	106	457
3		131	565	150	647
4		153	659	176	757
<u>Oxford County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		57	245	64	277
1		65	278	75	322
2		81	349	96	413
3		104	447	123	529
4		116	501	139	599
<u>Penobscot County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		55	235	63	271
1		63	269	73	315
2		79	338	94	403
3		101	434	120	517
4		113	486	136	585
<u>Piscataquis County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		55	238	63	273
1		63	271	74	317
2		79	341	94	406
3		102	439	121	521
4		114	492	137	590

<u>Sagadahoc County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		87	374	95	407
1		97	417	107	461
2		116	500	131	564
3		158	679	177	761
4		195	839	218	937
<u>Somerset County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		59	255	68	294
1		65	280	77	332
2		79	340	97	416
3		103	442	125	539
4		115	494	143	615
<u>Waldo County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		56	243	64	277
1		64	277	75	322
2		81	347	96	413
3		103	445	123	529
4		116	499	139	599
<u>Washington County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		55	235	63	270
1		62	268	73	315
2		78	337	94	403
3		101	434	120	517
4		113	486	136	585
<u>York County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		74	319	82	352
1		82	354	93	398
2		109	470	124	534
3		137	591	157	673
4		149	642	172	740

Standard Metropolitan Statistical Areas

Please Note: Municipalities in SMSA's (*Standard Metropolitan Statistical Areas*), areas with populations greater than 50,000, should consider the following figures. Refer to Appendix A to determine if your municipality falls within a SMSA.

SMSA

<u>Androscoggin County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		57	246	65	278
1		67	289	77	332
2		85	365	100	429
3		106	457	125	539
4		117	502	140	600
<u>Cumberland County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		70	303	78	336
1		91	391	101	435
2		119	510	134	574
3		148	638	167	720
4		162	697	185	795
<u>Penobscot County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		61	264	70	300
1		74	319	85	365
2		93	402	109	467
3		124	534	144	617
4		127	545	150	644
<u>York County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		93	401	101	434
1		110	473	120	517
2		140	601	155	665
3		180	775	199	857
4		221	950	244	1048

**TOWN OF FREEPORT EMERGENCY ORDINANCE
ESTABLISHING MORATORIUM ON LOCATION OR OPERATION
OF "ADULT" BOOKSTORES, VIDEO STORES, THEATERS
AND SIMILAR BUSINESSES**

WHEREAS, the Town of Freeport currently has no zoning or licensing regulations governing the location of and imposing reasonable time, place and manner restrictions on the operation of so-called "adult" bookstores, video stores, movie theaters and similar businesses which sell, rent, exhibit, display or otherwise deal in sexually explicit materials; and

WHEREAS, the Town Council concludes that the location of such businesses in certain neighborhoods and certain areas of the Town of Freeport, or in close proximity to incompatible uses such as residences, schools, parks, playgrounds, churches and public buildings would be detrimental to the public health, safety and welfare; and

WHEREAS, the Town Council concludes that such "adult" businesses have the potential to attract and encourage various types of criminal, illicit or unhealthful behaviors unless appropriately controlled as to the time, place and manner of their operation; and

WHEREAS, "adult" businesses can, if not appropriately located and properly controlled, have a negative impact upon both residential and commercial property values; and

WHEREAS, "adult" businesses can, unless properly controlled, provide a potential locus for illicit and undesirable activities by providing a place of contact for potential customers for prostitution, pandering, and other activities; and

WHEREAS, in combination with on-site or nearby alcoholic beverage service or other sexually oriented businesses, the concentration of such uses can increase the quantity of undesirable activities; and

WHEREAS, there is a strong tendency for inappropriate activities associated with "adult" businesses to seek nearby venues such as parks, parking lots, alleys and other public or semi-public spaces; and

WHEREAS, "adult" businesses can, by their very presence set a context for interpreting pedestrian presence in the area as potentially related to the "adult" businesses, leading to propositioning of passers by and discouraging legitimate pedestrian activities; and

WHEREAS, the Town Council is not aware of any existing "adult" businesses in the Town of Freeport but is aware that at least one such "adult" business has inquired about locating in the Town; and

WHEREAS, it would be detrimental to the public health, safety and welfare to allow the location of such "adult" businesses until the Town has been able to formulate and implement reasonable zoning and/or licensing regulations to ensure that any such "adult" businesses are conducted in a way which is not detrimental to the public health, safety and welfare; and

WHEREAS, the situation described above constitutes an emergency within the meaning of Section 213 of the Charter of the Town of Freeport;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Freeport, Maine, in Town Council assembled, as follows:

1. Operation and location of adult businesses prohibited. During the time this Ordinance is in effect, no person shall locate or commence operation of any adult business within the Town of Freeport.

2. Acceptance of applications and issuance of permits prohibited. During the time this Ordinance is in effect, no officer, employee, office, board or agency of the Town of Freeport shall receive, accept or act upon any application or grant any permit, approval or permission to locate or operate an adult business within the Town of Freeport.

3. Definitions.

(a) "Adult business" means any business, a substantial or significant portion of which consists of selling, renting, leasing, exhibiting, displaying or otherwise dealing in materials or devices of any kind which appeal to prurient interests and which depict or describe specified sexual activities.

(b) "Specified sexual activities" means: (1) human genitals in a state of sexual stimulation or arousal; (2) acts of human masturbation, sexual intercourse or sodomy; (3) fondling or other erotic touching of human genitals, pubic regions, buttock or female breast.

4. Effective date and duration. This Ordinance takes effect on December 21, 1999 and shall remain in effect through February 19, 2000, unless earlier re-enacted, amended or repealed by the Town Council.

5. Applicability. Notwithstanding anything to the contrary in 1 M.R.S.A. Section 302, this Ordinance applies to any applications or requests to locate or operate an adult business previously submitted to the Town of Freeport.

Subj: proposed Freeport rifle ordinance
Date: Tuesday, December 21, 1999 3:36:25 PM
From: Samrodfp
To: BGenie

**56 South Street
Freeport, Maine 04032
21 December, 1999**

**Genie Beaulieu, Town Council
Town of Freeport**

Re: proposed ordinance banning rifle in certain areas, subject to certain limitations

Dear Genie:

I cannot attend this evening's hearing concerning the proposed limitation of rifle use in Freeport, so please accept this letter as my public comment.

The property owned by my wife and me is in the area mapped for the prohibition of rifle use. I have a .22 caliber rifle which I enjoy shooting occasionally for target practice in the gully behind our house. I also use it to kill groundhogs if they are damaging our garden. It is my understanding of the draft Ordinance that these uses will not be banned, and it is my hope that such activities might survive any discussion and amendments of this Ordinance by the Freeport Town Council.

My knowledge of ballistics is only elementary, but the proposal seems a prudent action for an area which is becoming more densely populated. On

John Hay of 521 and
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Committee - W L

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adjourned at 10:55

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that basis, I support this Ordinance. If it is intended, however, to be a first step not only to ban rifles but to ban deer hunting, then I believe that implied goal is sorely misguided. There is a place for the careful use of bows and appropriate firearms when deer cause as many problems as they do around us.

Sincerely,

Rodney J. Regier

Genie--thanks. I'll be in the shop (865-6687) until about 6:00 this evening.

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5 days

FREEPORT HOUSING TRUST
P.O. Box 825
Freeport, ME 04032
(207) 868-1882

December 20, 1999

Mr. David Soley, Chair
Freeport Town Council
Town of Freeport
Freeport, ME 04032

Re: Proposed change to V-I zone

Dear Mr. Soley:

The Freeport Housing Trust supports the proposed to change to the V-I zone that would allow for mixed uses on a single lot. We believe that this change will help maintain opportunities for affordable rental housing in the V-I zone by allowing commercial uses to be developed in existing properties without requiring that all of the existing apartment units be taken out of service.

Given the continuing loss of housing units to commercial development, The Housing Trust believes that everything possible must be done to preserve the existing housing stock in Freeport.

Thank you for your consideration.

Sincerely,

Elizabeth Ruff
Elizabeth Ruff
President



12-19-88

To: Members of the Town Council
Re: Rezoning of MD-A/13
From: David Marttoller

As a member of the committee that looked into what zoning changes should be made in this district, I urge you to approve the original committee recommendations. Freeport needs an area where businesses which have outgrown home occupation size, want to stay in Freeport, and cannot afford Rte 1 South, can locate. Rte 1 North is perfect. It has cheaper land, easy access to I-95, and is already a business highway everywhere else. I would particularly like to give small manufacturers, the "Made in Maine" people, a place to produce their goods. Usually you do not hear a manufacturing operation outside its building. With proper design and assistance from site planning review if necessary, a 10,000 sq. ft. facility could easily fit into the landscape at Rte 1 N.

However this size of operation probably won't happen until water sewer and 3-phase power are available. Rte 1 in Brunswick from the Freeport line to Pleasant St has very liberal zoning with retail to 5000 sq. ft. manufacturing. ~~LA 1000 sq. ft.~~

yet there has been very little commercial development. Why? Lack of traffic and lack of utilities.

~~But~~ Remember that businesses generally cost the town less in services than they pay in Texas, since they do not have kids in school.

More local jobs may be created and manufacturing typically pays higher wages than service jobs.

Please vote to allow more business opportunity on what is everywhere else a major economic artery.

With the review and approval process Fraport has in place, Rte 1 N will probably end up looking more attractive than it is now.

Thank you,
David Kauttler