

--APPROVED --
BRUNSWICK TOWN COUNCIL
MINUTES
July 20, 2009
7:00 P.M.
Old Times Record Building
6 Industry Road

Councilors Present: Chair M. Hallie Daughtry, W. David Watson, Benjamin J. Tucker, Gerald E. Favreau, Margo H. Knight, E. Benet Pols, and Deborah R. Atwood.

Councilors Absent: Councilors Karen J. Klatt and Joanne T. King.

Town Staff Present: Gary Brown, Acting Town Manager; Fran Smith, Town Clerk; Anna Breinich, Director of Planning and Development; Steve Levesque, Executive Director of MRRRA; Victoria Boundy, Planning and Environmental Manager for MRRRA; Terry Goan, Police Department; Mark Hagan, Police Commander; Clark Labbe, Fire Chief; Donald Koslosky, Deputy Fire Chief; Tom Farrell, Parks and Recreation Director; Kris Hultgren, Town Planner; Dan Devereaux, Marine Resources Officer; and TV video crew.

Chair Daughtry called the meeting to order, asked for the Pledge of Allegiance, and for roll call.

Public Comment:

Ed Estes, 3 Pierce Lane, spoke on paving and drainage issues around his area.

Correspondence:

There will be a Community Day of Emergency Preparedness program on Saturday, September 12, 2009, from 11:00 a.m. to 3:00 p.m. at the library.

There will be a discussion of the Town's creative economy on August 2, 2009, at the Frontier Café, with Dave Markovchick, Director of Economic and Community Development.

Councilor Tucker thanked Officer Dan Devereaux for his work getting the clam flats reopened.

Adjustments to the Agenda:

To add Item 117 relative to a public hearing for a special amusement for Bowl New England.

To table the two executive sessions at the end of the meeting.

Councilor Pols moved, Councilor Knight seconded, to table the two executive sessions. The motion carried with seven (7) yeas.

Manager's Report:

(a) Financial Update

Manager Brown gave this report.

(A copy of the Financial Report will be attached to the official minutes.)

(b) Council Committee Updates

Reports were given on the Elementary School Building Committee, Downtown Master Plan Committee and the Pleasant Street Committee.

Councilor Watson announced that the Town and Bowdoin College will be hosting the 2010 Junior Olympic Region 1 Track and Field Event on June 25, 26, and 27, 2010.

(c) Nomination Papers available

Fran Smith, Town Clerk, spoke on this item.

(d) (ADDED) New Deputy Chief

Chief Labbe introduced the new Deputy Fire Chief, Don Koslosky.

PUBLIC HEARINGS:

113. The Town Council will hear public comments relative to adding Appendices III, IV, and V to the Town of Brunswick Zoning Ordinance, thereby adding 3 new zoning districts for the proposed reuse of BNAS, and will take any appropriate action.

Anna Breinich spoke on this item.

Chair Daughtry opened the public hearing.

Suzan Wilson spoke on this item.

Suzanne Johnson, and **David W. Chipman**, representing the Restoration Advisory Board, spoke on this item.

Carol Warren, **Carolyn LePage**, and **Ed Benedikt** spoke on behalf of the Brunswick Area Citizens for a Safe Environment on this item.

Art Mayo, Chair of MRRA, spoke on this item.

Steve Levesque, Executive Director of MRRA, spoke on this item.

Michelle Small, 34 Stanwood Street, spoke on this item.

Councilor Atwood, Councilor Watson, Chair Daughtry, Councilor Knight, and Councilor Watson asked questions of two groups' representatives, which they answered.

Chair Daughtry closed the public hearing.

Councilor Tucker moved, Councilor Watson seconded, to adopt amendments to the Brunswick Zoning Ordinance relative to adding Appendices III, IV, and V, thereby adding 3 new zoning districts for the proposed reuse of BNAS.

Councilor Tucker spoke on this item.

Councilor Pols spoke on this item and asked questions, which were answered by representatives of Bowdoin College, **Catherine Ferdinand** and **James Kilbreth**, and Ms. Breinich.

Additional discussions on building heights resulted in a recommendation by Councilor Tucker to amend the motion to have a maximum building height of 70 feet in CU/TC. This amendment was acceptable to the maker and the seconder of the motion.

Chair Daughtry spoke on this item.

Vote on Motion as amended.

Councilor Tucker moved, Councilor Watson seconded, to adopt amendments to the Brunswick Zoning Ordinance relative to adding Appendices III, IV, and V, thereby adding 3 new zoning districts for the proposed reuse of BNAS as amended to allow a maximum building height of 70 feet in CU/TU. The motion carried with seven (7) yeas.

(A copy of the adopted amendments will be attached to the official minutes.)

117. (ADDED) The Town Council will hear public comments on the following Special Amusement Licenses, and will take any appropriate action. (Manager)

Special Amusement
Bowl New England, Inc.
D/B/A: Spare Time
276 Bath Road

David Frye

Chair Daughtry opened the public hearing; hearing no comments, she closed the public hearing.

Councilor Watson moved, Councilor Tucker seconded, to approve the Special Amusement license for Bowl New England, D/B/A Spare Time. The motion carried with seven (7) yeas.

TABLED ITEMS:

- 107. The Town Council will hear public comments on the following Special Amusement License, and will take any appropriate action.**

Special Amusement

M.J.'s Grille & Tavern

D/B/A M.J.'s Grille & Tavern

94 Maine Street

Mark and Jennifer Hanscom

George Glover, 65 Willow Grove Road, spoke on this item.

Manager Brown responded to Mr. Glover's questions.

Mark Hanscom, owner of M.J.'s, responded to questions.

Councilor Tucker moved, Councilor Watson seconded, to approve the Special Amusement License for M.J.'s Grille & Tavern.

Councilor Knight suggested having a monthly meeting for the next three months as an amendment to the motion. This was acceptable to the maker and the seconder of the motion.

Councilor Favreau and Councilor Watson spoke on this item.

Vote on Motion as amended.

Councilor Tucker moved, Councilor Watson seconded, to approve the Special Amusement License for M.J.'s Grille & Tavern under the condition that the applicant meets monthly for a period of three months with the Police Department. The motion carried with seven (7) yeas.

NEW BUSINESS:

- 114. The Town Council will consider setting a public hearing on Zoning Ordinance amendments relative to small scale wireless communication towers, and will take any appropriate action.**

Manager Brown and Kris Hultgren, Town Planner, spoke on this item.

Councilor Tucker moved, Councilor Pols seconded, set a public hearing for August 3, 2009, on Zoning Ordinance amendments relative to small scale wireless communication towers. The motion carried with seven (7) yeas.

- 115. The Town Council will discuss the property management of the Maine Street Station Train Station, and will take any appropriate action.**

Manager Brown spoke on this item.

Councilor Knight spoke on this item.

Councilor Watson moved, Councilor Tucker seconded, to approve the draft Request for Proposal for the property management of the Maine Street Station Train Station. The motion carried with seven (7) yeas.

(A copy of the RFP for the property management of the Maine Street Station Train Station will be attached to the official minutes.)

116. The Town Council will discuss an agreement with Five Rivers Arts Alliance relative to providing artwork for the Council Chambers at Maine Street Station, and will take any appropriate action.

Councilor Pols presented this item.

Councilor Watson and Councilor Favreau spoke on this item.

Councilor Pols moved, Councilor Knight seconded, to allow Five Rivers Arts Alliance to provide artwork for the new Council Chamber as outlined by Councilor Pols. The motion carried with seven (7) yeas.

(A copy of Councilor Pols' memo outlining the policy will be attached to the official minutes.)

CONSENT AGENDA:

- (a) Approve Minutes of July 6, 2009
- (b) Utility permit – FairPoint Communications
- (c) Utility permits – Maine Natural Gas

Councilor Favreau moved, Councilor Tucker seconded, to approve the Consent Agenda. The motion carried with seven (7) yeas.

(A copy of the permits will be attached to the official minutes.)

Executive Session: Economic Development Per 1 M.R.S.A. § 405(6)(C) and Personnel Matter Per 1 M.R.S.A. § 405(6)(A)

This item was tabled.

Councilor Watson moved, Councilor Tucker seconded, to adjourn the meeting. The motion carried with seven (7) yeas.

The meeting adjourned at 9:30 p.m.

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PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. A VIDEO RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.

Frances M. Smith

Town Clerk

July 24, 2009

August 3, 2009

Date of Approval

Council Chair