

Approved
BRUNSWICK TOWN COUNCIL MINUTES
January 20, 2004
7:30 p.m.
Municipal Meeting Facility

7:30 P.M. Chair Lowe called the meeting to order and asked for the Pledge to the Flag.

Councilors Present: Chair Forrest Lowe, W. David Watson, Jacqueline A. Sartoris, Robert A. Galloupe, Douglas A. Rice, Charles R. Priest, Barbara A. Desmarais, Joanne T. King, and Stephen H. McCausland.

Councilors Absent: None.

Others Present: Patricia Harrington, Assistant Town Manager; Elin M. Gould, Acting Town Clerk; Steve Walker, Natural Resources Planner; Jerry Hinton, Police Chief; Michael Robitaille, Deputy Fire Chief; Tom Farrell, Director of Parks and Recreation; Police Commander Rick Desjardins; Theo Holtwijk, Director of Planning and Development; several citizens and the TV video crew.

Minutes of Previous Meetings: **December 16, 2003**
 January 5, 2004

Hearing no objection from the Council, Chair Lowe declared the minutes of December 16, 2003 and January 5, 2004, approved as written.

Public Comment:

Jay Schurmann, 72 Federal St., talked about “Kids for Kids”, a youth program that has recently been formed in Brunswick.

Correspondence:

Assistant Town Manager Harrington announced that the Town had been informed by SusCom of a rate increase for 2004. Ms. Harrington reminded everyone that rates are not subject to negotiation by the Town.

Councilor Sartoris requested an update of the cable franchise negotiations at the next meeting.

(A copy of the letter from SusCom will be attached to the official minutes.)

A copy of the Brunswick downtown Night Noise Focus Group final report was distributed to all Councilors.

Manager's Report:

a) Presentation of check from Maine Dept. of Tourism to Androscoggin Swinging Bridge Fund

Vaughn Stinson, representing the Maine Tourism Association, presented a check in the amount of five hundred dollars (\$500.00) for the Androscoggin Swinging Bridge Fund, to help with the restoration of this unique piece of Maine's history.

b) Cox Pinnacle Fundraising Update

Lisa Martin of the Friends of Cox Pinnacle, gave a final update on fundraising.

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

Assistant Manager Harrington announced that Requests For Proposal are currently being advertised for the restoration of the swinging bridge. No money is being expended at this time.

Ms. Harrington also said that a community needs survey put out by the Mid Coast Collaborative for Access to Transportation, is available throughout town. She encouraged people to pick up a copy and complete the survey.

Councilors were reminded that they are invited to a Mid Coast Business Development and Planning meeting on regional cooperation next Thursday evening. Each of the Councilors has been sent a survey, as well.

c) COPS Grant Request

Police Chief Jerry Hinton explained the history of this grant, which has been modified as the Town matching funds would have been more than budgeted. The money will be used for overtime costs related to homeland security, retroactive to September 1, 2003 and for the training of staff in the use of personal protective equipment that has been provided by the federal government.

Councilor Watson moved, Councilor Priest seconded, to appropriate the sum of \$6,069 as the Town's portion of the COPS Homeland Security Grant. The motion carried with nine (9) yeas.

(A copy of correspondence from the Department of Justice and the Resolution will be attached to the official minutes.)

d) Volunteer Fire Assistance Grant Request

Deputy Fire Chief Michael Robitaille requested permission to apply for this grant in the amount of two thousand two hundred fifty dollars (\$2250.00) for the purchase of brush fire fighting equipment. It requires a 50% match from the Town and will come from the 04-05 budget.

Councilor Sartoris moved, Councilor Watson seconded, to apply for the Volunteer Fire Assistance Grant for the purchase of brush fire fighting equipment. The motion carried with nine (9) yeas.

Deputy Chief Robitaille also said a grant has been received, at no cost to the Town of Brunswick, for several automatic defibrillators. Combined with funds from a FEMA grant, it is anticipated that one police car in each district and first line fire apparatus will be equipped with auto defibrillators.

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

Adjustments to Agenda: None.

3. The Town Council will hear public comments on the following requests for Alcoholic Beverage Licenses and will take any appropriate action.

Full-time Vinous, Malt and Spirituous

**Bowdoin College Dining Service: Moulton Union
1 College Street**

Barry Mills

**Bowdoin College Dining Service: Thorne Hall
1 College Street**

Barry Mills

Chair Lowe opened the public hearing; hearing no comments, he closed the public hearing.

Assistant Manager Harrington said that for the period January 1, 2003 through January 16, 2004 there were no calls for service by the Police Dept. Assistant Manager Harrington recommended approval of the applications.

Councilor Sartoris moved, Councilor Priest seconded, to approve the alcoholic beverage licenses for Moulton Union and Thorne Hall. The motion carried with nine (9) yeas.

(A copy of the public hearing notice will be attached to the official minutes.)

- 4. The Town Council will hear public comments on the following applications for Junkyard and Automobile Recycling Permits and will take any appropriate action. (Manager)**

Renewals for Junkyard

**Robert P. Moody, D/B/A Moody's Auto Parts
117 Bath Road**

Robert P. Moody

**Patrick Pelkey, D/B/A Pelkey Motors
175 Rear Bath Road**

Patrick Pelkey

Renewals for Automobile Recycling

**Robert P. Moody, D/B/A Moody's Auto Parts
117 Bath Road**

Robert P. Moody

Steve Walker, Natural Resources Planner, said that he and Dan Devereaux conducted the inspections and they recommend renewing the licenses for Moody's Auto Parts. He said they continue to be responsible in terms of fluid drainage from cars and they have a designated area where the cars are stored prior to the drainage process being performed. With regard to Pelkey Motors, they were in touch with Mrs. Pelkey. Little has been done to comply with requests made in previous years for removal of junk from the stream channel and getting rid of some wrecked cars. Mr. Walker said that Mrs. Pelkey indicated she is no longer interested in renewing and they recommend, along with the Codes Enforcement Officer, to give her a grace period of one (1) year to clean up the facility, but not to renew the license for the upcoming year.

Mr. Walker explained the grace period. He said it is difficult to get trucks on to the property to move the debris. There is no longer any right of way to the property and it must be accessed through the neighboring mobile home park. Town staff has been in touch with the owner of the mobile home park regarding allowing access for removal of junk cars and white goods. No additional material will be brought in.

Councilor Priest questioned whether or not Council authorization was necessary for the allowance of the grace period. He recommended renewing Moody's license, not renewing Pelkey's, and letting staff handle the issue of the grace period.

Councilor Desmarais recused herself from discussion and vote on the Pelkey application as she is related to the applicant.

Councilor Sartoris was in favor of not renewing the license but had concerns that the business would be in violation of the Code. She asked if staff could bring back a recommendation on how to handle the interim period in light of possible liability.

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Mr. Walker said he could draft something for review by the Council.

Responding to Councilor King's question, Mr. Walker said that the old trailers stored on the property that have been used in the past by transients in the area, have been boarded up and are currently vacant. However, the situation warrants continued monitoring.

Chair Lowe opened the public hearing. Hearing no comments, he closed the public hearing.

Councilor Rice moved, Councilor Watson seconded, to approve the Junkyard License for Moody's Auto Parts. The motion carried with nine (9) yeas.

Councilor King moved, Councilor Priest seconded, to deny the Junkyard License for Pelkey Motors.

Councilor Galloupe questioned whether a license should be denied, or the item should be referred to staff for further action and tabled.

Councilor Priest said since there was an application made, the Council should take action.

Councilor Galloupe questioned whether more information was needed regarding remediation and legal issues, before taking action.

Assistant Manager Harrington said the expectation was that the Pelkey application would not be approved.

Mr. Walker reiterated that Mrs. Pelkey would not be bringing in any more material, the grace period would be for removal and clean up only, and he agreed that the application should receive action by the Council. The establishment would be in violation if additional debris was brought in after Council action to deny the license.

Councilor Watson, after confirming that the present license has expired, questioned whether it would be appropriate to table action on the license until appropriate staff review and recommendation.

Chair Lowe said that he believes the Council is obligated to act on the application that was submitted. If the license is not approved, that does not preclude staff from working to develop a remediation plan that can be reported back to the Council at a later date.

Councilor Sartoris agreed with Councilor Watson. She is concerned about the liability situation if the application is turned down and there is no interim understanding allowing what is on the property to remain without being added to, and that the business itself is going out of business.

Councilor Priest said there is currently no right to operate since the license expired on

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December 31, 2003, and by the Council taking no action that will not change. Action should be taken, and tabling will not serve a purpose.

Mr. Walker said that Mrs. Pelkey has been working with the codes office since before the time of submission of the application and it was his feeling that codes would not turn around and call it a violation simply because the application was turned down.

Councilor Sartoris said if tabling will not help the liability situation until an agreement is reached, then she would support taking action this evening. However, she is not comfortable with code violations on the property in an un-permitted junkyard.

Restated motion: Councilor King moved, Councilor Priest seconded, to deny the Junkyard License for Pelkey Motors. The motion carried with six (6) yeas. Opposed: Watson, Sartoris. Councilor Desmarais abstained.

Councilor Desmarais moved, Councilor Watson seconded, to approve the automobile Recycling License for Moody's Auto Parts. The motion carried with nine (9) yeas.

(A copy of the public hearing notice inspection reports and approved permits will be attached to the official minutes.)

- 5. The Town Council will hear public comments on proposed amendments to the Brunswick Zoning Map and Ordinance regarding rezoning the easterly portion of the New Meadows Motel property at 393 Bath Road into the I3 Zone and to change the Motel from a Special Permit use to a Permitted use in the I3 Zone, and will take any appropriate action.**

Town Planner Phil Carey explained the background of this request. He said the approach the Planning Board would like to take would be to place the most developed portion of Mr. Reil's lot back into the I3 zone where a hotel is allowed as a special permit, and to change it to a permitted use. This would allow the possible reuse of the property as a hotel to be conforming. The Planning Board felt it would be best for the boundary for the I3 zone to coincide with the line for the Natural Resource Protection Zone.

Councilor Rice asked if the parcel could be separated into two (2) distinct parcels.

Mr. Carey said there would be a problem with that because the grandfathering of the dwelling units assumes that the property remains intact.

Chair Lowe opened the public hearing. Hearing no comments, he closed the public hearing.

Councilor Watson moved, Councilor Rice seconded, to approve the ordinance change moving the easterly portion of the New Meadows Motel property at 393 Bath Road into the I3 zone and changing motel to a permitted use in the I3 zone. The motion carried with nine (9) yeas.

(A copy of the public hearing notice and memos from Phil Carey will be attached to the official minutes.)

- 6. The Town Council will hear public comments on various proposed amendments to the Brunswick Zoning Ordinance as recommended by the Brunswick Planning Board and will take any appropriate action.**

Town Planner Carey explained each of the eleven (11) items presented. He said the proposal had some clarifications to the language that had previously been presented, as well as changes requested by the Council.

Regarding item number seven (7), Councilor Desmarais asked why two (2) uninspected/uninsured motor vehicles would be allowed.

Mr. Carey explained that state law limits unserviceable vehicles stored outdoors to two (2). The Planning Board felt that two made sense from a practical standpoint. Mr. Carey went on to explain that parking within a setback is only allowed on a legally existing driveway.

Responding to Councilor Watson's question, he also said that this ordinance would not affect legally established motor vehicle dealerships; and to Councilor Rice's question, this ordinance would not conflict with the shared parking agreements allowed within a setback.

Chair Lowe opened the public hearing.

Mr. Henderson, 32 Page St., asked what the two (2) vehicles could legally be stored in and if vehicles could be parked beyond the driveway on the back lawn forever.

Mr. Carey responded that this ordinance deals with outdoor storage, including vehicles stored under a tarp or plywood, and that a vehicle could be parked on the lawn as long as it is not in a setback, but that eventually it would become unserviceable and this ordinance or state junkyard law would then apply.

Chair Lowe closed the public hearing.

Councilor Galloupe said the wording of Sec. 305.7 A.1. and B.1. regarding access strips is confusing.

Mr. Carey proposed this change in the wording: No more than two (2) access strips shall

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be adjacent to one another. When there are two (2) access strips adjacent to one another, a shared driveway shall be used and the width of each access strip may be reduced to fifteen (15) feet.

Responding to Councilor Rice's question, Mr. Carey said that an existing legally non-conforming lot would be exempt from this provision.

Councilor Sartoris was concerned with Sec. 304.8B, that it doesn't distinguish between the growth zone and the rural zone. If it is possible that there are multiple undevelopable lots in the growth zone that are not conforming in the same ownership, then they are going to be combined. In the growth zone, in some cases, existing zoning is unnecessarily restrictive. Setback and other requirements make it difficult to develop neighborhoods like many of residents already live in. He was concerned that this piece would remove some currently developable lots and if the ordinance is changed, they would not be restored as developable. This provision seems to remove developable lots in the growth zone.

Mr. Carey explained the general principle is that when the Council adopts new zoning ordinances it is hoping to see the Town develop in accordance with those zoning ordinances. With undeveloped lots, the degree of investment is less than with developed lots and it would be appropriate to combine them. He suggested that perhaps overly restrictive dimensional standards in the growth district were more the problem. If the growth standards are adjusted to allow small lots and small setbacks then you would not run up against this language.

Councilor Sartoris said that undeveloped lots would have been combined by passing this ordinance, and if the dimensional standards are changed, the lots would have already been combined so that there cannot be the density of development she would be looking for through the Comprehensive Plan.

Mr. Carey said if the ordinance is amended to allow smaller lots, then the two (2) lots combined by this provision would cease to need to be combined.

Councilor Sartoris requested striking 304.8B from the amendment.

Councilor Priest acknowledged Councilor Sartoris' point, but was concerned with removing only that section.

Councilor Priest moved, Councilor Sartoris seconded, to table this item.

Councilors McCausland and Galloupe recommended passing all but 304.8 A-F.

Councilors Priest and Sartoris agreed to this change.

Revised motion: Councilor Priest moved, Councilor Sartoris seconded, to table 304.8 of the proposed amendments. The motion carried with nine (9) yeas.

Councilor Sartoris moved, Councilor Priest seconded, to adopt amendments to the Brunswick Zoning Ordinance recommended by the Planning Board, as amended. The motion carried with nine (9) yeas.

(A copy of the public hearing notice and memo from Phil Carey (which should have been dated Jan. 4, 2004) identifying the proposed amendments will be attached to the official minutes.)

206. (Tabled) The Town Council will consider proposed amendments to Chapter 14: Streets, Sidewalks and Other Public Places, regarding noise, and will take any appropriate action.

Assistant Manager Harrington explained that this item was tabled from a December public hearing. Commander Desjardins of the Police Department has been doing research on the “jake” (engine) brake issue that came up at that time.

Police Commander Desjardins said that he has not found any unmuffled engine brakes. The ordinance as proposed would be largely unenforced due to the fact there are very few out there. He said drivers’ ways of usage is the biggest problem, as well as the type of truck, different trucks have different loudness. According to the Town Attorney, this wording would not unnecessarily impact the muffled “jake” brakes and would only be used for improperly exhausted vehicles. Commander Desjardins also explained that a “jake” brake works by shortening the stopping distance when the drum and engine brakes are used in combination.

Councilor McCausland asked if the police officer has to be a witness to take enforcement action.

Commander Desjardins responded that citations can be issued based on statements.

Councilor McCausland questioned the use of starting pistols and the proposed ordinance’s effect on their use at events.

Commander Desjardins responded that the use must be in a public way and be an intentional safety hazard or causing a distraction. If this occurred as part of an event and a complaint were lodged, they would have to address it.

Councilor McCausland went on to question the use of bells and whistles for an extended period of time on a public way.

Commander Desjardins said this was directed toward noise making canisters that are sounded as artificial horns.

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Councilor Watson asked if the exception for noises permitted by an authority would cover this.

Commander Desjardins said the wording allows special arrangements for events that may be in some violation of the ordinance.

Councilor Sartoris agrees that a noise ordinance is needed. However, she said that the language under C(i) is much broader than what was intended. She supports limiting noise which is objectionable in some way.

Councilor King questioned whether the section on engine brakes is necessary, since it is not enforceable, and if this is an essential part of the ordinance.

Commander Desjardins said that under current law, unless there was an obvious defect, they would probably not stop a truck. This proposed ordinance is looking at areas and times, dropping that section wouldn't change the authority of the Police Department.

Councilor Priest asked what other towns or cities have adopted this language and why there was no language to cover this.

Commander Desjardins responded that in his discussions with the Town Attorney, with input from the committee, they had looked primarily at Portland, Old Orchard, Scarborough, and Saco. The disorderly conduct statute that we currently have and use in connection with the Maine St. complaints is a relatively broad and interpretive statute. Their desire is to come up with something less than a criminal violation.

Councilor Rice said he would like to investigate in the future some areas for non-use of engine brakes. He also asked how the Police would handle a noise which might be annoying, such as a Salvation Army bell.

Commander Desjardins said that a legitimate use of these items would be an exception in the mind of the Police. The intent of the law is something the police deal with a lot.

Councilor Sartoris agreed the current language on disturbing the peace is broad and vague, but the primary difference is that disturbing the peace violations go to court and this proposed ordinance would be a local fine.

Commander Desjardins said that civil violations are held in front of a district judge. There is a lesser burden of proof but they still have to meet the standard that the district judge sees. It is not like a traffic ticket, where you can just send in the fine.

Councilor Sartoris asked why there was a blanket prohibition on the regulation of political speech, which could also result in disturbances that a neighborhood doesn't want to experience in the early morning hours.

Commander Desjardins said he could not comment on the Town Attorney's reasoning.

Nancy Randolph, Chair of the Downtown Noise Committee, expressed the opinion that Commander Desjardins was being put in the wrong position and that she should have been the one presenting the information. She then said that she would wait until another time and she thought the Council was not doing the right thing.

Councilor McCausland said the ordinance as written is unenforceable and unnecessary. It is well-meaning but does not get to the problem. He will not vote in favor of this ordinance. He favors addressing specific problems.

Councilor Sartoris said there is a need that this is attempting to fill and she supports it in concept. However, it is the details that she cannot support. She would like some of the questions addressed to the Town Attorney and hopefully narrow the language so that it gets to the real problem.

Councilor Sartoris moved, Councilor Priest seconded, to table this item.

Chair Lowe said he is concerned about the broadness of C (i), but also agrees there is a problem. He suggested that the solution may be measurement of sound. He will support tabling the item.

Councilor Priest said some things are not as vital as others. He would not favor a sound measurement as it would be difficult for police to act on. He would like to have C (i) reworked to achieve a happy medium, a broad ordinance to handle noise, with some specific items addressed.

Councilor Sartoris said that most of the questions posed have been legal questions and she suggested sending this back to the Town Attorney, to work with Commander Desjardins, and see if there is other language that could be used.

Councilor Rice asked if anyone with expertise was consulted regarding noise mitigation.

Commander Desjardins said Charlie Wallace donated time to help with this issue, and the committee tried some devices for sound measurement, but sound measurement was a bigger issue than the committee could deal with.

Vote on the motion: The motion carried with nine (9) yeas.

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

- 7. The Town Council will consider an agreement with the Maine Department of Transportation regarding the "Construction Area" that has been established for Route One and will take any appropriate action.**

Assistant Manager Harrington explained the Maine Department of Transportation is going to be resurfacing 5.2 miles of road from Cooks Corner north. This is the same document as those signed for other MDOT projects in town.

Councilor Rice moved, Councilor Watson seconded, to sign an agreement with the Maine Department of Transportation regarding the Construction Area that has been established for Route One (1), north. The motion carried with nine (9) yeas.

(A copy of a letter from MDOT will be attached to the official minutes.)

- 8. The Town Council will consider appointing Council representatives to the Swinging Bridge Committee and the Comprehensive Plan Review Committee and will take any appropriate action.**

Without objection, Chair Lowe appointed Councilor **King** to the **Swinging Bridge Committee**.

Without objection, Chair Lowe appointed Councilor **Desmarais** to the **Comprehensive Plan Review Committee**.

- 9. The Town Council will consider a request from the Big Brothers/Big Sisters organization to hang a banner over Maine Street and will take any appropriate action.**

This request is to hang a banner over Maine Street from March 22, 2004 to April 5, 2004 to promote Bowl for Kids' Sake.

Councilor Sartoris moved, Councilor Watson seconded, to approve the request from Big Brothers/Big Sisters to hang a banner over Maine Street. The motion carried with nine (9) yeas.

(A copy of the letter from Big Brothers/Big Sisters of Bath/Brunswick and a picture of the banner will be attached to the official minutes.)

Councilor McCausland left the meeting.

- 10. The Town Council will consider authorizing an application to the US Army Corps of Engineers to request the Corps to begin a feasibility investigation regarding Aquatic Ecosystem Restoration and will take any appropriate action.**

Assistant Manager Harrington said the New Meadows River Watershed project has been approached by the Army Corps of Engineers and encouraged to apply for assistance

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regarding the tidal flow restrictions at the Bath Road causeway. What is requested is the application for the feasibility study. There would be a municipal share of the cost in the future.

Steve Walker, Natural Resources Planner, gave a presentation regarding the reasons for this application. He said West Bath has already voted to move ahead with the application. He emphasized that this is a feasibility study only, any future action would be brought back first to both West Bath and Brunswick for consideration.

Responding to Councilor Sartoris' question regarding a time table, Mr. Walker said the Army Corp of Engineers would like the field work started this summer, and that concrete suggestions or solutions may take at least a year, possibly two (2).

Ed Benedikt said he and his neighbors have concerns about this project. The concern is because this is a project that was petitioned for in 1937, the rationale being that the area was a stinking mess. Current pictures do not depict the reality when Route One (1) was constructed. He said the Army Corp is being asked to do another study and he would like to have the issues quantified and clearly defined. This was discussed in the Comprehensive Plan in 1991, and it was determined that US1, not Bath Rd., was the primary concern. This study appears to be dealing mainly with Bath Rd. He is asking the Council to defer action until after the planned presentation by the Army Corp. so there can be some serious public input. He also suggested that a committee attend the meeting and report back to the Council.

Councilor Priest asked if there was any time pressure involved with this.

Mr. Walker responded that the Army Corp. is trying to get their docket together to determine what projects they will take on this season. The expertise involved in this study will be excellent and it will be a comprehensive study of what is going on in the lakes. He had hoped to have the project on the list before getting the people from Massachusetts up for the public meeting. He reiterated that this is a study only and that no action will be taken. He said there was no real time pressure but he didn't see anything changing in the overall picture.

Councilor Priest would like a representative of the Army Corp. of Engineers available to talk to. He is unclear as to the goal of the study.

Mr. Walker said the goal is to see if addressing the causeway is the solution. To do that, every piece of both lakes must be looked at to get the overall picture of the ecology and functioning of the lakes to see if any physical changes to the barrier underneath Bath Rd. could enhance current conditions.

Councilor Sartoris asked about Mr. Benedikt's concerns over other consequences that may occur with any of several scenarios that might be under consideration to restore flow.

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Mr. Walker responded that the wetland restoration program that the Army Corp. of Engineers put together has lots of potential for public input. The planned informational meeting is intended to put the minds of the public at rest.

Councilor Sartoris said this is the Cadillac of information to make decisions. This is 100% federal dollars to explore whether a project is a good investment. A great deal of public input will be taken. This is a study, one which West Bath has already agreed to, it is free, it will be comprehensive, and no action will be taken. She urged the Council to move forward to get the information.

Chair Lowe clarified that all that will come out of this study is a series of recommendations to improve the health of the lake system, and that we will have control over the acceptance or execution of those recommendations.

Councilor Watson moved, Councilor Sartoris seconded, to authorize an application to the US Army Corps of Engineers to request the Corps to begin a feasibility investigation regarding Aquatic Ecosystem Restoration.

Councilor Priest said he will support this with the understanding that the Council will hear from the Army Corp of Engineers and get public input from New Meadows residents.

The motion carried with eight (8) yeas.

(A copy of a memo from Steve Walker, draft letter from Don Gerrish, and copy of the presentation will be attached to the official minutes.)

Councilor Watson left the meeting.

11. The Town Council will consider setting a public hearing for February 2 on the “Action Plan for Housing in Brunswick: 2003” which was previously distributed and will take any appropriate action.

Chair Lowe explained that the report had been received several weeks ago and a workshop was scheduled to discuss it, however, in order to apply for a CDBG grant that is available, the Town should have an accepted housing plan. In order to facilitate that grant, Chair Lowe proposed setting a public hearing on February 2, 2004 to consider accepting the plan, but still have a workshop at a later date. Accepting the report will not obligate us at this point.

Councilor Priest said if we accept the report, we must do what it says.

Councilor Priest moved, Councilor Rice seconded, to set a public hearing for February 2, 2004 on the “Action Plan for Housing in Brunswick: 2003”.

Councilor Rice said the plan could be accepted as a blueprint, with the understanding that some of the information could change. He agreed that accepting the plan puts the Town in a much better position with regard to the CDBG grant.

The motion carried with seven (7) yeas.

(A copy of the Action Plan is attached to the official minutes of 12/16/2003)

- 12. The Town Council will consider receiving the Comprehensive Plan Review Report and setting February 2 as the date to accept public comment, and will take any appropriate action.**

Councilor Sartoris said the committee went through the entire Comprehensive Plan using focus groups, and have generated a plan for renewing it. She referred to recommendations on page 26 of the report and urged the Council to review them, to come back with questions and suggestions, and to schedule public comment at its next meeting. She also said the committee has set an ambitious timetable of one (1) year to come back with a new Comprehensive Plan.

Councilor Sartoris moved, Councilor Galloupe seconded, to set a public hearing for February 2, 2004 on the Comprehensive Plan Review Report.

Chair Lowe said he hopes to get a presentation in more detail at that meeting, about the themes and the steps that will be taken.

It was noted that copies of the report and addenda are available on the Town website with hard copies being available at the Planning and Development Department at Town Hall, and at the library.

The motion carried with seven (7) yeas.

(A copy of a memo from Steve Tibbetts, Comp. Plan Review Comm. Vice-Chair, and a copy of the report, will be attached to the official minutes.)

- 13. The Town Council will consider setting a public hearing on February 2 for the CDBG Housing Grant application and will take any appropriate action.**

Assistant Manager Harrington said this is an opportunity to apply for a grant for Four hundred thousand dollars (\$400,000) through the Maine Department of Economic and Community Development, which would be administered through the Housing Authority.

Councilor Sartoris moved, Councilor Priest seconded, to set a public hearing for February 2, 2004 on the CDBG Housing Grant application. The motion carried with seven (7) yeas.

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(A copy of a memo from Mat Eddy, Director of Economic Development, will be attached to the official minutes.)

Chair Lowe reminded everyone of the Council workshop on Monday, January 26, 2004 to consider public input gathered from the public safety community meetings and to look at additional information on facilities and facility options.

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

The meeting adjourned at 10:37 p.m.

PLEASE NOTE: THESE MINUTES ARE NOT VERBATIM. A RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.

Elin M. Gould
Acting Town Clerk
January 24, 2004

February 2, 2004

Date of Approval

Council Chair