

M I N U T E S O F
 FREEPORT TOWN COUNCIL MEETING #9-89
 FREEPORT TOWN HALL COUNCIL CHAMBERS
 APRIL 18, 1989 7:35 P.M.

 Regular

 Special

<u>Chairman's Call to Order</u>	Present	Absent	Excused
John A Nelson, Chairman, Church Street	<u> X </u>		
Robert Stevens, Vice-Chairman Porters Landing		<u> X </u>	<u> X </u>
William Grady, Guptill Avenue Ext.	<u> X </u>		
Kirk Goddard, Mast Landing	<u> X </u>		
John Paterson, Flying Point Road	<u> X </u>		
Edward Campbell, Gay Drive	<u> X </u>		
Edward Bradley, Flying Point Road		<u> X </u>	<u> X </u>

Moved and Seconded - To waive the reading of the Minutes
 of Meeting #8-89 held April 4, 1989, and accept the
 Minutes as printed.
 (Councilors Goddard & Campbell) (4 Ayes) (0 Nays)

Moved and Seconded - That the following reapplication for a Spirituous License be subject to Public Hearing:

Robin W. Briggs, d/b/a The Corsican Restaurant,
9 Mechanic Street.
(Councilors Paterson & Campbell) (4 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.
(Councilors Paterson & Campbell) (4 Ayes) (0 Nays)

For the record, Councilor Grady is in attendance at 7:38 PM

ITEM #55-89 Be It Ordered - That the reapplication for a Spirituous License issued to Robin W. Briggs, d/b/a The Corsican Restaurant, 9 Mechanic Street, be approved.
(Councilors Paterson & Campbell)
(5 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Freeport Zoning Ordinance be subject to Public Hearing.
(Councilors Campbell & Paterson) (5 Ayes) (0 Nays)

*Attache
amendments*

Stanley and Barbara Jacks spoke on behalf of the zoning amendment dealing with swimming pools; Mr. Jacks also spoke for Mr. & Mrs. Noyes and Mr. & Mrs. Anders, all in favor of the amendment.

Moved and Seconded - That the Public Hearing be closed.
(Councilors Campbell & Grady) (5 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Freeport Zoning Ordinance be tabled until May 2, 1989.
(Councilors Campbell & Grady) (5 Ayes) (0 Nays)

Moved and Seconded - That the proposed Ordinance Regulating Subsurface Wastewater Disposal be subject to Public Hearing.
(Councilors Paterson & Campbell) (5 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.
(Councilors Paterson & Campbell) (5 Ayes) (0 Nays)

Moved and Seconded - That the proposed Ordinance Regulating Subsurface Wastewater Disposal be tabled until May 2, 1989.
(Councilors Paterson & Campbell) (5 Ayes) (0 Nays)

Chairman Nelson announced that this item would be discussed at the workshop next week.

PROPOSED AMENDMENTS TO THE FREEPORT ZONING ORDINANCE

Sec. 203. Changes and Amendments

A.

- (5) All requests for amendments or changes that propose new construction shall be accompanied by a site plan drawn in accordance with Site Plan Review requirements; the area shall not be rezoned unless the petitioner has posted a performance bond equal to at least 25% of the estimated cost of the development. The bond shall become payable to the municipality if the petitioner fails to begin construction in a substantial manner within two years of the effective date of the rezoning or fails to construct the project in accordance with the final site plan approved by the Planning Board, except that the Town Council, upon a showing by the petitioner that due to extenuating circumstances beyond the petitioner's control it is no longer economically or technically feasible to construct the development, may waive payment and release the bond.

Sec. 422. Island District - ID Add:

- D.1. Only one dwelling unit may be maintained on each Island or lot of record existing as of January 1, 1979. Only one accessory structure and one pier, dock or wharf may be maintained on each Island or lot of record existing as of January 1, 1979. In addition, an outdoor swimming pool may be maintained on each lot of record on any island connected to the mainland by a causeway.

ITEM #58-89

Be It Ordered - That a Public Hearing be scheduled for May 2, 1989 at 7:30 P.M. in the Town Hall Council Chambers to discuss a proposed Appropriation Ordinance for \$37,500.00 to provide for the Design Phase of the Elementary School Project.

Be It Further Ordered - That 30 copies be made and distributed equally between the Town Clerk's Office and the B.H. Bartol Library for inspection by citizens.
(Councilors Goddard & Campbell)
(5 Ayes) (0 Nays)

Moved and Seconded - To table Item #36-89 (10 K.W. Generator and Trailer for \$7,500) indefinitely.
(Councilors Paterson & Campbell) (5 Ayes) (0 Nays)

Other Business:

1. Regarding property tax relief, Chairman Nelson informed Council that COG and MMA will be discussing this issue on Friday, April 21, and invited councilors to be there at this important forum. Also, at Portland City Hall there was a meeting scheduled at 1:30 P.M. on April 22.
 2. Regarding Town's purchase of Soule Property: Chairman Nelson had been in touch with the family who were anxious to see what was happening and wanted some kind of answer by the first of May; Mr. Nelson informed councilors that the fund drive will continue and wanted to know if the Council would be interested in putting this issue to the voters to decide? It was a divided discussion.
 3. Town Manager Olmstead stated that the Chief of Police would be able to acquire two police cruisers at a savings if the purchases were made before the start of the next fiscal year; Mr. Schofield would like to come and discuss this item at the workshop.
 4. Councilor Campbell commented on the editorial done on Channel 6 dealing with tax caps and would try to get the gist of the comments to councilors.
 5. Town Clerk Wescott announced that there were three people running in the Special Election of May 25 for the Water District Trustees - Henry Bird, Greg Micokey and Darrel Fournier. The election would be held in the Council Chambers from 8 AM to 8 PM.
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Moved and Seconded - That the Council enter into Executive Session to discuss existing and potential litigation (Coffin versus the Town of Freeport and Malfunctioning Wastewater Disposal Units).

(Councilors Grady & Campbell) (5 Ayes) (0 Nays)

Moved and Seconded - That the Council reconvene.

(Councilors Grady & Campbell) (5 Ayes) (0 Nays)

ITEM #59-89

Be It Ordered - That the Town Manager be authorized to sign and execute an Agreement between Lucy Grover and the Town of Freeport resolving a dispute concerning a Malfunctioning Septic System located on a parcel of land located on the Litchfield Road - Map 19 Lot 77A.
(Councilors Goddard & Campbell)
(5 Ayes) (0 Nays)

ITEM #60-89

Be It Ordered - That the Freeport Town Council shall sign and execute an Order to remedy a Malfunctioning Wastewater Disposal Unit located on a parcel of land located on the Flying Point Road - Map 19, Lot 46.
(Councilors Goddard & Campbell)
(5 Ayes) (0 Nays)

Moved and Seconded - That the Council adjourn at 10:23 P.M.
(Councilors Paterson & Campbell) (5 Ayes) (0 Nays)

The foregoing was recorded by:

Mary D. Wescott
Mary D. Wescott, Council Secretary

Dist: Council, Auditor, Attorney, Clerk, Library, Highway, Codes, Planner, Assessor, Fire/Rescue, Police, Finance, Welfare