

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

Pledge of Allegiance

Roll Call

Public Comment:

Correspondence:

Adjustments to the Agenda:

Manager's Report:

- (a) Financial Update
- (b) Council Committee Updates
- (c) Nomination Papers available

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. (Manager)

HEARING/ACTION

TABLED ITEMS:

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

Special Amusement

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

Mark and Jennifer Hanscom

ACTION

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)

ACTION

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

ACTION

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)

ACTION

CONSENT AGENDA:

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

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)

**INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE COMMUNICATION
SHOULD CONTACT THE TOWN MANAGER'S OFFICE AT 725-6659
(TDD 725-5521)**

**Brunswick Town Council
Regular Meeting Agenda
July 20, 2009
Notes and Suggested Motions**

Manager's Report:

- (a) Financial Update: The Town Manager will provide a financial update for the Town. Copies of the financial summary reports are included in your packet.

Suggested Motion: No Motion Required.

- (b) Council Committee Updates: Councilors with information on the Committees they are involved with will share information with the Council and public.

Suggested Motion: No Motion Required.

- (c) Nomination Papers available: As a second reminder to the public, nomination papers for School Board and Town Council will be available on Friday, July 24, 2009, and will need to be returned to the Town Clerk's office by the close of business on Friday, September 4, 2009. Districts 3, 4 and At Large are up this year and they are three-year terms.

Suggested Motion: No Motion Required.

PUBLIC HEARINGS:

113. The Town Council will hear public comments on the Zoning Ordinance, which would add 3 new zoning districts for the proposed reuse of BNAS. Once the public hearing is complete, you may adopt the amendments. The Council has held two workshops regarding the environmental issues at the base and some amendments have been made to the ordinance to address those issues. Anna Breinich's memo outlines the specific sections that were changed, along with summarizing the proposed language. Individual copies of the developable land analysis mapping for the CU/TC District will be provided to the Council. Copies of Anna's memo, draft ordinance language, maps, and a memo from MRRA are included in your packet.

Suggested Motion:

Motion 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.

TABLED ITEMS:

107. The Town Council tabled this item at your last meeting. There were some concerns expressed by a citizen and you wanted some additional research done. In the past, the Council has approved Special Amusement Licenses contingent upon the Police and the applicant meeting monthly to address concerns and work on solutions. This may be the

approach the Council wishes to take in this situation. Copies of the application and calls for service are included in your packet.

Suggested Motion:

Motion to approve the Special Amusement License for M.J.'s Grille & Tavern.

OR

Motion to approve the Special Amusement License for M.J.'s Grille & Tavern under the condition that the applicant meets monthly with the Police Department, and if issues arise, the Council can reconsider their approval.

NEW BUSINESS:

114. This item is to consider setting a public hearing on Zoning Ordinance amendments relative to small scale wireless communication towers. They will allow small scale wireless communication towers in the Brunswick Industrial Zoning Districts (I1, I2, I3, and I4) as recommended by the Planning Board at their July 7th meeting. The amendments are intended to provide standards for the placement of such facilities while preserving the town's visual character and minimizing environmental impacts to the greatest extent possible. The Town Planner's memo summarizes the changes. Copies of his memo and draft language are included in your packet.

Suggested Motion:

Motion to set a public hearing for August 3, 2009, on Zoning Ordinance amendments relative to small scale wireless communication towers.

115. This item is to allow the Council to discuss a draft Request for Proposal (RFP) for the property management of the Maine Street Station Visitor's Center/Train Station. The Maine Street Station Oversight Committee has reviewed the proposal. Copies of a memo from Mr. Brown and the draft RFP are included in your packet.

Suggested Motion:

Motion to approve the draft Request for Proposal.

116. Councilor Pols is sponsoring this item with the intent of discussing an arrangement with Five Rivers Arts Alliance to display artwork at the new Council Chamber. Copies of his bulleted points and a map of the locations are included in your packet.

Suggested Motion:

Motion to allow Five Rivers Arts Alliance to provide artwork for the new Council Chamber as outlined by Councilor Pols.

CONSENT AGENDA:

- (a) Approve Minutes of July 6, 2009: This item is for approval of these minutes that are included in your packet.
- (b) Utility permit – FairPoint Communications: This allows FairPoint to install a 2X3 concrete encased conduit duck bank on sections of Bath Road as outlined in

John Foster's memo. Copies of his memo and the permit are included in your packet.

- (c) Utility permits – Maine Natural Gas: This is for three permits for Maine Natural Gas for locations as outlined in John Foster's memo. Copies of his memo and the permits are included in your packet.

Suggested Motion:

Motion to approve the Consent Agenda.

**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)**

Suggested Motion:

Motion to go into executive session to discuss Economic Development Per 1 M.R.S.A. § 405(6)(C) and to discuss a Personnel Matter Per 1 M.R.S.A. § 405(6)(A)

MANAGER'S REPORT - A BACK UP MATERIALS

FOR 2009 12

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<hr/> 10 General Government <hr/>							
11000 Administration	469,569	494,569.00	442,161.35	25,892.34	8,210.98	44,196.67	91.1%
11050 Personnel Department	51,627	51,627.00	44,260.05	2,136.26	.00	7,366.95	85.7%
11100 Finance Department	648,654	627,251.00	579,389.24	45,057.95	268.75	47,593.01	92.4%
11150 Technology Services Dept	213,500	213,500.00	179,415.99	14,003.41	21,265.98	12,818.03	94.0%
11200 Municipal Officers	90,865	90,865.00	82,504.37	5,308.30	1,242.48	7,118.15	92.2%
11220 Municipal Building	174,633	202,663.00	181,915.17	16,203.37	6,152.80	14,595.03	92.8%
11230 Risk Management	513,500	473,500.00	437,552.48	4,560.49	.00	35,947.52	92.4%
11240 Employee benefits	0	.00	.00	.00	.00	.00	.0%
11250 Cable TV	119,271	119,271.00	89,766.02	6,100.42	614.00	28,890.98	75.8%
11300 Assessing	293,917	293,917.00	269,840.63	25,203.61	2,141.04	21,935.33	92.5%
11400 Codes Enforcement	203,310	223,810.00	210,057.59	15,456.55	.00	13,752.41	93.9%
11600 Town Clerk & Elections	342,599	332,599.00	300,692.02	27,398.62	.00	31,906.98	90.4%
11900 Planning Department	241,652	232,347.00	199,660.79	16,061.01	.00	32,686.21	85.9%
11940 Natural Resources Departme	86,615	86,615.00	77,209.88	9,408.94	.00	9,405.12	89.1%
11950 Economic Development Dept	264,550	239,550.00	191,873.25	16,141.76	.00	47,676.75	80.1%
TOTAL General Government	3,714,262	3,682,084.00	3,286,298.83	228,933.03	39,896.03	355,889.14	90.3%
<hr/> 20 Public Safety <hr/>							
12100 Fire Department	2,627,885	2,627,885.00	2,512,974.48	215,868.07	4,874.77	110,035.75	95.8%
12200 Police Department	3,969,302	3,969,302.00	3,764,879.03	276,194.80	425.00	203,997.97	94.9%
12210 Police Special Detail	0	.00	16,505.91	1,867.13	.00	-16,505.91	100.0%
12310 Streetlights	185,000	185,000.00	151,538.79	5,997.51	8,085.00	25,376.21	86.3%
12320 Traffic Signals	13,100	22,100.00	19,480.29	2,821.28	.00	2,619.71	88.1%
12330 Hydrants	312,000	330,000.00	237,675.00	.00	.00	92,325.00	72.0%
12340 Civil Emergency Preparedne	4,000	4,000.00	3,165.96	.00	.00	834.04	79.1%
TOTAL Public Safety	7,111,287	7,138,287.00	6,706,219.46	502,748.79	13,384.77	418,682.77	94.1%
<hr/> 30 Public Works <hr/>							
13100 Public Works Administratio	442,945	453,945.00	433,981.04	34,333.46	1,190.00	18,773.96	95.9%
13110 PW General Maintenance	691,021	706,021.00	647,292.51	108,571.26	15,515.90	43,212.59	93.9%
13120 PW Winter Maintenance	810,602	825,602.00	822,836.26	72.75	.00	2,765.74	99.7%
13130 Refuse Collection	566,878	526,878.00	497,558.13	42,869.03	.00	29,319.87	94.4%

FOR 2009 12

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
13140 Recycling	225,071	230,071.00	209,369.23	15,764.24	.00	20,701.77	91.0%
13150 PW Central Garage	581,235	656,235.00	637,009.99	41,346.21	1,350.00	17,875.01	97.3%
TOTAL Public Works	3,317,752	3,398,752.00	3,248,047.16	242,956.95	18,055.90	132,648.94	96.1%
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40 Human Services							
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14100 General Assistance	147,828	158,828.00	141,315.64	10,027.82	483.85	17,028.51	89.3%
14120 Health & Social Services	2,600	2,600.00	1,948.14	.00	.00	651.86	74.9%
TOTAL Human Services	150,428	161,428.00	143,263.78	10,027.82	483.85	17,680.37	89.0%
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45 Education							
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14500 School Department	33,620,870	33,620,870.00	30,313,152.73	3,308,434.96	.00	3,307,717.27	90.2%
TOTAL Education	33,620,870	33,620,870.00	30,313,152.73	3,308,434.96	.00	3,307,717.27	90.2%
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50 Recreation and Culture							
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15000 Recreation Administration	423,452	429,731.86	409,412.11	32,205.97	361.86	19,957.89	95.4%
15050 Rec Buildings and Grounds	695,196	695,196.00	613,379.93	64,547.90	29,853.23	51,962.84	92.5%
15100 Coffin Pond	63,138	63,138.00	43,412.19	5,303.77	2,163.95	17,561.86	72.2%
15300 Teen Center	5,000	5,000.00	5,000.00	.00	.00	.00	100.0%
15310 People Plus	70,000	70,500.00	70,205.50	.00	.00	294.50	99.6%
15400 Curtis Memorial Library	1,075,269	1,075,269.00	1,075,269.00	89,605.75	.00	.00	100.0%
TOTAL Recreation and Culture	2,332,055	2,338,834.86	2,216,678.73	191,663.39	32,379.04	89,777.09	96.2%
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60 Intergovernmental							
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16000 County tax	1,088,467	1,088,467.00	1,088,467.00	.00	.00	.00	100.0%
TOTAL Intergovernmental	1,088,467	1,088,467.00	1,088,467.00	.00	.00	.00	100.0%
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70 Unclassified							
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FOR 2009 12

70	Unclassified	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
17000	Promotion and Development	58,661	52,661.00	44,881.62	.00	400.00	7,379.38	86.0%
17010	Assistance to St. Johns	16,000	16,000.00	.00	.00	.00	16,000.00	.0%
17020	Cemetery Care	2,500	2,500.00	2,750.00	.00	.00	-250.00	110.0%
17030	Wage Adjustment Account	95,000	54,000.00	37,800.72	1,873.78	.00	16,199.28	70.0%
17050	High School Spring Street	229,479	229,479.00	203,650.94	4,434.06	.00	25,828.06	88.7%
17060	Industry Road Building	0	.00	.00	.00	.00	.00	.0%
	TOTAL Unclassified	401,640	354,640.00	289,083.28	6,307.84	400.00	65,156.72	81.6%
80 Debt Service								
18000	2000 CIP G/O Bonds	352,000	352,000.00	352,000.00	.00	.00	.00	100.0%
18010	2003 High School Refunding	0	.00	.00	.00	.00	.00	.0%
18020	2006 CIP G/O Bonds	300,000	300,000.00	300,000.00	.00	.00	.00	100.0%
	TOTAL Debt Service	652,000	652,000.00	652,000.00	.00	.00	.00	100.0%
	GRAND TOTAL	52,388,761	52,435,362.86	47,943,210.97	4,491,072.78	104,599.59	4,387,552.30	91.6%

** END OF REPORT - Generated by Julie Henze **

REPORT OPTIONS

Sequence	Field #	Total	Page Break	Year/Period: 2009/12
Sequence 1	2	Y	N	Print revenue as credit: Y
Sequence 2	9	Y	N	Print totals only: Y
Sequence 3	0	N	N	Suppress zero bal accts: Y
Sequence 4	0	N	N	Print full GL account: N

Double space: N
Report title: Roll projects to object: N
JUNE 2009 EXPENDITURE REPORT Incl inception to soy: N
Carry forward code: 1
Print journal detail: N
From Yr/Per: 2009/12
To Yr/Per: 2009/12
Print Full or Short description: F Include budget entries: N
Print MTD Version: Y Incl encumb/liq entries: N
Print Revenues-Version headings: N
Format type: 2 Sort by JE # or PO #: J
Print revenue budgets as zero: N
Include Fund Balance: N Detail format option: 1
Include requisition amount: N

FOR 2009 12

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
<u>10 Taxes</u>						
111190 41101 Property Taxes	28,137,454	28,137,454.00	28,261,734.19	.00	-124,280.19	100.4%*
111190 41103 Deferred Property Taxe	-200,000	-200,000.00	.00	.00	-200,000.00	.0%
111190 41104 Tax Abatements	-75,000	-75,000.00	-21,107.66	-119.79	-53,892.34	28.1%
111190 41105 Interest on Taxes	50,000	50,000.00	94,623.05	17,463.97	-44,623.05	189.2%*
111190 41106 Tax Lien Costs Revenue	9,000	9,000.00	16,120.78	.00	-7,120.78	179.1%*
111190 41107 Tax Lien Interest Reve	0	.00	23,658.97	.00	-23,658.97	100.0%*
111190 41109 Payment in Lieu of Tax	180,000	180,000.00	164,924.94	55,000.00	15,075.06	91.6%*
111190 41197 BETE reimbursement	0	.00	47,407.00	168.00	-47,407.00	100.0%*
111190 41198 Homestead exemption re	385,235	385,235.00	382,290.00	.00	2,945.00	99.2%*
111191 41110 Excise Tax - Auto	2,500,000	2,500,000.00	2,446,729.17	240,321.88	53,270.83	97.9%*
111191 41111 Excise Tax Boat/ATV/Sn	23,000	23,000.00	30,058.90	4,625.70	-7,058.90	130.7%*
TOTAL Taxes	31,009,689	31,009,689.00	31,446,439.34	317,459.76	-436,750.34	101.4%
TOTAL REVENUES	31,009,689	31,009,689.00	31,446,439.34	317,459.76	-436,750.34	
<u>20 Licenses & Fees</u>						
121411 42100 Building Permits	25,000	25,000.00	36,551.85	11,481.15	-11,551.85	146.2%*
121411 42101 Electrical Permits	19,000	19,000.00	12,956.16	1,391.04	6,043.84	68.2%*
121411 42102 Plumbing Permits	16,000	16,000.00	9,621.75	934.50	6,378.25	60.1%*
121411 42103 Zoning Board Fees	375	375.00	225.00	.00	150.00	60.0%*
121411 42105 Mobile Home Permits	750	750.00	185.00	.00	565.00	24.7%*
121411 42106 Institutional Permits	20,000	20,000.00	10,905.00	.00	9,095.00	54.5%*
121411 42107 Alts/Addds Permits	13,000	13,000.00	7,164.60	.00	5,835.40	55.1%*
121411 42108 Comm/Indus Permits	24,000	24,000.00	7,184.00	.00	16,816.00	29.9%*
121411 42109 Multiple Dwellings	10,000	10,000.00	.00	.00	10,000.00	.0%*
121411 42110 Accessory Structures	5,000	5,000.00	3,373.00	.00	1,627.00	67.5%*
121611 42200 Hunting & Fishing Lice	2,020	2,020.00	1,570.20	144.70	449.80	77.7%*
121611 42201 Dog License Fee	2,212	2,212.00	2,524.00	32.00	-312.00	114.1%*
121611 42202 Vital Statistics	38,000	38,000.00	52,467.00	5,575.00	-14,467.00	138.1%*
121611 42203 General Licenses	22,725	22,725.00	26,455.50	3,695.00	-3,730.50	116.4%*
121611 42204 Victulars Licenses	19,950	19,950.00	20,005.00	1,775.00	-55.00	100.3%*
121611 42205 Shellfish Licenses	21,740	21,740.00	19,975.00	225.00	1,765.00	91.9%*
121611 42206 Neutered/Spayed Dog Li	3,910	3,910.00	4,396.00	52.00	-486.00	112.4%*
121611 42207 Passport Fees	11,125	11,125.00	10,175.00	1,350.00	950.00	91.5%*
121611 42208 Postage Fees	0	.00	1.34	7.79	-1.34	100.0%*
121611 42209 Passport Picture Reven	1,440	1,440.00	2,292.00	324.00	-852.00	159.2%*
121911 42300 Planning Board Appl Fe	10,000	10,000.00	18,532.65	3,795.00	-8,532.65	185.3%*

FOR 2009 12

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
122121 42400 Fire Permits	1,500	1,500.00	1,150.00	50.00	350.00	76.7%*
122221 42500 Conc Weapons Permits R	400	400.00	570.00	80.00	-170.00	142.5%*
123131 42600 Public Works Opening F	500	500.00	1,016.00	.00	-516.00	203.2%*
TOTAL Licenses & Fees	268,647	268,647.00	249,296.05	30,912.18	19,350.95	92.8%
TOTAL REVENUES	268,647	268,647.00	249,296.05	30,912.18	19,350.95	
30 Intergovernmental						
131132 43103 Highway Grant Fund	230,000	230,000.00	225,332.00	51,335.00	4,668.00	98.0%*
131142 43104 State General Assistan	24,000	24,000.00	26,887.37	2,408.71	-2,887.37	112.0%*
131190 43102 State Tax Exemption Re	15,000	15,000.00	.00	.00	15,000.00	.0%*
131192 43101 State Revenue Sharing	2,000,000	2,000,000.00	2,014,561.64	131,988.43	-14,561.64	100.7%*
131192 43105 Emergency Management	0	.00	292,090.68	.00	-292,090.68	100.0%*
131192 43106 Snowmobile Receipts	1,500	1,500.00	1,966.14	.00	-466.14	131.1%*
134546 43120 State Education Subsid	14,558,692	14,558,692.00	14,118,357.69	1,047,118.20	440,334.31	97.0%*
134546 43121 State Adult Educ. Subs	30,000	30,000.00	32,552.73	.00	-2,552.73	108.5%*
134546 43122 St Fiscal Stabilizatio	0	.00	474,144.00	474,144.00	-474,144.00	100.0%*
134546 43150 Federal Education Subs	800,000	800,000.00	1,372,405.33	.00	-572,405.33	171.6%*
TOTAL Intergovernmental	17,659,192	17,659,192.00	18,558,297.58	1,706,994.34	-899,105.58	105.1%
TOTAL REVENUES	17,659,192	17,659,192.00	18,558,297.58	1,706,994.34	-899,105.58	
40 Charges for services						
141111 44110 Agent Fee Auto Reg	36,000	36,000.00	38,688.00	4,340.82	-2,688.00	107.5%*
141111 44111 Agent Fee Boat/ATV/Sno	2,500	2,500.00	1,770.00	317.00	730.00	70.8%*
141111 44140 Housing Services Fees	590,000	590,000.00	603,285.42	50,951.22	-13,285.42	102.3%*
141611 44131 Advertising Fees	0	.00	1,711.18	81.15	-1,711.18	100.0%*
142121 44155 Ambulance Service Fees	630,000	630,000.00	733,698.64	91,266.34	-103,698.64	116.5%*
142121 44166 Special Detail - Fire	1,000	1,000.00	1,244.10	.00	-244.10	124.4%*
142221 44161 Witness Fees	8,600	8,600.00	5,363.04	500.00	3,236.96	62.4%*
142221 44162 Police Reports	4,100	4,100.00	3,775.50	451.50	324.50	92.1%*
142221 44163 School Resource Office	68,600	68,600.00	68,542.20	.00	57.80	99.9%*
142221 44165 Special Detail - Polic	6,000	6,000.00	19,134.56	2,163.00	-13,134.56	318.9%*
143131 44174 PW Labor & Materials	1,000	1,000.00	300.00	.00	700.00	30.0%*
143431 44175 Recycling Revenue	20,000	20,000.00	22,636.22	3,121.60	-2,636.22	113.2%*
144545 44100 School Tuition, etc	1,057,000	1,057,000.00	1,267,934.36	587,587.72	-210,934.36	120.0%*
145051 44187 Coffin Pond	25,000	25,000.00	13,711.05	2,245.25	11,288.95	54.8%*
TOTAL Charges for services	2,449,800	2,449,800.00	2,781,794.27	743,025.60	-331,994.27	113.6%
TOTAL REVENUES	2,449,800	2,449,800.00	2,781,794.27	743,025.60	-331,994.27	

FOR 2009 12

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
<u>50 Fines & Penalties</u>						
151621 45103 Unlicensed Dog Fines	6,700	6,700.00	11,150.00	90.00	-4,450.00	166.4%*
152121 45104 False Alarm Fire	3,400	3,400.00	2,115.00	300.00	1,285.00	62.2%*
152221 45100 Ordinance Fines	1,400	1,400.00	700.00	.00	700.00	50.0%*
152221 45101 Parking Tickets	7,000	7,000.00	14,190.00	835.00	-7,190.00	202.7%*
152221 45102 Leash Law Fines	500	500.00	925.00	125.00	-425.00	185.0%*
152221 45105 False Alarm Police	2,700	2,700.00	980.00	5.00	1,720.00	36.3%*
152221 45106 Restitution	0	.00	1,130.00	.00	-1,130.00	100.0%*
TOTAL Fines & Penalties	21,700	21,700.00	31,190.00	1,355.00	-9,490.00	143.7%
TOTAL REVENUES	21,700	21,700.00	31,190.00	1,355.00	-9,490.00	
<u>60 Interest earned</u>						
161193 46100 Interest Earned	275,000	275,000.00	111,131.99	1,563.41	163,868.01	40.4%*
TOTAL Interest earned	275,000	275,000.00	111,131.99	1,563.41	163,868.01	40.4%
TOTAL REVENUES	275,000	275,000.00	111,131.99	1,563.41	163,868.01	
<u>70 Donations</u>						
171952 47000 BDC Contrib to Econ De	73,335	73,335.00	73,335.00	.00	.00	100.0%*
TOTAL Donations	73,335	73,335.00	73,335.00	.00	.00	100.0%
TOTAL REVENUES	73,335	73,335.00	73,335.00	.00	.00	
<u>90 Other</u>						
191011 49000 Administration Miscell	2,000	2,000.00	70.00	.00	1,930.00	3.5%*
191111 49000 Finance Miscellaneous	2,500	2,500.00	4,262.30	602.76	-1,762.30	170.5%*
191111 49101 Workers Comp Reimb	2,000	2,000.00	15,282.00	.00	-13,282.00	764.1%*
191111 49105 Postage & Handling	3,000	3,000.00	3,070.00	300.00	-70.00	102.3%*
191111 49106 W/C Proceeds	0	.00	4,203.54	656.61	-4,203.54	100.0%*
191111 49210 Insurance Proceeds	0	.00	147.16	-7,085.00	-147.16	100.0%*
191192 49100 Cable Television	195,000	195,000.00	169,863.62	.00	25,136.38	87.1%*

FOR 2009 12

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
191194 49150 Gen Govt Asset Sales	0	.00	2,668.83	.00	-2,668.83	100.0%*
191311 49000 Assessing Miscellaneous	0	.00	5.00	.00	-5.00	100.0%*
191411 49000 Codes Miscellaneous	500	500.00	1,076.25	135.00	-576.25	215.3%*
191611 49000 Town Clerk Miscellaneous	1,800	1,800.00	1,834.75	90.00	-34.75	101.9%*
191911 49000 Planning Miscellaneous	0	.00	9,870.36	-390.54	-9,870.36	100.0%*
191941 49000 Natural Resources Misc	0	.00	1,350.00	.00	-1,350.00	100.0%*
192121 49000 Fire Miscellaneous	1,000	1,000.00	1,385.24	485.35	-385.24	138.5%*
192194 49151 Fire Vehicle Sales	0	.00	500.00	.00	-500.00	100.0%*
192221 49000 Police Miscellaneous	0	.00	25,811.58	.00	-25,811.58	100.0%*
192294 49153 Police Vehicle Sales	29,000	29,000.00	22,035.00	.00	6,965.00	76.0%*
193131 49000 Public Works Miscellan	3,500	3,500.00	87.54	.00	3,412.46	2.5%*
194141 49000 Human Services Misc	0	.00	1.50	.00	-1.50	100.0%*
194141 49103 General Assistance Rec	1,000	1,000.00	8,289.38	74.87	-7,289.38	828.9%*
194545 49000 School Miscellaneous R	85,000	85,000.00	477,553.80	86,299.43	-392,553.80	561.8%*
195051 49000 Recreation Miscellaneous	0	.00	2.18	.00	-2.18	100.0%*
199994 48100 General Fund Transfer	0	59,923.56	97,232.02	.00	-37,308.46	162.3%*
TOTAL Other	326,300	386,223.56	846,602.05	81,168.48	-460,378.49	219.2%
TOTAL REVENUES	326,300	386,223.56	846,602.05	81,168.48	-460,378.49	
GRAND TOTAL	52,083,663	52,143,586.56	54,098,086.28	2,882,478.77	-1,954,499.72	103.7%

** END OF REPORT - Generated by Julie Henze **

REPORT OPTIONS

Sequence	Field #	Total	Page Break	Year/Period: 2009/12
Sequence 1	5	Y	N	Print revenue as credit: N
Sequence 2	0	N	N	Print totals only: N
Sequence 3	0	N	N	Suppress zero bal accts: Y
Sequence 4	0	N	N	Print full GL account: N

Double space: N
Roll projects to object: N
Incl inception to soy: N
Carry forward code: 1
Print journal detail: N
From Yr/Per: 2009/12
To Yr/Per: 2009/12
Include budget entries: N
Incl encumb/liq entries: N
Sort by JE # or PO #: J
Detail format option: 1

Report title:
JUNE 2009 REVENUE REPORT

Print Full or Short description: F
Print MTD Version: Y
Print Revenues-Version headings: Y
Format type: 2
Print revenue budgets as zero: N
Include Fund Balance: N
Include requisition amount: N

MANAGER'S REPORT

B and C

NO BACK UP MATERIALS

Item 113

BACK UP MATERIALS



TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT
28 FEDERAL STREET
BRUNSWICK, ME 04011

ANNA M. BREINICH, AICP
DIRECTOR OF PLANNING & DEVELOPMENT

PHONE: 207-725-6660
FAX: 207-725-6663

July 14, 2009

Memo to: Brunswick Town Council
Gary Brown, Acting Town Manager
From: Anna Breinich, AICP
Subject: Proposed BNAS Rezoning Amendment, Final Draft

Please find attached a copy of the final draft of the proposed BNAS Rezoning Text and Mapping Amendment for your consideration. As mentioned previously, the amendment was recommended for Council's adoption by the Brunswick Planning Board at their meeting on March 24, 2009.

Additional tracked revisions are also included in this draft in response to comments received since Planning Board action and are both substantive and editorial in nature. The substantive revisions are as follows:

- Pages 3-4, Amendment to the Chapter Two Introduction was modified to delete description of proposed new zoning districts as the descriptions are also included within each specific district. Section I.5 is amended to include Zoning District abbreviations for each new district.
- Page 5, Subsection 401.1 A.5) c) clarifies the usable floor area as being measured with the existing building footprint. In addition, 5) d) clarifies that the "site" referenced is the "project site."
- Page 11, Amendment to Section 411 to add a new subsection 411.24, entitled Environmental Compliance in the BNAS Reuse and Conservation Districts. This new subsection is in response to workshop discussions held between Town Council and members of the NASB Restoration Advisory Board (RAB) and Brunswick Area Citizens for a Safe Environment (BACSE). The new language was jointly developed by MRRA staff and BACSE members for your consideration. In addition, a memo from MRRA Executive Director, Steve Levesque, is attached for informational purposes.
- Page 19, Section A.III.8. and Subsection A.III.8.1 (Common Development Plan) have been deleted. The use of Common Development Plans are already provided for within the existing Zoning Ordinance, Section 413, and references are now made to that section where appropriate in this zoning amendment.
- Page 26, Sections A.IV.6A. has been clarified to reference "project disturbance." In addition, 6B. now requires compliance with Section 211 (NRPZ) of the Zoning Ordinance.

The proposed BNAS districts (Reuse District, Conservation District) and the proposed College Use/Town Conservation District will replace the current zoning district I-5 and is consistent with the BNAS Reuse Plan, as adopted by Town Council and approved by the U.S. Department of Housing and Development. As recommended by the Planning Board, the Reuse Zoning District is proposed with the use of conceptual land use districts as outlined in the BNAS Reuse Master Plan. This

approach should allow for greater flexibility in base reuse if there is a need to adjust land use district boundaries and not necessitate a Town Zoning Ordinance revision. The land use district provisions further provide for use and dimensional standards and can be likened to a major mixed use development plan (e.g. Maine Street Station). This approach has been utilized successfully in other base reuse communities.

The College Use/Town Conservation District was developed with input from Town, Bowdoin College and MRRRA staff with regard to use and dimensional standards. Other language was developed by Bowdoin and Town Staff to provide for conservation uses for lands to be conveyed to the Town of Brunswick, also located with the proposed district. The land area included within this District consists of the proposed Public Benefit Conveyances to the Town and Bowdoin College with uses consistent with the purposes of the conveyances. We will have the mapping of this area available at the meeting.

In terms of ordinance structure, the majority of the amendments are proposed for insertion as Appendices as an interim measure. As mentioned previously, we are moving forward to complete a full rewrite of the Zoning Ordinance consistent with the 2008 Comprehensive Plan. At that time, the Appendices can then be incorporated more fully into the actual ordinance standards.

Thank you for consideration of this request. I will be available at the Town Council to answer any questions you may have.

cc: Steve Levesque
Catherine Longley
Catherine Ferdinand
Del Wilson
Vicky Boundy

Proposed Amendments to the Brunswick Zoning Ordinance To Implement the BNAS Reuse Master Plan, as recommended by the Brunswick Planning Board, March 24, 2009
Proposed ordinance amendments are underlined.

1 Amend the Brunswick Zoning Map as shown on the attached fragmentary map to rezone the Brunswick Naval Air Station property into the BNAS Reuse District, BNAS Conservation District, and College Use/Town Conservation District.

~~2 Adopt the attached BNAS Reuse District Sub-District Map as an addendum to the Brunswick Zoning Map.~~

3 Amend the Table of Contents by adding Appendix III. BNAS Reuse District, Appendix IV. BNAS Conservation District and Appendix V. College Use/Town Conservation District to read as follows and adding the appropriate page numbers:

APPENDIX III: BNAS REUSE DISTRICT

A-III.1 PURPOSE OF THE BNAS REUSE DISTRICT..... xxx

A-III.2 PLANNING AREA..... xxx

A-III.3 APPLICABILITY OF THE BNAS REUSE DISTRICT PROVISIONS..... xxx

A-III.4 APPLICABILITY OF CHAPTER THREE: SPECIFIC DIMENSIONAL STANDARDS AND USE TO THE BNAS REUSE DISTRICT..... xxx

A-III.5 LAND USE DISTRICTS..... xxx

A-III.6 USE TABLE FOR THE LAND USE DISTRICTS..... xxx

A-III.7 DIMENSIONAL AND DENSITY TABLE FOR THE LAND USE DISTRICTS..... xxx

~~**A-III.8 ADDITIONAL STANDARDS THAT APPLY TO THE BNAS REUSE DISTRICT..... xxx**~~

A-III.9-8 NOISE REQUIREMENTS..... xxx

A-III.10-9 SIGNS..... xxx

A-III.11-10 STREET STANDARDS..... xxx

APPENDIX IV: BNAS CONSERVATION DISTRICT

A-IV.1 PURPOSE OF THE BNAS CONSERVATION DISTRICT..... xxx

A-IV.2 PLANNING AREA..... XXX

A-IV.3 APPLICABILITY OF THE BNAS CONSERVATION DISTRICT
PROVISIONS..... XXX

A-IV.4 APPLICABILITY OF CHAPTER THREE: SPECIFIC DIMENSIONAL
STANDARDS AND USE TO THE BNAS CONSERVATION
DISTRICT..... XXX

A-IV.5 PERMITTED USES IN THE BNAS CONSERVATION DISTRICT ...XXX

A-IV.6 DEVELOPMENT STANDARDS IN THE BNAS CONSERVATION DISTRICT
.....XXX

APPENDIX V: COLLEGE USE/TOWN CONSERVATION DISTRICT

A-V.1 PURPOSE OF THE COLLEGE USE/TOWN CONSERVATION
DISTRICT.....XXX

A-V.2 PLANNING AREA..... XXX

A-V.3 APPLICABILITY OF THE COLLEGE USE/TOWN CONSERVATION
DISTRICT PROVISIONS..... XXX

A-V.4 PERMITTED USES IN THE COLLEGE USE/TOWN CONSERVATION
DISTRICT XXX

A-V.5 DEVELOPMENT STANDARDS IN THE COLLEGE USE/TOWN
CONSERVATION DISTRICT.....XXX

4. Amend 105 Planning Areas to read:

105 Planning Areas

The Town is divided into Planning Areas as set forth in Appendix I:

Growth Areas

Maine Street Central
Maine Street Neighborhood
Extended Neighborhood
Cooks Corner
Large Scale Business/Institutional
Highway Commercial

Rural Areas

Rural Residential
Rural Farm and Forest
Rural Coastal Protection

In addition, the Planning Areas for the BNAS Districts are set forth in Appendices III and IV.

The Planning Area for the College Use/Town Conservation District is set forth in Appendix V.

5. Amend 106 Zoning Districts and Zoning Map by adding a new subsection 106.4 and 106.5 to read:

106 Zoning Districts and Zoning Map

The Town is divided into zoning districts and overlay zones. All zoning districts and overlay zones are shown on the Brunswick Zoning Map adopted herewith, which map is made a part of this Ordinance, and is on file in the Department of Planning and Development.

- 106.1 Growth Districts --See Chapter TWO, Sections 201 -207 (Amended 12/1/97 R)
- 106.2 Rural Districts --See Chapter TWO, Section 208
- 106.3 Overlay Zones --See Chapter TWO, Sections 209 - 216
- 106.4 BNAS Districts – See Appendices III and IV
- 106.5 College Use/Town Conservation District – see Appendix V

6. Amend 111 Definitions by adding definitions of aviation operations and aviation related businesses in proper alphabetical order to read:

Aviation Operations. Runways, taxiways, navigational devices, communication facilities, control towers, and similar facilities directly related to the operation and maintenance of an airfield including administrative offices and facilities for fueling aircraft.

Aviation Related Businesses. Facilities and businesses that rely on or directly benefit from proximity to airport facilities including, but not limited to, general and corporate aviation facilities, charter air service, aircraft maintenance/repair/overhaul, aviation related manufacturing, sales, service, or education, government and aerospace research and development, and similar aviation-related activities including ancillary facilities that service aviation uses.

7. Amend the introduction to Chapter Two and Section I.5 to read:

CHAPTER TWO: ZONING DISTRICTS AND OVERLAY ZONES

All zoning districts and overlay zones described in this Chapter and Appendices III (BNAS Reuse District), IV (BNAS Conservation District) and V (College Use/Town Conservation District) are hereby created. Such districts and zones refer to geographic areas identified on the Zoning Map of the Town of Brunswick. ~~In addition to the zoning districts and overlay zones created in this Chapter, two additional BNAS Districts are created, the BNAS Reuse District and the BNAS Conservation District. A third district comprised of lands on the west side of the former BNAS transferred to Bowdoin College and to the Town of Brunswick by~~

~~Public Benefit Conveyance in accordance with the recommendations of the adopted Reuse Master Plan is also created, the College Use/Town Conservation District. The requirements for these BNAS Districts are in Appendix III: BNAS Reuse District and Appendix IV: BNAS Conservation District. The requirements for the College Use/Town Conservation District are in Appendix V: College Use/Town Conservation District.~~

Section I.5. Zoning District Abbreviations. Zoning Districts are named based on their predominant characteristics:

<u>CP1</u>	<u>Coastal Protection 1 (Mere Point Area) Amended 5/21/01)</u>
<u>CP2</u>	<u>Coastal Protection 2 (Raymond Road Area) (Amended 5/21/01)</u>
<u>CC</u>	<u>Cook’s Corner Center</u>
<u>CR</u>	<u>Country Residential</u>
<u>CU</u>	<u>College Use</u>
<u>FF</u>	<u>Farm and Forest</u>
<u>HC</u>	<u>Highway Commercial</u>
<u>I</u>	<u>Large Scale Business, Industrial and Institutional</u>
<u>MU</u>	<u>Mixed Use</u>
<u>R</u>	<u>Residential</u>
<u>TC</u>	<u>Town Center</u>
<u>TR</u>	<u>Intown Residential</u>
<u>CU/TC</u>	<u>College Use/Town Conservation</u>
<u>BRU</u>	<u>BNAS Reuse District</u>
<u>BCN</u>	<u>BNAS Conservation District</u>

**8. Amend Sections 401, 402, and 403 in Chapter Four:
DEVELOPMENT REVIEW to read:**

401 Applicability

401.1 The following outlines the applicability for Development Review:

- A. Development review does not apply to:
- 1) A single or two family dwelling.
 - 2) Uses or structures that are accessory to a single or two family dwelling.
 - 3) Agricultural land management practices, including farm and woods roads developed in accordance with “Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices”, as amended. (Amended 9/3/02 R)
 - 4) Unpaved trails and paths developed in accordance with Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, as amended.

(Groups or individuals planning such trails and paths are encourage to consult with the Planning Department prior to construction. (Amended 9/3/02 R)

5) The *initial* non-military re-occupancy of a building in the BNAS Reuse District existing as of the date of adoption of this provision provided all of the following are met:

a) The new use is a permitted use in the Reuse Land Use District in which it is located, per the BNAS Reuse Master Plan, approved December 2007.

b) The re-occupancy maintains the pre-existing pattern of use of the site including the general location of the building and parking and services areas.

c) The usable floor area of the building is not increased by more than two thousand (2,000) square feet, *within the existing building footprint*.

d) The amount of impervious surface on the *project* site is not increased by more than two thousand (2,000) square feet.

e) There is adequate parking available for the new use in accordance with Section 512.

f) The re-occupancy of the building will not change the primary use of the building from residential to non-residential or from non-residential to residential-.

g) The *initial* non-military re-occupancy of a building shall not be considered a change of use even if it does not meet the vacancy time limits of Section 702.1. All subsequent re-occupancy of buildings in the BNAS Reuse District shall be subject to the change of use review requirements of Sections 402 and 702 of this ordinance as applicable-, and

6) The change of use of a building in the BNAS Reuse District with less than 10,000 square feet of floor area following its *initial* non-military occupancy provided that the new use does not significantly intensify the use of the property compared to its previous use. A new use that increases the required off-street parking in accordance with 512.1 or 512.2 by more than twenty percent (20%) or that increases the number of peak hour vehicle trips based upon the ITE Trip Generation Manual by more than twenty percent (20%) or that meets any of the review thresholds of 702.3 shall be considered to significantly intensify the use. If the Code Enforcement Officer determines that there will be a significant intensification of the use, the

activity shall be deemed to be a minor development subject to development review in accordance with Section 402.1.

- B. Activities not subject to development review still require appropriate permits issued by the Codes Enforcement Officer and/or the Village Review Board if the property is in the Village Review Zone.
- C. All activities listed in Section 402 shall be subject to Development Review.
- D. Projects subject to development review shall be divided into two classes, Major and Minor. Minor projects shall be reviewed by the Staff Review Committee. Major projects shall be reviewed by the Planning Board.
- E. Thresholds for development review apply only to new, or "add-on" construction, except as indicated in Section 402. Floor area and impervious surface area are calculated on a net basis. The floor area and the impervious surface area (roof) of a building each contribute separately to the cumulative total of the two. (Amended 6/19/00 R)
- F. If development is proposed on two or more lots and the Director of Planning and Development finds that the development functions as a single project, thresholds for development review shall be applied to the project as though the lots on which it is located were single lots. (Amended 9/4/01 R)

402 Development Review Classification and Thresholds

402.1 Activities Subject to Minor Review

The following activities shall be subject to Minor Development Review by the Staff Review Committee:

- A. Any development activity or combination of activities that, within any five year period results in the construction of the following:
 - 1. In all zoning districts except for those indicated in 402.1 A2 and 402.1 A.3:
 - a. Between 1,000 and 4,999 square feet of new floor area; (Amended 6/19/00 R)
 - b. Between 1,000 and 4,999 square feet of new impervious surface, or c. A cumulative total of between 1,500 and 7,499 square feet of floor area and impervious surface. (Amended 6/19/00 R)
 - 2. In the MU4 (Fox Run), CC (Cook's Corner Center), I2 (Church Road Industrial Park), I3 (Bath Road Industrial), I4

(Exit 22), HC2 (Inner Bath Road):

- a. Between 2,000 and 9,999 square feet of new floor area; (Amended 6/19/00 R)
- b. Between 2,000 and 9,999 square feet or more of new impervious surface; or
- c. A cumulative total of between 3,000 and 14,999 square feet or more of floor area and impervious surface. (Amended 6/19/00 R)

3. In the BNAS Reuse District:

- a. Between 2,000 and 9,999 square feet of new floor area;
- b. Between 2,000 and 9,999 square feet of new impervious surface; or
- c. A cumulative total of between 3,000 and 19,999 square feet of floor area and impervious surface.

- B. Any use that involves the construction of one drive-up window.
- C. Marine Activities that involve the creation of less than 5,000 square feet of new impervious surface.
- D. Construction of a multi-family dwelling unit in all zoning districts except the BNAS Reuse District, containing between 3 and 5 units that does not create a subdivision. In the BNAS Reuse District, activities involving the construction of multi-family dwellings with up to ten (10) units that do not create a subdivision are classified as Minor Projects.
- E. Development subject to Special Permit (Section 701) that results in the creation of less than 5,000 square feet of new impervious surface.
- F. Construction within the Natural Resources Protection Zone subject to the provisions of section 211.2.A.3, 304.6.D.4., 304.4.B or 304.7 (Amended 9/4/01 R, 0/15/01 R)
- G. Establishment or expansion of a Neighborhood Store. (Amended 7/5/05 R)
- H. Change of use of a building within the BNAS Reuse District that affects 10,000 to 19,999 square feet of floor area, pursuant to Section 702.

402.2 Activities Subject to Major Review

The following activities shall be subject to Major Development Review by the Planning Board:

- A. The creation of a Subdivision as defined by 30-A M.R.S.A. Section 4401, as amended.
- B. Any development activity, or combination of activities that, within any five year period results in the construction of the following:
 1. In all zoning districts except for those indicated in 402.2 B2 and 402.2 B.3:
 - a. 5,000 square feet or more of new floor area; (Amended

- 6/19/00 R)
- b. 5,000 square feet or more of new impervious surface, or
 - c. A cumulative total of 7,500 square feet or more of floor area and impervious surface. (Amended 6/19/00 R)
2. In the MU4 (Fox Run), CC (Cook's Corner Center), I2 (Church Road Industrial Park), I3 (Bath Road Industrial), I4 (Exit 22), HC2 (Inner Bath Road):
- a. 10,000 square feet or more of new floor area;(Amended 6/19/00 R)
 - b. 10,000 square feet or more of new impervious surface; or
 - c. A cumulative total of 15,000 square feet or more of floor area and impervious surface. (Amended 6/19/00 R)
3. In the BNAS Reuse Zoning District:
- a. 10,000 square feet or more of new floor area;
 - b. 10,000 square feet or more of new impervious surface;
or
 - c. A cumulative total of 20,000 square feet or more of floor area and impervious surface.
- C. Any use that involves the construction of 2 or more drive-up windows.
 - D. Changes of Use that affect 10,000 square feet or more of floor area, pursuant to Section 702 (Amended 6/19/00 R), or 20,000 square feet or more of floor area in the BNAS Reuse District.
 - E. Changes of use involving conversion of a single or two-family home to any other use in Town Residential and Residential Districts.
 - F. The development or expansion of a Mobile Home Park, pursuant to Section 212.
 - G. Development subject to Special Permit (Section 701) that involves creation of 5,000 square feet or more of new impervious surface.
 - H. Mineral Extraction, pursuant to Section 306.6.
 - I. The addition or expansion of a canopy for a gasoline sales station, pursuant to Section 306.14.
 - J. Any activity in the BNAS Reuse District that is located within two hundred (200) feet of the district boundary that would otherwise be classified as a minor project.
 - K. Any activity in the BNAS Reuse District that generates more than one hundred (100) peak hour vehicle trips-unless the activity is part of an approved subdivision or common development plan in which traffic was addressed as part of the approved plan.

402.3 Amendments and Cumulative Development

- A. Development Review Thresholds shall be based upon cumulative

development totals over a five year period. If any threshold is exceeded during any five year period, all development within that time period shall be subject to review.

- B. Amendments to projects shall be subject to the level of review that is commensurate with the scope of the amendment proposed.

403 Delegation of Planning Board Review Authority

The authority of the Planning Board to review certain minor development projects is hereby delegated to the Staff Review Committee in accordance with the provisions of this Section. Whenever such delegation occurs, the term "Planning Board" shall also refer to the Staff Review Committee.

403.1 Planning Board Responsibilities

The Planning Board is responsible for the review of all major projects and of any minor project for which Planning Board review is requested by the applicant. The Planning Board may conduct Minor Project review if recommended by either the Director of Planning and Development or the Staff Review Committee.

403.2 Staff Review Committee Responsibilities

- A. The Staff Review Committee shall consist of the Director of Planning and Development, the Town Engineer/Public Works Director, Codes Enforcement Officer, Recreation Director, Fire Chief, Police Chief, Assessor, Natural Resources Planner, Superintendent of the Brunswick-Topsham Water District, and the Superintendent of the Brunswick Sewer District, or their official designees. For the review of projects in the BNAS Reuse District, the Staff Review Committee shall be expanded to include one non-voting staff representative from the Midcoast Regional Redevelopment Authority (MRRA). The MRRA representative shall be designated in writing by the Executive Director of MRRA.
- B. The Staff Review Committee, in its development review capacity, shall exercise all of the powers exercised by the Planning Board including the power to grant waivers, and the power to approve, approve with conditions, or deny applications for Site Plan approval. Applications for minor development review may be referred to the Planning Board for approval at the discretion of the Staff Review Committee or the Director of Planning and Development.
- C. Actions by the Staff Review Committee to approve an application, with or without conditions, shall require the approval of a majority of those members present and voting. A quorum shall consist of three members.
- D. The Staff Review Committee may waive provisions of this Chapter

and of Chapter 5, in accordance with Section 410.

- E. The Staff Review Committee shall set forth the reason for its decisions and make Findings of Fact, in writing, within 7 days of the meeting. Such findings of fact shall be sufficient to apprise the applicant and any interested member of the public of the basis for the decision.
- F. All appeals to any Staff Review Committee decision shall be heard by the Planning Board.
- G. The Staff Review Committee shall provide recommendations to the Planning Board for any project undergoing major development review. Individual members of the Committee may in addition submit letters of recommendations to the Planning Board.

403.3 Director of Planning & Development and Codes Enforcement Officer

- A. **Minor Change of Use.** For changes of use that do not exceed the thresholds required for site plan review as indicated in Sections 401.1, 402.1, and 402.2, and that do not constitute a Departmental Review pursuant to Section 702.4, the permit may be issued by the Codes Enforcement Officer, provided that the application is in compliance with all relevant provisions of this ordinance.
- B. **Minor Modifications.** The Planning Board's review and approval is based upon the application plans and materials submitted by the applicant. The Director of Planning and Development may find proposed changes to an approved site plan, subdivision or Special Permit or related materials to be minor modification in which case approval by the Planning Board or the Staff Review Committee shall not be necessary. (Amended 9/4/01 R)

9. Amend Section 411 in Chapter Four: DEVELOPMENT REVIEW to add a new subsections 411.23 and .24 to read:

411.23 Additional Design Review Guidelines in the BNAS Reuse and Conservation Districts

In addition to the development review requirements of this Chapter, activities in the BNAS Reuse District and BNAS Conservation District are subject to separate design guidelines established and administered by the Midcoast Regional Redevelopment Authority (MRRRA). Conformance with the MRRRA design guidelines is not subject to consideration as part of the development review process but all applications for development review must demonstrate that they have completed the MRRRA design review process.

411.24 Environmental Compliance in the BNAS Reuse and Conservation Districts

All land use controls in the BNAS Reuse and Conservation Districts must be implemented and monitored in accordance with state and federal laws governing the BNAS Reuse and Conservation Districts. All applications for development review must demonstrate that the proposal takes into account the actions necessary to comply with all state, federal and local institutional controls applicable to the property and that the uses are in conformity with any applicable environmental restrictions.

10. Amend the introduction to Appendix 1: Planning Areas to read:

APPENDIX 1: Planning Areas

The Town of Brunswick is divided into the following Planning Areas, as indicated in the Planning Area Map, and as described in the following section. In addition to these areas, the Planning Areas for the former Brunswick Naval Area Station are set out in Appendices III, IV and V.

11. Amend the introduction to Appendix II: Street Standards to read:

APPENDIX II: Street Standards

This Appendix outlines street standards necessary for dedication to the Town, and also provides guidelines for the development of private roads. The provisions of this ~~appendix~~ Appendix are modified in accordance with the street standards of Appendix III: BNAS Reuse District, for streets that are located within the BNAS Reuse District.

12. Amend the ordinance by adding a new Appendix III: BNAS REUSE DISTRICT to read:

APPENDIX III: BNAS REUSE DISTRICT

A-III.1 Purpose of the BNAS Reuse District

The purpose of the BNAS Reuse District is to provide for the reuse, redevelopment, and development of the portion of the former Brunswick Naval Area Station (BNAS) that is designated for development and active use in the adopted BNAS Reuse Master Plan in accordance with the land use district designations set forth in the Reuse Master Plan. The Reuse District includes provisions for the expedited review of development proposals to

encourage the timely reuse of this facility.

A-III.2 Planning Area

The BNAS Reuse District is designated as the BNAS Reuse Planning Area in accordance with Sections 105 and 106. The BNAS Reuse Planning Area is designated as a Growth Area.

- A. The BNAS Reuse Planning Area includes the portion of the Brunswick Naval Air Station that is designated for development and active use in the adopted Reuse Master Plan.
- B. The BNAS Reuse Planning Area includes much of the land area of the base including the areas that have been developed and/or actively used for base operations including the airstrip and related facilities, the cantonment area, the residential areas, and the golf course.
- C. The adopted Reuse Master Plan for the base identifies various land use district designations indicating the desired future use and development pattern for different areas of the base. The intention of the BNAS Reuse Planning Area is to facilitate the reuse, redevelopment, and development of the base in accordance with those land use designations.
- D. The BNAS Reuse Planning Area includes the BNAS Reuse District/Reuse Master Plan land use districts as set forth in A-III.5.

A-III.3 Applicability of the BNAS Reuse District Provisions

The provisions of Appendix III apply to and govern the use of land, the reuse of existing buildings and facilities, and the development or redevelopment of buildings or facilities within the BNAS Reuse District. Unless otherwise specifically provided for in Appendix III, all of the other requirements of the Town of Brunswick Zoning Ordinance apply to activities within the BNAS Reuse District. If there is conflict between the provisions of Appendix III and the other provisions of the Zoning Ordinance, the provisions of Appendix III shall govern.

In addition to the Town standards, activity within the BNAS Reuse District is subject to the MRRRA Design Guidelines. These guidelines identify additional advisory design features for activity within the Reuse District. The MRRRA Design Guidelines are administered by the Midcoast Regional Redevelopment Authority (MRRRA) and are not part of the Town's development review process.

A-III.4 Applicability of Chapter Three: Specific Dimensional Standards and Use to the BNAS Reuse District

The use of land, the reuse of existing buildings and facilities, and the development or redevelopment of buildings or facilities within the BNAS Reuse District must conform to the requirements of Chapter Three: Specific Dimensional and Use Provisions except as

specifically provided by this section.

A-III.4.1 Non-Conformity (Section 304)

The creation of lots to contain buildings or structures in existence as of the date of adoption of this appendix shall be done in a manner that conforms to the dimensional standards of the BNAS Reuse District for the land use district in which it is located to the extent practical. However, these provisions recognize that this may not be possible in some situations:

- A. Notwithstanding ~~Section 304 the other provisions~~ of the Zoning Ordinance and the _____ dimensional requirements of A-III.7, a lot may be created that contains one or _____ more buildings or structures in existence as of the date of adoption of this _____ Appendix even if the building(s) or structure(s) is located on the lot in such a _____ manner that:
1. It does not comply to the minimum front, side, and/or rear yard requirements of the BNAS Reuse District for the land use district in which it is located. Such a building or structure shall not be considered to be non-conforming.
 2. It does not conform to the minimum building frontage, maximum building frontage, and/or maximum front yard requirements of the BNAS Reuse District for the land use district in which it is located. Such a building or structure shall not be considered to be non-conforming.
- B. Any building or structure in existence as of the date of adoption of this Appendix that does not conform to the minimum building height, maximum building height, or maximum building footprint per structure requirements of the BNAS Reuse District for the land use district in which it is located shall not be considered to be non-conforming.

A-III.4.2 Neighborhood Stores (Section 306.16)

Notwithstanding ~~the provisions of~~Section 306.16 of the Zoning Ordinance, neighborhood stores are permitted only in the R-CMU Land Use District of the BNAS Reuse District.

A-III.4.3 Outdoor Sales (Section 306.18)

Outdoor sales are permitted only in the R-CMU, R-AR, and R-B&TI Land Use Districts of the BNAS Reuse District.

A-III.4.4 Day Care Centers for Children or Adults (Section 306.19)

Day Care Facilities for Children or Adults that care at any one time for no more than six (6) children or adults that are unrelated to the owner of the facility are

permitted in all Subdistricts-land use districts of the BNAS Reuse District. All other Day Care Facilities for Children or Adults as defined by 306.19 are permitted only in the R-CMU, R-PO, R-AR, R-B&TI, and R-R&OS Land Use Districts.

A-III.4.5 Open Space Developments (Section 308)

Open Space Developments in accordance with Section 308 of the Zoning Ordinance are permitted in any land use district that allows residential development. The lot requirements for Open Space Developments in existing Residential Zoning Districts in Growth Areas (Table 308.4A) shall apply to the R-R Land Use District. The lot requirements for existing Highway Commercial and Cooks Corner Zoning Districts shown in Table 308.4A shall apply to Open Space Developments in all other land use districts.

A-III.5 Land Use District Designations as per the Adopted BNAS Reuse Master Plan

The BNAS Reuse District is divided into six land use districts as contained in the adopted BNAS Reuse Master Plan. The allowed uses and the dimensional and density requirements are set forth in Sections A-III.6 and A-III.7. Additional performance standards are contained in Section A-III.8 and are applicable to the entire BNAS Reuse District.

The six land use districts are:

Land Use Districts General Descriptions of the Subdistrict-Based on the Reuse Master Plan

R-CMU	BNAS Community Mixed Use <u>Subdistrict-Land Use District</u> (includes the Community — Mixed Use Land Use Designation plus the portion of the Education — Land Use Designation included in the Southern Maine Community -College Public Benefit Conveyance)
R-PO	BNAS Professional Office <u>Subdistrict-Land Use District</u> (includes the Professional — Office Land Use Designation)
R-AR	BNAS Aviation Related <u>Subdistrict-Land Use District</u> (includes the Airport — Operations and Aviation Related Business Land Use Designations)
R-B&TI	BNAS Business and Technology Industries <u>Subdistrict-Land Use District</u> (includes — the Business and Technology Industries Land Use Designation)
R-R	BNAS Residential <u>Subdistrict-Land Use District</u> (includes the Residential Land Use -Designation)
R-R&OS	BNAS Recreation and Open Space <u>Subdistrict-Land Use District</u> (includes the —Recreation and Open Space Land Use Designation)

The boundaries of the six land use districts are shown on the BNAS Reuse District Land Use District Map, a conceptual part of the adopted BNAS Reuse Master Plan which may be amended from time to time, and is attached for illustrative purposes to the Town's Official Zoning Map. Further, the boundaries may be refined upon completion and approval of the BNAS Environmental Impact Statement.

A-III.6 Use Table for the Land Use Districts

<u>Use/Land Use District</u>	<u>R-CMU</u>	<u>R-PO</u>	<u>R-AR</u>	<u>R-B&TI</u>	<u>R-R</u>	<u>R-R&OS</u>
<u>Aviation Operations</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Aviation Related Business</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Bank</u>	<u>P</u>	<u>P</u>	<u>P³</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Bed and Breakfast</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Boarding House</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Business Office</u>	<u>P</u>	<u>P</u>	<u>P³</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Campground</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>
<u>Car Wash</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Club or Lodge</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>College Dining Facility</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>College Office</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Community Center</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P²</u>	<u>X</u>
<u>Congregate-Assisted Living</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>
<u>Contractor's Space</u>	<u>X</u>	<u>X</u>	<u>P³</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Convenience Store</u>	<u>P</u>	<u>XP⁴</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Drive-Through</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Dwelling, Single and Two Family</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>
<u>Dwelling, 3 or More Units</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>
<u>Dwelling as Part of a Mixed Use Building</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Educational Facility</u>	<u>P</u>	<u>P¹</u>	<u>P</u>	<u>P¹</u>	<u>X</u>	<u>P</u>
<u>Equestrian Facility/Stable</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>
<u>Farm/Gardens</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>
<u>Gasoline/Fuel Sales</u>	<u>PX</u>	<u>X</u>	<u>P³</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Gasoline/Fuel Service Station</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Golf Course</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>

<u>Use/Land Use District</u>	<u>R-CMU</u>	<u>R-PO</u>	<u>R-AR</u>	<u>R-B&TI</u>	<u>R-R</u>	<u>R-R&OS</u>
<u>Greenhouse</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>
<u>Hotel</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Industry Class I</u>	<u>X</u>	<u>X</u>	<u>P³</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Industry Class II</u>	<u>X</u>	<u>X</u>	<u>P³</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Junkyards</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Kennel</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Library or Museum</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Marina</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Marine Activities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Media Studio</u>	<u>P</u>	<u>P¹</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Mineral Extraction</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Motor Vehicle Sales</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Motor Vehicle Service/Repair</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Parking Facility</u>	<u>P</u>	<u>P²</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Photographers – Artists Studio</u>	<u>P</u>	<u>P¹</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Professional Office</u>	<u>P</u>	<u>P</u>	<u>P³</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Recreation Facility</u>	<u>P</u>	<u>P¹</u>	<u>X</u>	<u>X</u>	<u>P²</u>	<u>P</u>
<u>Religious Institution</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Residence Hall</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Restaurant</u>	<u>P</u>	<u>P¹</u>	<u>P³</u>	<u>X</u>	<u>X</u>	<u>P²</u>
<u>Retail Class I</u>	<u>P</u>	<u>P¹</u>	<u>P³</u>	<u>P²</u>	<u>X</u>	<u>P²</u>
<u>Retail Class II</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Service Business Class I</u>	<u>P</u>	<u>P¹</u>	<u>P³</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Service Business Class II</u>	<u>P</u>	<u>P¹</u>	<u>P³</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Theater</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Veterinary Office</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P²</u>
<u>Warehousing and Storage</u>	<u>X</u>	<u>X</u>	<u>P³</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Any Use or Activity Approved</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

<u>Use/Land Use District</u>	<u>R-CMU</u>	<u>R-PO</u>	<u>R-AR</u>	<u>R-B&TI</u>	<u>R-R</u>	<u>R-R&OS</u>
<u>as Part of a Common Development Plan</u>						
<p>Key: P="permitted use"; X="prohibited use"; "--" = Special Permit required, see Section 701</p>						
<p>Notes: ¹ Allowed only as part of a mixed-use building ² Allowed only as an accessory use to another allowed use ³ Allowed only in conjunction with aviation related activities or uses</p>						

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A-III.7 Dimensional and Density Table for the Land Use Districts

<u>Standard/SubdistrictL and Use District</u>	<u>R-CMU</u>	<u>R-PO</u>	<u>R-AR</u>	<u>R-B&TI</u>	<u>R-R</u>	<u>R-R&OS</u>
<u>Minimum Lot Area¹</u>	<u>None</u>	<u>10,000 sf</u>	<u>None</u>	<u>10,000 sf</u>	<u>4,000 sf</u>	<u>None</u>
<u>Maximum Residential Density</u>	<u>24 units per acre</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>8 units per acre</u>	<u>n/a</u>
<u>Minimum Lot Width¹</u>	<u>None</u>	<u>50 ft</u>	<u>50 ft</u>	<u>50 ft</u>	<u>40 ft</u>	<u>None</u>
<u>Minimum Building Frontage (as a % of lot width)¹</u>	<u>80%</u>	<u>60%</u>	<u>None</u>	<u>None</u>	<u>50%</u>	<u>None</u>
<u>Maximum Building Frontage (as a % of lot width)¹</u>	<u>100%</u>	<u>80%²</u>	<u>None</u>	<u>None</u>	<u>80%</u>	<u>None</u>
<u>Minimum Front Yard¹</u>	<u>0 ft</u>	<u>15³ ft</u>	<u>0 ft</u>	<u>10 ft</u>	<u>10 ft</u>	<u>0 ft</u>
<u>Maximum Front Yard¹</u>	<u>5 ft</u>	<u>25⁵ ft</u>	<u>None</u>	<u>None</u>	<u>20 ft</u>	<u>None</u>
<u>Minimum Rear Yard¹</u>	<u>0 ft</u>	<u>10 ft</u>	<u>20 ft</u>	<u>20 ft</u>	<u>15 ft</u>	<u>20 ft</u>
<u>Minimum Side Yard¹</u>	<u>0 ft</u>	<u>10⁴ ft</u>	<u>15 ft</u>	<u>15 ft</u>	<u>10 ft</u>	<u>10 ft</u>
<u>Maximum Impervious Surface Coverage¹</u>	<u>100%</u>	<u>80%</u>	<u>80%</u>	<u>80%</u>	<u>50%</u>	<u>10%</u>
<u>Minimum Building Height¹</u>	<u>2 stories or 24 ft whichever is less</u>	<u>2 stories or 24 ft whichever is less</u>	<u>n/a</u>	<u>n/a</u>	<u>2 stories or 20 ft whichever is less</u>	<u>n/a</u>
<u>Maximum Building Height⁶</u>	<u>4 stories or 50 feet whichever is greater</u>	<u>5 stories or 60 feet whichever is greater</u>	<u>100 ft</u>	<u>60 feet</u>	<u>3 stories or 35 feet whichever is greater</u>	<u>35 ft</u>
<u>Maximum Building Footprint per Structure¹</u>	<u>20,000 sf</u>	<u>50,000 sf</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<p>Notes: ¹ Buildings or structures that are part of Common Development Plan approved by the Planning Board in accordance with Section 413 and that are in conformance with the approved plan are not subject to this limitation</p> <p>² May be increased to up to 100% for buildings that will be located within 5 feet of the front property line that will create a continuous street wall in conjunction with adjacent buildings</p> <p>³ May be reduced to as little as 0 feet for buildings that will be located within 5 feet of the front property line that will create a continuous street wall in conjunction with adjacent buildings</p> <p>⁴ May be reduced to as little as 0 feet for buildings that will be located within 5 feet of the front property line that will create a continuous street wall in conjunction with adjacent buildings</p> <p>⁵ May be increased to up to 40 feet if at least 50% of the area between the building and the front property line will be used as improved pedestrian space such as plazas, terraces, sitting areas and similar amenities including areas for outside food and/or beverage service.</p> <p>⁶ Unless restricted to a lower height by airport operational limits.</p>						

A-III.8 Additional Standards That Apply to the BNAS Reuse District

The following additional requirements apply to developments in the BNAS Reuse District that are subject to Development Review in accordance with Chapter Four of this Zoning Ordinance. In approving projects in accordance with Section 413 Common Development Plan provisions, the Planning Board may modify these requirements provided that criteria of Section 413.1 are satisfied.

A-III.8.1. Common Development Plan Required for Significant Projects

Any project that meets one or more of the following criteria must have a common development plan approved by the Planning Board in accordance with Section 413 prior to submitting an application for development review: 1. The construction of two or more principal buildings, structures, or facilities on a lot, 2. The construction of two or more principal buildings, structures, or facilities on more than one lot where the project is being developed as a single project and/or will be owned and/or managed as a single entity, 3. The reuse or redevelopment of a lot or lots containing two or more principal buildings, structures, or facilities that will be owned and/or managed as a single entity, or . The reuse or redevelopment of an existing building that will be reconfigured to create the potential for multiple uses of the building.

If the parcel upon which development is proposed is larger than twenty (20) acres in area, the common development plan may be approved in phases provided that each phase includes at least ten (10) acres and the individual phases create an overall plan for the parcel that conforms to the criteria of 413.1.

If a phased common development plan is proposed, a conceptual land use plan for the entire parcel must be submitted with the common development plan for the first phase of development. This conceptual plan must demonstrate how the individual phases will be combined to produce a coordinated development scheme for the entire parcel. This conceptual plan must address the following:-

1. The general overall pattern of land use indicating the portions of the parcel that will be developed and the planned use (in general terms) of the various portions of the parcel.
2. The general layout of the primary road network that will serve the entire parcel including the points of connection to the public street system if there will be internal roads or streets to serve the parcel.
3. The general layout of the primary utility networks that will serve the entire parcel.

In addition to the projects listed above, the owner/developer of any other project in the BNAS Reuse District that is subject to development review may elect to seek approval of a common development plan including utilization of the provisions for the flexible application of the dimensional requirements of A-III.7 prior to submitting an application for development review.

A-III.9-8 Noise Requirements

Activities in the BNAS Reuse District shall conform to the noise standards of Section 109.4 of the Zoning Ordinance and the equivalent sound levels set out for the six land use districts in the following table. Routine aircraft operations including take-offs, landings, and taxiing, are exempt from the requirements of this section and Section 109.4.

<u>Subdistrict Land Use District</u>	<u>Maximum Equivalent Sound Level Measured in dBA (day-night)</u>
<u>R-CMU</u>	<u>60-50</u>
<u>R-PO</u>	<u>65-55</u>
<u>R-AR</u>	<u>75-65 (1)</u>
<u>R-B&TI</u>	<u>70-60 (1)</u>
<u>R-R</u>	<u>55-45</u>
<u>R-R&OS</u>	<u>55-45</u>
<u>Note 1. The maximum equivalent sound level at the boundary of these land use districts with a land use district having a lower noise level measurement, shall not exceed 65 dBA during daytime hours and 55 dBA during nighttime hours.</u>	

A-III.10-9 Signs

Signs in the BNAS Reuse District shall conform to the sign regulations of Chapter Six of the Zoning Ordinance except as specifically provided for in this section. Where the provisions of this Section establish different standards than Chapter Six, the provisions of this Section shall apply. In addition to the requirements of Chapter Six, signs in the BNAS Reuse District are subject to review by the Midcoast Regional Redevelopment Authority (MRRA) in accordance with the MRRA Design Guidelines.

A-III.109.1 Monument Signs (Section 603.2)

Monument Signs in the R-CMU Land Use District are limited to a maximum of eight (8) feet in height. A monument sign is not permitted for a building in the R-CMU Land Use District if the front wall of the building is less than ten (10) feet from the front property line.

A-III.109.2 Pole Signs (Section 603.3)

Pole signs are not allowed in the R-CMU, R-PO, R-R and R-R&OS Land Use Districts. Pole signs in the R-AR and R-B&TI Land Use Districts may not exceed fifteen (15) feet in height nor may the size of any pole sign exceed twenty-five (25) square feet.

A-III.109.3 Projecting Signs (Section 603.5)

A projecting sign in the R-CMU Land Use District may not exceed ten (10) square feet in area and may not project more than five (5) feet from the wall to which it is attached. In all other land use districts, a projecting sign may not exceed twenty-five (25) square feet.

A-III.109.4 Wall Signs (Section 603.6)

Each non-residential establishment in the R-CMU, R-R, and R-R&OS Land Use Districts shall be allowed wall signage not to exceed a total of sixteen (16) square feet, except that establishments that occupy a portion of the principal façade shall be allowed wall signage not to exceed sixteen (16) square feet or ten percent (10%) of the area of ~~the~~ that portion of the principal façade occupied by ~~that the~~ establishment, whichever is greater.

Each non-residential establishment in the all other land use districts in the BNAS Reuse District shall be allowed wall signage not to exceed a total of twenty-five (25) square feet, except that establishments that occupy a portion of the principal façade shall be allowed wall signage not to exceed twenty-five (25) square feet or ten percent (10%) of the area of ~~the~~ that portion of the principal façade occupied by ~~that the~~ establishment, whichever is greater.

A-III.109.5 Religious Institution Signs (Section 603.7)

A religious institution ~~monument~~ sign in the BNAS Reuse District may be a wall or monument sign, in accordance with the requirements set forth in Section 603.7.

A-III.109.6 Changeable Copy Signs (Section 603.9)

Changeable copy signs are prohibited in the R-CMU and R-PO Land Use Districts except for “time and temperature” and similar public information displays that contain no advertising, in accordance with the requirements set forth in Section 603.9.

A-III.109.7 Directory Signs (Section 603.10)

In the R-CMU Land Use District, a directory sign that does not exceed five (5) square feet may be attached to the building adjacent to an entrance serving multiple occupants. If the building is setback more than ten (10) feet from the front property line or if the directory sign will serve a group of buildings or uses which share a common point of access from the adjacent street, a freestanding directory sign that does not exceed twenty-four (24) square feet may be used.

In all other land use districts in the BNAS Reuse District, directory signs may be freestanding or attached to the building. A freestanding directory sign may not exceed thirty-two (32) square feet or be more than ten (10) feet high.

A-III.109.8 Illumination of Signs (Section 607)

Internally illuminated signs are permitted in the R-PO, R-AR, and R-B&TI Land Use Districts. In all other land use districts in the BNAS Reuse District, internally illuminated signs are prohibited.

A-III.110 Street Standards

Public and private streets in the BNAS Reuse District shall conform to the provisions of the Brunswick Zoning Ordinance, Section 511 Development of New Streets and APPENDIX II: Street Standards except as provided for in this section. Where the provisions of this Section differ from the provisions of Section 511 and APPENDIX II, the standards of this Section shall apply.

A-III.110.1 Existing Streets

The Planning Board may approve a subdivision or development proposal that includes a street that existed as of the date of adoption of this section even if the existing street does not conform to the requirements of Section 511, Appendix II, and this section, including but not limited to, the standards for minimum right-of-way width, minimum pavement width, and minimum distance between intersections, if the Planning Board finds that the layout and design of the street conforms to the standards to the maximum extent practical and will provide for safe traffic movement and emergency access given the anticipated use of the street.

A-III.110.2 On-Street Parking

The design of public and private streets in the R-CMU and R-PO Land Use Districts must provide for on-street parking where such parking is practical and consistent with the overall street network. In other subdistricts and use districts, the provision of on-street parking is encouraged where appropriate.

A-III.110.3 Standards for Public Streets

In the BNAS Reuse District, certain standards for streets for public dedication are as follows. The provisions of the Brunswick Zoning Ordinance Table A-II.1A, Road Standards for Public Dedication shall apply to all standards not addressed in the following table:

	Collector or Commercial Street	Local Street	Minor Street
Minimum Right of Way Width, Curbed -no on-street parking -on-street parking on one side of the street -on-street parking on both sides of the street	50 feet	50 feet	50 feet
	58 feet	54 feet	52 feet
	66 feet	60 feet	58 feet
Minimum Right of Way Width, Uncurbed -no on-street parking -on-street parking on one side of the street -on-street parking on both sides of the street	60 feet	54 feet	50 feet
	66 feet	60 feet	56 feet
	74 feet	66 feet	62 feet
Minimum Pavement Width, Curbed -no on-street parking -on-street parking on one side of the street -on-street parking on both sides of the street	26 feet	24 feet	22 feet
	32 feet	30 feet	28 feet
	40 feet	36 feet	34 feet
Minimum Pavement Width, Uncurbed -no on-street parking -on-street parking on one side of the street -on-street parking on both sides of the street	26 feet	22 feet	20 feet
	32 feet	28 feet	24 feet
	40 feet	34 feet	30 feet
Minimum Centerline Radius (see Note 1)	200 feet	140 feet	100 feet
Minimum Shoulder Width (Uncurbed)	2 feet	2 foot	2 foot

Minimum Curb Radius	15 feet - 30 feet	15 feet – 30 feet	10 feet – 25 feet
<u>Note 1: The Planning Board may approve the layout of streets with L-Turns or right angle turns that do not meet these requirements provided that the design of the turn conforms to the requirements for an intersection and the turn is part of a street network.</u>			

A-III.110.4 Standards for Private Streets

The standards for private streets as set forth in Table A-II.1B Private Street Standards shall guide the design and layout of private local streets, minor streets, and lanes in the BNAS Reuse District. Notwithstanding the provisions of A-II.2 Private Street Standards, the Planning Board may approve private commercial or collector streets in the BNAS Reuse District. The design and layout of private commercial or collector streets shall be guided by the appropriate standards for the same type of public street.

13. Amend the ordinance by adding a new APPENDIX IV: BNAS CONSERVATION DISTRICT to read:

APPENDIX IV: BNAS CONSERVATION DISTRICT

A-IV.1 Purpose of the BNAS Conservation District

The purpose of the BNAS Conservation District is to preserve, maintain and enhance existing natural areas that are designated as Natural Areas on the Reuse Master Plan for Brunswick Naval Area Station (BNAS) to provide for the long-term benefit of the natural environment, including S1-ranked natural communities, and area residents. As such, only those uses that would not significantly alter the environment and/or would provide opportunities to experience the environment are allowed, including uses such as pedestrian trails, nature and interpretive centers, and other non-intrusive passive outdoor recreation and educational uses.

A-IV.2 Planning Area

The BNAS Conservation District is designated as the BNAS Conservation Planning Area in accordance with Sections 105 and 106 herein. The BNAS Conservation Planning Area is designated as a Rural Area.

- A. The BNAS Conservation Area includes most of the portion of the Brunswick Naval Air Station that is designated as Natural Areas in the adopted Reuse Master Plan.
- B. The BNAS Conservation Planning Area includes the large, undeveloped area at the southern end of the base, areas to the west of the runways that have natural resource value or are unsuitable for development, and a parcel on the northerly side of the Bath Road.

- C. The adopted Reuse Master Plan for the base identifies various land use designations indicating the desired future use and development pattern for different areas of the base. The intention of the BNAS Conservation Planning Area is to assure that these areas remain in a substantially undeveloped, natural state.
- D. The BNAS Conservation Planning Area includes the BNAS Conservation District.

A-IV.3 Applicability of the BNAS Conservation District Provisions

The provisions of Appendix IV apply to and govern the use of land, the reuse of existing facilities, and the development of buildings or facilities within the BNAS Conservation District as well as lands conveyed to the Town of Brunswick and located within the CU/TC District. Unless otherwise specifically provided for in Appendix IV, all other requirements of the Town of Brunswick Zoning Ordinance apply to activities within the BNAS Conservation District. If there is conflict between the provisions of Appendix IV and the other provisions of the Zoning Ordinance, the provisions of Appendix IV shall govern.

A-IV.4 Applicability of Chapter Three: Specific Dimensional Standards and Use to the BNAS Conservation District

The use of land, the reuse of existing buildings and facilities, and the development or redevelopment of buildings or facilities within the BNAS Conservation District must conform to the requirements of Chapter Three: Specific Dimensional and Use Provisions.

A-IV.5 Permitted Uses in the BNAS Conservation District

The use of land within the BNAS Conservation District and lands conveyed to the Town of Brunswick within the College Use/Town Conservation (CU/TC District shall be limited to uses that are consistent with the Public Benefit Conveyance of these parcels to the Town of Brunswick and with the adopted BNAS Reuse Master Plan. The following types of uses are considered appropriate:

with the Public Benefit Conveyance of these parcels to the Town of Brunswick and with the adopted BNAS Reuse Master Plan. The following types of uses are considered appropriate:

- 1 Non-intensive recreational uses not requiring structures such as hunting, fishing, bird watching, walking, and hiking;
- 2 Hiking trails, bridle paths, pedestrian trails, and walkways;
- 3 Forest management activities in accordance with an approved management plan;
- 4 Fire prevention activities in accordance with an approved management plan;
- 5 Wildlife management activities;
- 6 Soil and water conservation activities;
- 7 Surveying and resource analysis;
- 8 Emergency operations;

- 9 The harvesting of wild crops;
- 10 Non-residential facilities for educational, scientific or nature interpretation purposes;
- 11 Buildings accessory to permitted uses;
- 12 Temporary and permanent piers, docks, wharves, bridges and other structures and uses extending over or below the normal high-water line or within a water body or wetland;
- 13 Parking facilities to serve a permitted use;
- 14 Public utility facilities and structures;
- 15 Wetland mitigation activities;
- 16 Nonstructural stormwater management facilities;
- 17 Signs related to a permitted use or to provide public information; and
- 18 Other uses that are similar to the listed permitted uses and that are consistent with the Public Benefit Conveyance and the adopted BNAS Reuse Master Plan.

A-IV.6 Development Standards in the BNAS Conservation District

Buildings and structures in the BNAS Conservation District must conform to the following standards:

- A. The area of project disturbance must be less than two thousand five hundred (2,500) square feet.
- B. All buildings, structures, and improvements must be located and designed to minimize their impact on the natural environment and the amount of impervious surface created by the facility.
- C. All buildings and structures, except functionally water-dependent uses, shall comply with Section 211 of the Zoning Ordinance, as applicable, set back from the normal high water line of a water body or the upland edge of a wetland ~~shall be met to the greatest extent practical.~~
- D. All activities must conform to the applicable requirements of Section 211 of the Zoning Ordinance.

14. Amend the ordinance by adding a new APPENDIX V: COLLEGE USE/TOWN CONSERVATION DISTRICT to read:

APPENDIX V: COLLEGE USE/TOWN CONSERVATION DISTRICT

A-V.1 Purpose of the College Use/Town Conservation District

The purpose of the College Use/Town Conservation District is to:

- 1) Provide for the reuse, redevelopment, and development of the west side of the former Brunswick Naval Area Station (BNAS) transferred to Bowdoin College and the Town of Brunswick by Public Benefit Conveyances in accordance with the recommendations of the adopted BNAS Reuse Master Plan, and

- 2) Preserve, maintain and enhance the existing natural areas within this district, transferred to the Town of Brunswick by Public Benefit Conveyance for conservation purposes.

A-V.2 Planning Area

The College Use/Town Conservation District is designated as the College Use/Town Conservation Planning Area in accordance with Sections 105 and 106. The College Use/Town Conservation Area is designated as a Growth Area.

- A. The College Use/Town Conservation Planning Area includes the west side of the Brunswick Naval Air Station that has been transferred to Bowdoin College by Public Benefit Conveyance in accordance with the recommendations of the adopted Reuse Master Plan and is designated for reuse, redevelopment, and development.
- B. The College Use/Town Conservation Planning Area includes the west side of the Brunswick Naval Air Station that has been transferred to the Town of Brunswick by Public Benefit Conveyance in accordance with the recommendations of the adopted Reuse Master Plan and is designated for conservation.

A-V.3 Applicability of the College Use/Town Conservation District Provisions

The provisions of Appendix V apply to and govern the use of land, the reuse of existing facilities, and the development of building or facilities within the College Use/Town Conservation District as conveyed to Bowdoin College. Those portions of land conveyed to the Town of Brunswick within the College Use/Town Conservation District shall be governed by Appendix IV. Unless otherwise specifically provided for in Appendices IV or V, all other requirements of the Town of Brunswick Zoning Ordinance apply to activities within the College Use/Town Conservation District. If there is a conflict between the provisions of Appendices IV or V and the other provisions of the Zoning Ordinance, the provisions of Appendices IV or V shall govern.

A-V.4: Permitted Uses in the College Use/Town Conservation District

The use of land within the College Use/Town Conservation District shall be limited to uses that are consistent with the Public Benefit Conveyances of these parcels and with the adopted BNAS Reuse Master Plan. Uses on the land conveyed to the Town of Brunswick for conservation purposes are governed by Section A-IV.5. The following uses, for cultural, educational, recreational purposes and uses ancillary thereto, are allowed on the land conveyed to Bowdoin College:

1. Bed and Breakfast;
2. College Dining Facility;
3. College Office;
4. Community Center;
5. Day Care Facilities for Children or Adults;
6. Dwelling, Single and Two Family;
7. Dwelling, 3 or More Units;
8. Dwelling as Part of Mixed Use Building;
9. Greenhouse or Florist;

10. Educational Facility;
11. Equestrian Facility/Stable;
12. Farm/Gardens;
13. Hiking trails, bridle paths, pedestrian trails, and walkways;
14. Library or Museum;
15. Media Studio;
16. Motor Vehicle Service/Repair;
17. Outdoor Sales;
18. Parking Facility;
19. Photographers/Artists Studio;
20. Recreational Facility;
21. Religious Institution;
22. Residence Hall;
23. Restaurant;
24. Retail Class I;
25. Service Business Class I;
26. Warehousing and Storage; and
27. Theater.

A-V.5: Development Standards in the College Use/Town Conservation District

Buildings and structures in the College Use/Town Conservation District on lands conveyed to the Town of Brunswick must conform to the standards in A-IV.6.

Notwithstanding Chapter Three: Specific Dimensional Standards and Use, the use of land, the reuse of existing buildings and facilities, and the development or redevelopment of buildings or facilities within the College Use/Town Conservation District as conveyed to Bowdoin College shall be governed by Appendix V. Density is calculated on a net basis whereby the number of units is established by dividing the net site area as defined in Section 501.2 by the maximum density of the zoning district in which the proposed development is located. Density requirements apply only to developments or parts of developments involving dwelling units, as defined.

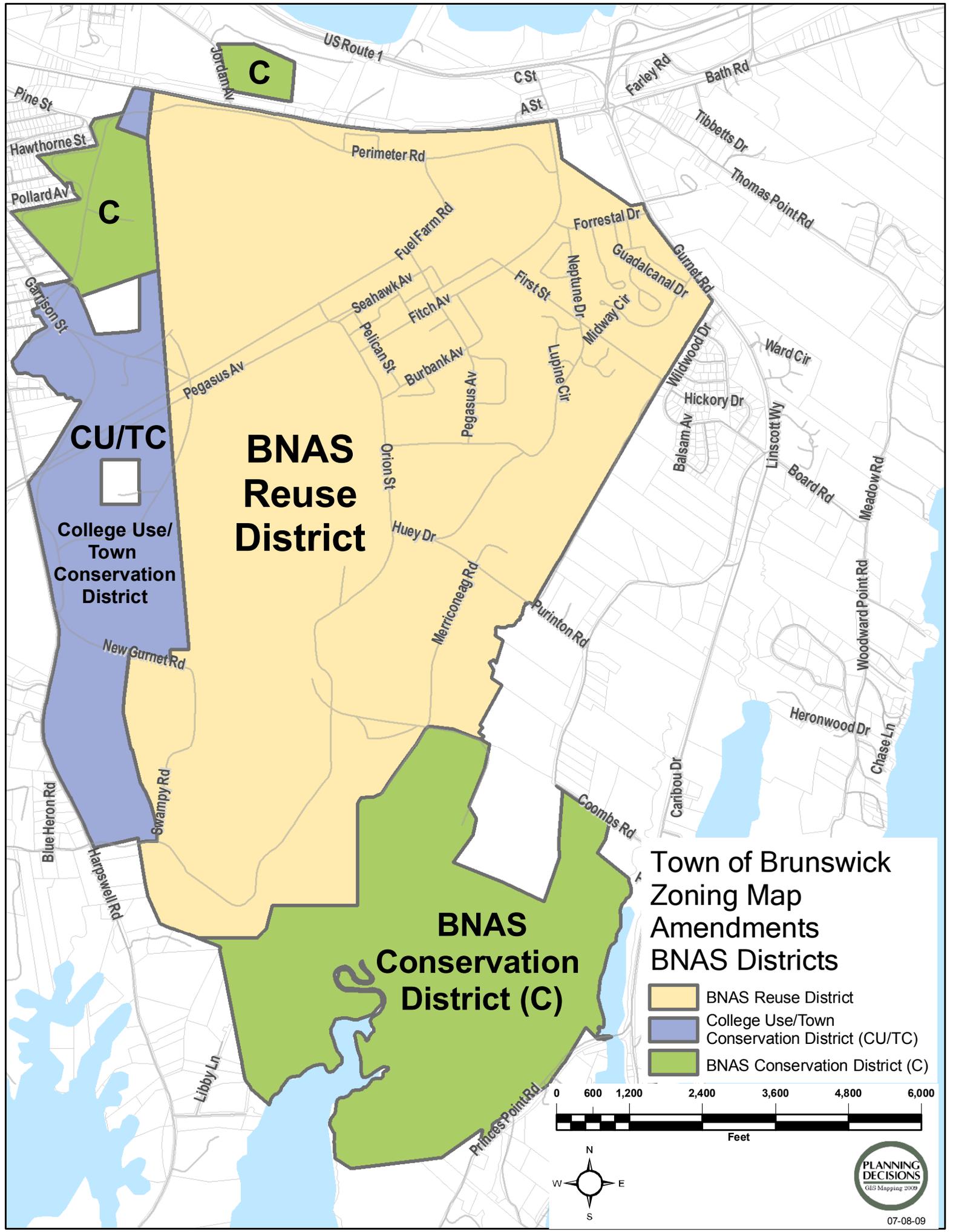
Buildings and structures in the BNAS College Use/Town Conservation District on property conveyed to Bowdoin College must conform to the standards in the Dimensional and Density Table below:

DIMENSIONAL AND DENSITY TABLE FOR THE COLLEGE USE/TOWN CONSERVATION DISTRICT

<u>Standard/District</u>	<u>CU/TC</u>
<u>Minimum Lot Area</u>	<u>4,000 sf</u>
<u>Maximum Density</u>	<u>24 units per acre</u>
<u>Minimum Lot Width</u>	<u>40 ft</u>
<u>Minimum Building</u>	<u>None</u>

<u>Frontage(as % of lot width)</u>	
<u>Maximum Building Frontage (as % of lot width)</u>	<u>None</u>
<u>Minimum Front Yard</u>	<u>10 ft</u>
<u>Maximum Front Yard</u>	<u>None</u>
<u>Minimum Rear Yard</u>	<u>10 ft (1)</u>
<u>Minimum Side Yard</u>	<u>10 ft (1)</u>
<u>Maximum Impervious Surface Coverage</u>	<u>50%</u>
<u>Minimum building height</u>	<u>None</u>
<u>Maximum Building Height within 200 feet of District Boundary, as permitted in Section 204.3</u>	<u>70 ft</u>
<u>Maximum Building Height 200 feet from District Boundary</u>	<u>70 ft</u>
<u>Maximum Building Footprint Per Structure</u>	<u>None</u>

- (1) Where a CU/TC zoning district boundary abuts a residential zoning district, the minimum rear or side yard for the abutting property line shall be no less than that required by the abutting residential zoning district standards.



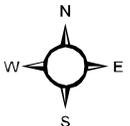
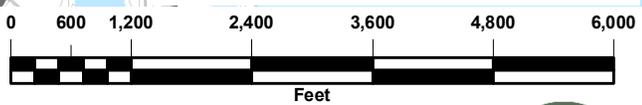
**BNAS
Reuse
District**

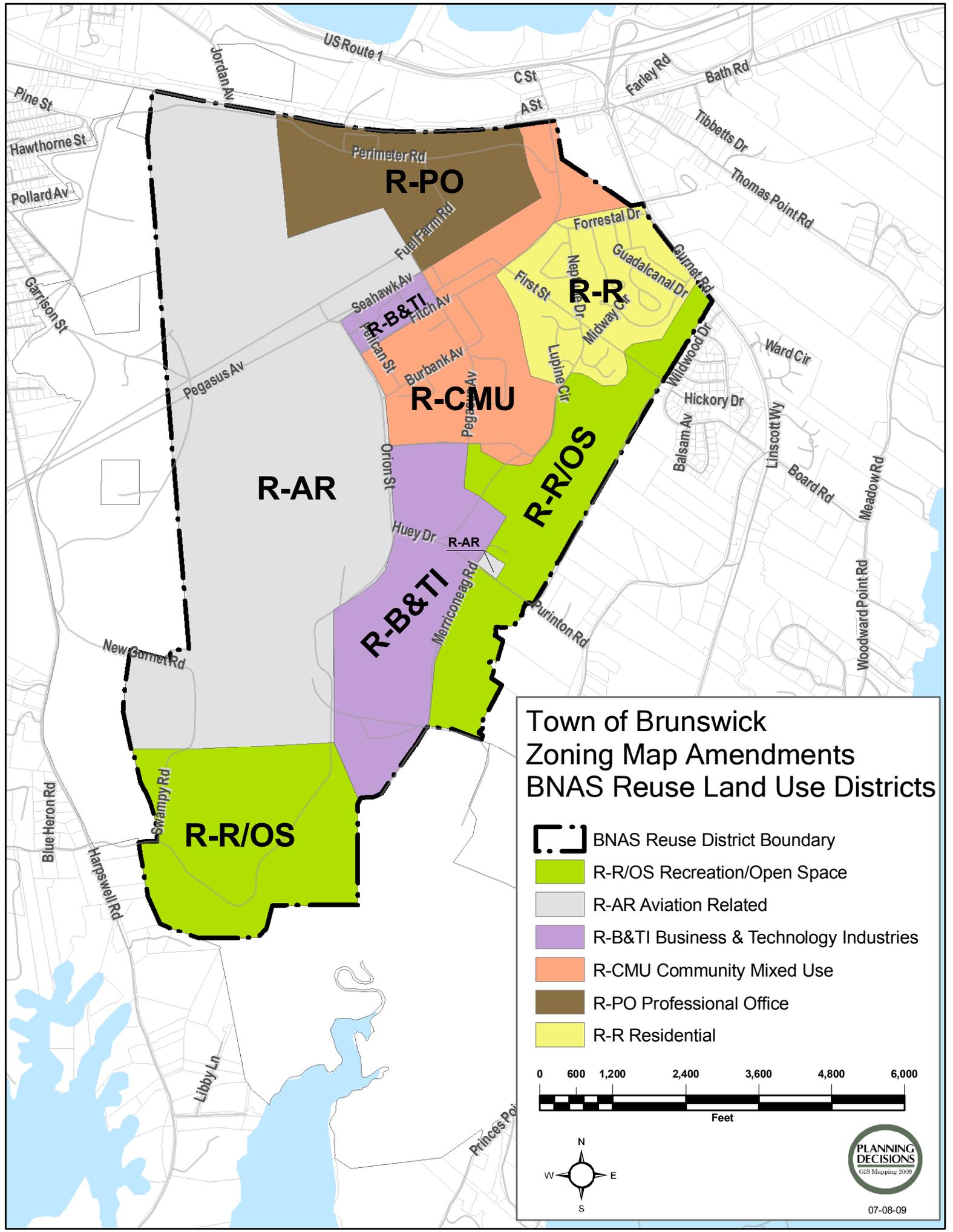
**CU/TC
College Use/
Town
Conservation
District**

**BNAS
Conservation
District (C)**

**Town of Brunswick
Zoning Map
Amendments
BNAS Districts**

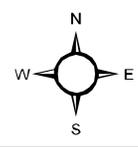
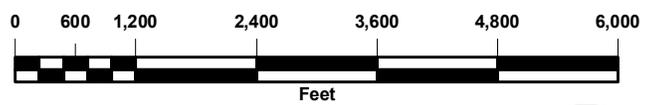
- BNAS Reuse District
- College Use/Town Conservation District (CU/TC)
- BNAS Conservation District (C)





Town of Brunswick Zoning Map Amendments BNAS Reuse Land Use Districts

-  BNAS Reuse District Boundary
-  R-R/OS Recreation/Open Space
-  R-AR Aviation Related
-  R-B&TI Business & Technology Industries
-  R-CMU Community Mixed Use
-  R-PO Professional Office
-  R-R Residential





Memo

To: Brunswick Town Councilors
From: Steve Levesque, Executive Director
Cc: MRRA Board of Trustees
Date: July 15, 2009
Re: Land Use Controls for BNAS Property Post-Transfer

Recently, there has been some discussion regarding land use controls (LUCs – also known as institutional controls) on BNAS property where clean-up goals have not yet been met. MRRA has begun meeting with USEPA Region 1, MEDEP, and legal counsel to discuss the issue of LUCs and where and when they might be appropriate on BNAS property.

In general, if clean-up does not result in unrestricted use and unlimited exposure at a site, an LUC is likely appropriate. Environmental LUCs include legal and administrative mechanisms, such as deed restrictions, environmental covenants, and zoning overlay ordinances. The controls are used in conjunction with measures, such as signs and fences, designed to restrict access to the site. LUCs are designed to prevent land uses that are inconsistent with levels of contamination remaining on site, and to provide notice about remaining contamination to current and future owners and users of these properties.

We feel strongly about the following principles regarding LUCs and our approach is very similar to that of other local redevelopment authorities and entities facing base closures around the country.

- MRRA's primary goal is making sure that the Navy's cleanup of base properties matches the future land uses outlined in the BLRA Reuse

Plan. On mixed-use properties that will include a mix of residential, commercial and institutional uses, we will push the Navy to clean up to unrestricted (i.e. residential) standards of use. In areas that call for conservation and recreation uses, such as the area that contains the Eastern Plume, there may be a need for limited LUCs for groundwater.

- We feel LUCs should be employed as a last resort after pushing for clean-up to be completed to the highest reuse standards possible. One common “cost control” measure is to utilize LUCs to avoid having to achieve desired clean-up levels. While this may be appropriate in certain cases, it’s important to note that LUCs are often costly to implement over time, have a detrimental effect on land values, and will add both cost and complication to the implementation of the Reuse Plan. MRRA intends to negotiate firmly for clean-up to be completed to the highest reuse standards possible without the need for permanent LUCs of any kind, except perhaps for prohibitions against the use of groundwater for domestic purposes. Most LUCs are interim in nature, with adjustments occurring if and when specified clean-up goals are met. Even “permanent” LUCs are sometimes adjusted or terminated if circumstances change (i.e. a third-party owner voluntarily completes a clean-up).
- The most commonly utilized mechanisms for the imposition of land use controls at closing installations are deed covenants, notices, or restrictions. Other mechanisms include “best practices” rules and regulations contained in leases or operating manuals administered by the LRA and in certain circumstances, provisions of zoning, building or subdivision regulations. Deed restrictions have the advantage of enabling amendments or terminations to be made by the parties to the deed, often following approval by the regulators. This is important because LUC amendments are often required in conjunction with time-sensitive sale or construction transactions.
- Zoning may be workable in certain instances where area-wide restrictions must be imposed that are not anticipated to require amendment. One problem, however, is that if adjustments do need to be made, amendments to zoning, subdivision or building regulations often require a very long, expensive public process. Secondly, dedicated municipal staff people would be needed to implement and enforce LUCs, at great expense to the town. And finally and perhaps most importantly, incorporating LUCs in a zoning ordinance would typically be a final remedy, carried out after clean-up negotiations with the Navy are completed. Again, MRRA’s primary goal is to negotiate with the Navy to complete clean-up to the greatest extent possible, and putting zoning controls on the table at this juncture could

jeopardize and compromise these negotiations. LUCs should be employed as a last resort, and not as a first option in the design of final remedies.

- In 2005, Maine enacted a Uniform Environmental Covenant Act (UECA). UECA is designed to provide states with an effective tool to help ensure the long-term reliability of institutional controls. It does not specify what those controls should be, what clean-up level is appropriate, or whether a responsible party should be released from cleanup liability – all of those primary decisions are left to other law. However, when an agency approves a remediation plan, and determines that long-term controls need to be placed on that property, UECA provides an additional mechanism for providing improved notice to future purchasers of the controls that need to be maintained on a parcel of real property, and more and flexible enforcement options for agencies and others with an interest in seeing that necessary controls are kept in place.

Should the Town Council decide to impose the existing LUCs in the Town's Zoning Ordinance at this time, there are several implications its members should be aware of:

1. MRRA's ability to negotiate for a higher level of clean-up than what is currently proposed by the Navy will be severely compromised.
2. Property on the base will be less valuable and more difficult to market due to its "dirty" nature and use restrictions.
3. The ability of MRRA to make an argument for an economic development conveyance will be jeopardized.

MRRA is committed to ensuring that the property is remediated to the greatest extent possible to protect the public health and the environment. To accomplish this goal, we intend to push hard for the Navy to clean up the property to the highest reuse standards possible and only after those negotiations are completed, consider and evaluate any necessary institutional controls.

Item 107

BACK UP MATERIALS

Brunswick Police Department

MEMORANDUM

TO: Gary Brown, Town Manager
FROM: Chief Richard J. Rizzo
DATE: July 15, 2009
SUBJECT: Calls for Service at MJ's Grill & Tavern



Commander Marc Hagan performed a "calls for service" check on MJ's Grill & Tavern and discovered the following:

July 7, 2008 through July 7, 2009

# of calls	Reason for contact or call
37	Routine bar checks (officer initiated checks to show police presence)
11	Clearing crowds from the sidewalk
10	Other miscellaneous calls (no narrative)
7	Liquor enforcement (officer initiated checks for liquor license violations)
7	Fight/disturbance
2	Loud noise complaint
2	MJ's employee's requests to remove unwanted person
2	Loud music from vehicles parked in front of business
2	Found property report
<u>1</u>	<u>Man passed out on the sidewalk</u>
81	Total calls for service

The police calls to MJ's are about the same as other bars in Brunswick. There is some indication that patrons are hang around in front of MJ's more than other bars in town. Commander Hagan will be setting up a meeting with the owner to discuss ways to minimize this problem.

M J S

TOWN OF BRUNSWICK

28 Federal Street Brunswick, Maine 04011 TEL: (207) 725-6658 FAX: (207) 725-6663

APPLICATION FOR LICENSE OR PERMIT

COPY

Please complete:

Type of Business: Sole Proprietor-Owner's Name: _____
 Partnership-Partner's Names: _____
 Corporation-Corporation Name: MJS Inc
Incorporation Date: 11/23/2008 Incorporation State: Maine

New License: Opening Date _____ Renewal License: Expiration Date: _____

Business Name: MJS Grille & Tavern

Business Address: 94 Maine St Business Phone Number: 207 729 6574

Name of Contact Person: MARK or Jennifer Hanscom Contact's Phone Number: 729 6574 #2

Mailing Address for Correspondence: above

Signature of Applicant: [Signature] Date: 12/03/08

There will be a late fee for an expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Corporations Please Complete:

Address of Incorporation: 94 Maine St Brunswick Phone #: 207 729 6574

Name of Corp. Officer, Owner, or Partners: Title Address % of Stock or ownership

Mark Hanscom owner Pres 606 Merc Pt Rd, Brunswick 50%

Jennifer Hanscom owner VPres, 606 Merc Pt. Rd.

Town Clerk Use Only

Approvals: Finance Codes Health Officer Council Police

[Signature]
Codes Officer Signature

Health Officer Signature

Temp Food Service: Maine Dept of Human Services Valid License Maine Dept of Agriculture License

Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart (also will need FSE License)

Waiting on: _____ Mailed or Issued Date: _____ PH Date: _____

Type of License: Special Amusement Paid Fee: \$ 100 - Cash/Check Date: DEC - 3 2008

Advertising Fee: \$ _____ Paid

GAUC to Codes on 12-3-08

inspection 1-7-09 2:30 no show/new inspection 1-20, cancelled.

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____

_____ Annually (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles - one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,
B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

FSE: *Description of Food to be sold:* _____

Going Out of Business (\$50)

60 Day License (*Must also Complete an Application for Going out of Business Sale, and include a list of inventory*)

Innkeeper-Exp. May 31st 1-15 Rooms (\$100) 16+ Rooms (\$175)

Junkyard **Automobile Graveyard** (\$50 each, both Exp. Oct. 1st) **Auto Recycling** (\$250-5 Yrs)
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler: {Clerk's Use Only:

_____ #Weeks/\$25/week _____ #Months (up to-3 mnths-\$50/ up to-6 mnths \$75) _____ 1 Year (up to 12 mths \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$500 other)

Location: _____ Exp. 1st PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license (new applicants only). I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick. _____ (Signature of owner, officer, partner or agent)

(New applicants must talk to Recreation Dept/There is no proration on new licenses)

Special Amusement (\$100)-Exp. w/Alcohol License

Describe in detail kind and nature of entertainment- DJ, Bands

Describe in detail room or rooms to be used under this permit- Downstairs Tavern Entertainment

Signature of Owner, officer, partner or agent: _____

Tattooing Establishment (\$75)-Exp. June 30th

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens

ITEM 114

BACK UP MATERIALS



TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT
28 FEDERAL STREET
BRUNSWICK, ME 04011

PHONE: 207-725-6660

FAX: 207-725-6663

July 13, 2009

Memo to: Brunswick Town Council
Gary Brown, Acting Town Manager
From: Kris Hultgren, Town Planner
Subject: Proposed Zoning Amendment for Small Scale Wireless Communication Towers, Final Draft

Please find attached a copy of the final draft of the proposed zoning amendment to allow small scale wireless communication towers in the Brunswick Industrial Zoning Districts (I1, I2, I3 and I4) as recommended by the Brunswick Planning Board at its meeting on July 7, 2009. The proposal is intended to provide standards for the placement of such facilities while preserving the town's visual character and minimizing environmental impacts to the greatest extent possible. The standards were created by reviewing wireless communication ordinances from other places in Maine like Freeport, Cape Elizabeth, Bar Harbor and the state's model ordinance provided by the State Planning Office as well as ordinances in other parts of the country.

It is requested that the Town Council move to set a public hearing for the final adoption of the zoning amendment.

The proposed amendment would add the use of telecommunication towers up to 120 feet in height to the industrial districts I1, I2, I3 and I4. The Use Table (Section 207.1) for the four industrial districts would be modified to review small scale wireless communication towers using the Special Permit process outlined in Section 701 of the Zoning Ordinance. The standards for regulating small scale towers would be added to Section 306 (Supplemental Use Regulations) and a definition added to Section 111 (Definitions).

The Town of Brunswick currently regulates larger telecommunication tower installations using two overlay zones. Many of these standards found in Section 214 of the Zoning Ordinance are applicable to small scale towers. For instance, the standards related to screening, inspection, abandonment and collocation, among others, are incorporated into the proposed amendment by applying Section 214. New standards specific to small scale tower installations are proposed and they focus on design elements to help camouflage the tower and its accessory facilities from view. The existing definition for "communication tower" used to regulate installations in the overlay zones is proposed to be modified to update the language with modern terminology and distinguish it from small scale communication towers.

A minimum lot area of 10,000 square feet for the placement of small scale towers was added because the existing minimum lot area of 80,000 square feet in the I1 district and 20,000 square feet in the I2,

I3 and I4 districts could require small scale towers to be on lots larger than necessary to accommodate the use.

Thank you for considering this request. I will be available at the Town Council meeting to answer any questions you may have.

Proposed Amendments to the Brunswick Zoning Ordinance to Implement the Use of Small Scale Wireless Communication Towers in Industrial Zoning Districts, *as recommended by the Brunswick Planning Board, July 7, 2009.*

Amending Section 111 (Definitions) by inserting the following definitions alphabetically:

Communication Tower. Any tower taller than 120 feet that transmits and/or receives signals by electromagnetic or optical means using antennas, microwave dishes, horns, or similar types of equipment.

Communication Tower, Small Scale Wireless. A free-standing structure with a maximum height of 120 feet that is designed, constructed or used primarily for the purposes of supporting one or more antennas, including self-supporting lattice towers or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, and similar structures.

Fall Zone. An area around the base of a wireless communication tower required to be kept clear of buildings, other than accessory facilities associated with the wireless communication tower, to contain debris in the event of a tower structure failure.

207 Growth District/Large Scale Business & Institutional

- | | |
|----------------------|--|
| District Name | Geographic Boundary |
| I1 | Industry Road Industrial Park |
| I2 | Church Road Industrial Park |
| I3 | E. Bath Road-Harding Plant Area |
| I4 | Exit 28 |

Table 207.1 USE TABLE

Use/District	I1	I2	I3	I4
Small Scale Wireless Communication Towers	-	-	-	-

“ - ” Special Permit required, see Section 701.

207.3 Additional Zone Specific Requirements

B. The minimum lot area for the placement of small scale wireless communication towers may be reduced to no less than 10,000 square feet.

306 Supplementary Use Regulations

306.23 Small Scale Wireless Communication Towers. Small Scale Wireless Communication Towers shall comply with all standards listed in the Telecommunications Zones (TCZ) Sections 214.3 and 214.4 (except that in Section 214.4.K the “fall zone” for small scale wireless communication towers shall be 50% of the tower height instead of 100 feet and Section 214.4.L does not apply) in addition to the following standards. These standards do not apply to amateur radio installations.

A. Maximum Height. The maximum height of any tower shall not exceed 120 feet, including antenna arrays and other attachments.

B. Design Standards.

1. New small scale wireless communication towers shall be configured in a way that minimizes the adverse visual impact of the tower and antennas through careful design, siting, landscape screening and innovative camouflaging techniques. Such innovative camouflaging techniques like stealth flagpoles, monopines (tree poles) and alternative mounting techniques like flush mounted antennas shall be used whenever possible.
2. A latticed or monopole tower or a tower stylistically similar to a latticed or monopole tower shall be used. Guy wires shall not be allowed as part of a small scale wireless communication tower.
3. New accessory facilities shall comply with Section 214.4.M and shall be no taller than one story in height. Accessory facilities shall be adjacent to the tower base unless an alternative location will be less visually obtrusive or topographic considerations require an alternative location.
4. Advertising and commercial signs shall not be allowed as part of a small scale wireless communications tower or its accessory facilities.
5. Signals, lights or illumination shall not be allowed on a small scale communication tower unless required by the Federal Aviation Administration, Federal Communication Commission or another federal agency. Lighting may be allowed as part of a stealth flagpole installation to properly illuminate the flag as required by the United State Code (Title 4, Chapter 1, Section 6a).

Item 115

BACK UP MATERIALS

TOWN OF BRUNSWICK
TOWN MANAGERS OFFICE
MEMORANDUM

TO: Brunswick Council

FROM: Gary Brown, Acting Town Manager

DATE: July 15, 2009

RE: Visitor Center/Train Station RFP

Attached please find a DRAFT of the request for proposals (RFP) for the property management services for the Visitor's Center/Train Station. This document was initially drafted by David Markovchick and was also presented at the last Maine Street Station Oversight Committee meeting. Suggestions made at that meeting have been incorporated into the document.

Please feel free to contact me in advance of the Council meeting if you have any questions. I will happy to get information for you that can be shared at the Council meeting.

TOWN LETTERHEAD

«AddressBlock»

July 15, 2009

RE: Request for Proposal ("RFP") for Property Management Services

«GreetingLine»

The Town of Brunswick, Maine ("the Town") is soliciting proposals from a legal entity or person for the purpose of managing property located in Building # 3 of the "Maine Street Station", 3 Station Avenue in Brunswick Maine.

Property Description:

The Town's leased unit is known as 301(B) consisting of approximately 2,125 square feet on a ground floor. Contained within the unit are public restrooms and shared common use space for the business purposes of the Town and any of its sub-tenants contained with this leased space.

Term of Commitment:

The Town will enter into a one-year agreement with 30 days advance written notice of cancellation for cause. Notice of renewal will occur in writing 90 days prior to expiration of term. The Property Manager will have the right of termination with 60 days advance written notice.

Required Responsibilities of the Property Manager: (Proposals should address how the responsibilities will be addressed by the Property Manager)

1. In general, insure the property is used in a manner consistent with the lease.
2. Provide the following daily services in a non-intrusive manner so as not to interfere with the daily use of the facility:
 - a. Public Restroom cleaning and re-stocking.
 - b. Daily housekeeping including:
 - i. Trash disposal.
 - ii. Sweeping or mopping of floors.
 - iii. Dusting and window cleaning.
3. Light maintenance including, but not limited to:
 - a. Insuring tenant installed fixtures are maintained in good working order.
 - b. Insuring the premises are kept neat and orderly.
 - c. Insuring the working conditions of all interior and exterior doors.
 - d. Maintenance of all plumbing and sewage facilities within the premises.
 - e. At the Town's request and expense, make or cause to be made all interior decorating, maintenance, alterations or repairs and to hire and supervise all employees and other labor.
4. Maintain timeliness of all displays, display cases, kiosks and trade fixtures, poster, promotional and marketing literature.
5. Insure all public literature is consistent with Town-approved uses.
6. Supervise the installation and rotation of visual and spatial art.
7. Insure that the premises are secured in non-operating hours.
8. Act as intermediary in collection of sub-tenant lease payments and forward an agreed-to amount to the Town of Brunswick.
9. Market available vacant space to attract sub-tenants.
10. Advise the Town of sub-tenant vacancies or other sub-tenant issues.

Required Qualifications of the Property Manager:

1. Proven track record of existing or similar property management experience.
2. Proof of insurance and ongoing insurability acceptable to the Town.
3. References.

ADDITIONAL INFORMATION: The Town has been in the process of securing subtenants and may have some of the space committed prior to the award of this agreement. Current potential sub-tenants include the Brunswick Downtown Association, Coastal Transportation, Maine Eastern Railroad and others.

Time line and terms:

Proposals must be received by: Town of Brunswick at the address below.

Proposals must be received by: By September 4, 2009

Period of initial Agreement: 12 months commencing with the date of Agreement.

Award: Town will award the Agreement, based on factors of price, performance and references that it determines meet the budget, need and timing of the Town.

Proposal Submission:

Gary Brown,
Acting Town Manager
Town of Brunswick
28 Federal Street
Brunswick, ME 04011

Inquires may be directed to:

Gary Brown
207.725.6659

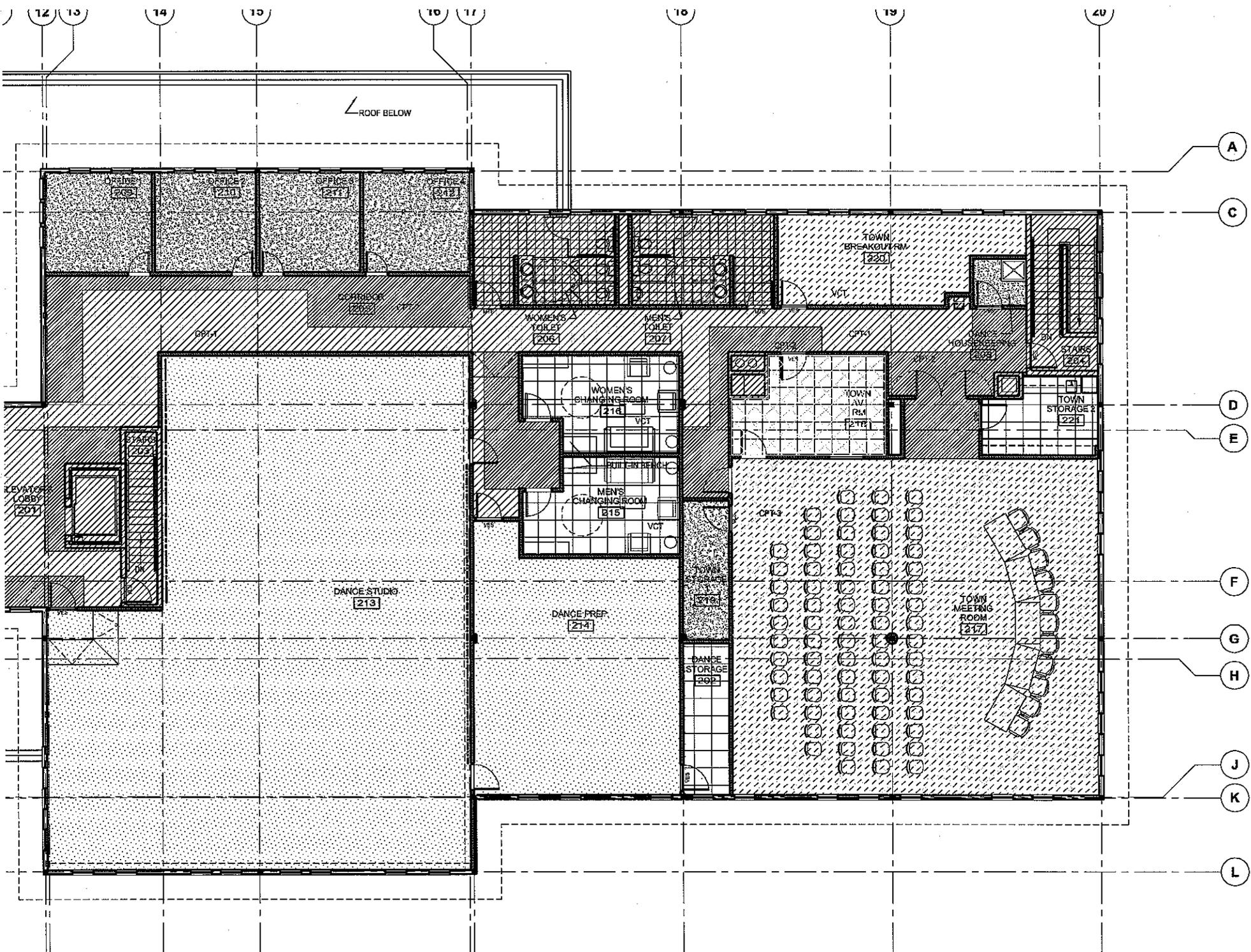
Item 116

BACK UP MATERIALS

PUBLIC DISPLAY OF ART IN TOWN COUNCIL CHAMBERS

This is an attempt to answer a few potential questions regarding the proposal for public art in our new council chambers space.

- The wall space to be used is approximately 10 to 12 linear feet to the audience's left.
- At this point, it is our understanding that the remainder of the space may be decorated by work from the Bowdoin College collection.
- The work can be any two dimensional media.
- Subject matter must respect the fact that this is a public meeting space.
- One councilor, or manager's designee will join Five Rivers in reviewing and approving submissions.
- The artist should have some connection to the local creative economy by either being a Brunswick native working elsewhere, a current Brunswick resident, a surrounding area artist who contributes substantially to the local art scene, or has a studio based in Brunswick.
- The art, itself, should either depict local scenes, occupations, other aspects of life here, or have some relationship to the Town.
- While the work may be for sale, if pieces sell while on display, they will remain on display for the duration of the 90 day period the artist had agreed to. A posting for sale will note that the Town will not have a financial interest.
- The artist will receive a brief public introduction near the beginning of the 90 day period.



LEGEND

-  EXISTING CONDITIONS / AREAS NOT IN CONTRACT
-  NEW WALLS
-  EXISTING WALLS
-  BALLET BAR
-  MIRROR
-  CARPET TILE 1
-  CARPET TILE 2
-  CARPET TILE 3
-  VINYL PERFORMANCE SURFACE
-  CERAMIC TILE
-  VINYL COMPOSITION TILE
-  SEALED CONCRETE
-  VINYL EDGE STRIP
-  MARBLE TRANSITION STRIP

Consent Agenda - A
BACK UP MATERIALS

--DRAFT--
BRUNSWICK TOWN COUNCIL
MINUTES
July 6, 2009
7:15 P.M.
Municipal Meeting Facility
6 Industry Road

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

Councilors Absent: None

Town Staff Present: Gary Brown, Acting Town Manager; Elin M. Gould, Deputy Town Clerk; John Eldridge, Finance Director; Anna Breinich, Director of Planning and Development; David Markovchick, Director of Economic and Community Development; John Foster, Public Works Director; Clark Labbe, Fire Chief; Tom Farrell, Parks and Recreation Director; Richard Rizzo, Police Chief; Terry Goan, Community Policing Officer; Police Commander Kevin Schofield; Lt. Mark Waltz; Michele Small, School Board member; and TV video crew

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

Public Comment:

David Nadeau, Brunswick Downtown Association Events Co-Chair, spoke about the success of the Taste of Brunswick event and thanked the Council for the Town's support.

Chair Daughtry recognized State Senator Stan Gerzofsky and State Representatives Peter Kent, Charles Priest, and Alex Cornell du Houx, who were in the audience.

Correspondence:

Councilor Atwood spoke about two new laws, one requiring three feet of clearance between cars and pedestrians, the other concerning no passing of school buses by bicyclists.

Adjustments to the Agenda: None.

Manager's Report:

(a) Council Committee Updates

Reports were given on the Police Station sub-committee, Brunswick Economic Development Corporation, Downtown Master Plan Committee, Maine Street Station Oversight Committee, Elementary School Building Committee, Recycling Sustainability Committee, Teen Center Board, and Regionalization Committee.

Town Council Minutes

July 6, 2009

Page 2

(b) Acceptance of a donation of dugouts and safety fencing for Lishness Field by Cal Ripkin Baseball League

Tom Farrell, Director of Parks and Recreation, spoke on this item.

Will Bennett, President of the Brunswick Cal Ripkin Youth Baseball Program, spoke about the donation to alleviate fence height concerns.

(Copies of letters from Brunswick Cal Ripkin Baseball, Brunswick Parks and Recreation and Brunswick Sewer District will be attached to the official minutes.)

Councilor Watson moved, Councilor Favreau seconded, to accept the donation of dugouts and safety fencing up to the value of \$21,000 to be used at the two fields at Lishness Field. The motion carried with nine (9) yeas.

(c) Legislative Sentiment for Officer Terry Goan for being named Citizen of the Year by Region Ten Vocational School

State Senator Stan Gerzofsky and State Representatives Alex Cornell du Houx, Charles Priest, and Peter Kent presented Officer Goan with the legislative sentiment.

(d) Recognition of Sandra Carleton, Retiring Deputy Fire Chief

Chief Labbe spoke about the tremendous amount of work Deputy Chief Carleton accomplished.

Chair Daughtry read the Recognition Certificate.

Deputy Chief Carleton spoke of her gratifying career with the Town of Brunswick.

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

(e) Update on meeting with Governor on train service

Councilor Knight spoke on this item.

Manager Brown spoke on this item.

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

(f) Support for creation of the Officer Jim Swint Memorial (Action Required)

Chief Rizzo spoke on this item.

Town Council Minutes

July 6, 2009

Page 3

Councilor Watson moved, Councilor Tucker seconded, to grant permission to place a memorial stone honoring Officer Jim Swint at Town Hall. The motion carried with nine (9) yeas.

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

(g) Nomination Papers Availability

Manager Brown spoke on this item.

(h) (ADDED) New fire trucks

Manager Brown spoke on this item.

(i) (ADDED) Douglas Park neighborhood recognition

Manager Brown spoke on this item.

PUBLIC HEARINGS:

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

Chair Daughtry opened the public hearing.

George Glover, 65 Willow Grove Road and owner of the Tondreau block on Maine Street, spoke on this item.

Councilor King spoke on this item.

Commander Schofield spoke on this item.

Chair Daughtry closed the public hearing.

Councilor Pols, Councilor Atwood, Councilor Knight, Councilor King, and Councilor Tucker spoke on this item.

Councilor Tucker moved, Councilor Klatt seconded, to table this item. The motion carried with nine (9) yeas.

NEW BUSINESS ITEMS:

- 108. The Town Council will consider providing a letter of support for LD 1449 “An Act To Expand Tax Incentives for Visual Media Productions,” and will take any appropriate action.**

Councilor King and Councilor Pols spoke on this item.

Scott Taylor spoke on this item.

Councilor King moved, Councilor Atwood seconded, to send a letter of support for LD 1449 “An Act to Expand Tax Incentives for Visual Media Productions” to the Legislature.

Councilor Tucker, Councilor Favreau, Councilor Pols, Councilor Atwood, Councilor Klatt, and Councilor Knight spoke on this item.

The motion carried with seven (7) yeas. Opposed: Councilor Tucker and Councilor Pols.

State Senator Gerzofsky spoke on this item.

(Copies of the letter of support and legislative document will be attached to the official minutes.)

- 109. The Town Council will consider adopting the proposed 2010-14 Capital Improvement Program, and will take any appropriate action.**

Chair Daughtry spoke on this item.

Manager Brown and Finance Director Eldridge spoke on this item.

Councilor Favreau moved, Councilor Watson seconded, to adopt the Town of Brunswick Capital Improvement Program for Fiscal Years Ending 2010-2014.

Councilor Klatt and Councilor Atwood spoke on this item.

The motion carried with eight (8) yeas. Opposed: Councilor Klatt.

(A copy of the Capital Improvement Program will be attached to the official minutes.)

- 110. The Town Council will consider approving the expansion of Joshua’s Restaurant and Tavern’s Alcohol License to include outdoor seating, and will take any appropriate action.**

Councilor King moved, Councilor Watson seconded, to allow Joshua’s Restaurant to have outdoor seating on the sidewalk area outside of their building. The motion carried with eight (8) yeas. Opposed: Councilor Klatt.

Town Council Minutes

July 6, 2009

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

111. The Town Council will discuss enacting Drug Free Zones in Brunswick, and determine if any future action is necessary.

Councilor Daughtry spoke on this item.

Manager Brown and Commander Schofield spoke on this item.

Councilor Tucker, Councilor Pols, Councilor Atwood, Councilor Watson, Councilor Knight, and Councilor King spoke on this item.

This will be brought back as an action item at a future meeting.

Councilor Klatt left the meeting at 9:00 p.m.

(A copy of a memo from the Brunswick Police Department will be attached to the official minutes.)

112. The Town Council will consider appointments to the Town's Boards and Committees, and will take any appropriate action.

Councilor Knight nominated the following:

James Allard – Conservation Commission

Christopher Green – Marine Resources Committee – commercial harvester

David Barbour – Sewer District Trustees – balance of a term

The nominees were appointed with a vote of eight (8) yeas.

CONSENT AGENDA:

(a) **Approve Minutes of June 15, 2009**

(b) **Approve Minutes of June 25, 2009**

Councilor Watson moved, Councilor King seconded, to approve the consent agenda. The motion carried with eight (8) yeas.

Executive Session: Personnel Matter Per 1 M.R.S.A. § 405(6)(A) and Acquisition of Real Property Per 1 M.R.S.A. § 405(6)(C)

Councilor Watson moved, Councilor Favreau seconded, to go into executive session to discuss a Personnel Matter per 1 M.R.S.A. § 405(6)(A) and Acquisition of Real Property per 1 M.R.S.A. § 405(6)(C). The motion carried with eight (8) yeas.

Town Council Minutes

July 6, 2009

Page 6

Councilor Favreau moved, Councilor Watson seconded, to adjourn the meeting. The motion carried with eight (8) yeas.

The meeting adjourned at 9:30 p.m.

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.

Elin M. Gould
Deputy Town Clerk
July 7, 2009

July 20, 2009
Date of Approval

Council Chair

Consent Agenda - B
BACK UP MATERIALS

MEMORANDUM

TO: Gary Brown, Acting Town Manager
FROM: John A. Foster, Director, PWD
DATE: July 9, 2009
SUBJECT: Utility Location Permit – Northern New England Telephone
Operations LLC, also known as FairPoint Communications

Attached, for presentation to the Town Council for approval, is a Utility Location Permit to install an underground telecommunication duct bank in the east bound lane on Bath Road.

Utility Location Permit ULP 2009-05, Bath Road FairPoint Communications seeks authorization to install a (2X3) concrete encased conduit duct bank from a manhole locate on the south side of Bath Road in front Taylor Signs to pole #14.5 located just east of the entrance to Lowe's. This portion of Bath Road will soon be scheduled for reconstruction.

Brunswick Public Works Department has no objection to this underground utility line, providing it is approved subject to the following conditions:

1. The duct bank and conduit shall be installed so that they do not conflict with the proposed improvements as shown on the final construction plans for the Bath Road improvements as prepared for the Town of Brunswick by Gorrill-Palmer Consulting Engineers, Inc.
2. The duct bank shall have 36 inches of cover minimum as proposed on the permit.
3. The final location of the duct bank is subject to adjustment, as determined necessary by the Town Engineer, to provide adequate clearance from any actual underground facilities as determined by field verification by each utility.
4. All work is subject to compliance with the Town's Street Opening and road restoration requirements.

APPLICATION FOR CONDUIT LOCATION

TOWN
ULP 2009-05

Portland, Maine
May 29, 2009

To the **TOWN COUNCILORS**
of **BRUNSWICK, MAINE**

NORTHERN NEW ENGLAND TELEPHONE OPERATIONS LLC respectfully requests permission to place and maintain buried cables, conduits, manholes, handholes, with the wires and cables therein, pedestals, posts, markers, signs and other fixtures in, along, under and across the surface of the following public streets and highways:

IN THE TOWN OF BRUNSWICK, MAINE

Bath Rd. U.S. Rte #1 – Place approximately 1885' of conduit Southerly of center line beginning at Manhole 55 to Tel Pole 14 ½.

Bath Rd U.S. Rte #1 – Place approximately 100' of conduit Southerly of center line beginning at Tel pole 9 to Manhole 56.

Bath Rd U.S. Rte #1 – Place approximately 110' of conduit Southerly of center line beginning at Manhole 56 to Tel pole 10.

Bath Rd U.S. Rte #1 – Place approximately 135' of conduit Southerly of center line beginning at Tel pole 14 to Manhole 57.

THIS APPLICATION IS BEING SUBMITTED WITH PUBLIC NOTICE BY PUBLICATION

Said conduits shall be placed substantially in accordance with the plan file herewith marked Fairpoint No. 215210 dated April 28, 2009 and shall be placed at a minimum depth of 24 inches between the shoulder berms/curbs and a minimum depth of 36" inches elsewhere.

Also for permission to place and maintain underground laterals, conduits, manholes, handholes, cables and wires in, along, under and across the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

NORTHERN NEW ENGLAND TELEPHONE OPERATIONS LLC

By _____
Stephen. J. Polyot Engineer & Right of Way

PERMIT FOR CONDUIT LOCATION

ULP 2009-05

In Town Councilors
of the Town of Brunswick, Maine

ORDERED: That permission be and is hereby granted Northern New England Telephone Operations LLC to place and maintain buried cables, conduits, manholes, handholes, with the wires and cables therein, pedestals, posts, markers, signs and other fixtures in, along, under and across the surface of the following public streets and highways as requested in application of said Company dated the 29th day of May 2009.

- Bath Rd. U.S. Rte #1 – Place approximately 1885’ of conduit Southerly of center line beginning at Manhole 55 to Tel Pole 14 ½.
- Bath Rd U.S. Rte #1 – Place approximately 100’ of conduit Southerly of center line beginning at Tel pole 9 to Manhole 56.
- Bath Rd U.S. Rte #1 – Place approximately 110’ of conduit Southerly of center line beginning at Manhole 56 to Tel pole 10.
- Bath Rd U.S. Rte #1 – Place approximately 135’ of conduit Southerly of center line beginning at Tel pole 14

Substantially as shown on plan marked Fairpoint. No. 215210 dated April 28, 2009.

Also that permission be and is hereby granted the Northern New England Telephone Operations LLC to place and maintain underground laterals, manholes, handholes, cables, conduits and wires in, along and across the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distribution purposes.

The foregoing permission is subject to the following conditions:

1. The laterals, conduits, manholes, handholes, pedestals, posts, markers and signs shall be of such material and construction and all work done in such a manner as to be to the supervision of the work and a plan showing the location of conduits constructed shall be filed with the City when the work is completed.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants or in any manner arising from the rights and privileges granted it by the City.
3. In addition, said Company shall before a public way is disturbed for the placing of its buried cable and/or conduits, execute its bond in a penal sum of Five Thousand Dollars(\$5,000.00) (reference being had to the bond already on file with said City conditioned for the faithful performance of said agreement of its duties under this permit).
4. Said Company shall comply with the requirements of existing by-laws/ordinances and such as may hereafter be adopted governing the construction and maintenance of buried cable, manholes, conduits, poles, wires, pedestals, posts, markers and signs so far as the same are not inconsistent with the laws of the State.

5. Subject to conditions set forth in attached Memorandum (To: Gary Brown) dated 7-9-09

THIS PERMIT IS BEING GRANTED WITH PUBLIC NOTICE BY PUBLICATION

It is further adjudged, and voted that satisfactory proof of validity of the applicant's notice or procedures required by statute has been given upon the application of said Company to place buried cables, conduits, manholes, with the wires and cables therein, pedestals, posts, markers and signs in, along, under and across the public streets and highways of Lewiston, Maine designated by this permit.

TOWN COUNCILORS

_____	_____
_____	_____
_____	_____

PERMIT GRANTED
_____, 2009

This permit is recorded in the Records of the _____ of _____, Book _____, Page _____.

Attests:

City Clerk

Consent Agenda - C
BACK UP MATERIALS

MEMORANDUM

TO: Gary Brown, Acting Town Manager
FROM: John A. Foster, Director, PWD
DATE: July 13, 2009
SUBJECT: Utility Location Permits – From Maine Natural Gas

Attached, for presentation to the Town Council for approval, are three applications for Utility Location Permits received from Maine Natural Gas.

Application ULP 2009-06, Pejepsot Terrace, Jordan Ave, Elaine Drive Maine Natural Gas seeks authorization to install a 4" gas main from the existing on the west side of Pejepsot Terrace, across Pejepsot Terrace, along the south side of Jordan Avenue, behind the utility poles, to Elaine Drive. Then a 2" gas main will be installed behind the sidewalk on the west side of Elaine Drive. See attached application for details.

Application ULP 2009-07, School Street, Stetson Street, Franklin Street Maine Natural Gas seeks authorization to install a 2" gas main from the existing on the west side of Federal Street, down the north side of School Street, under the sidewalk, to Stetson Street. Then north along the west shoulder of Stetson Street to Franklin Street. Then west behind the utility poles on the south side of Franklin Street almost to Federal Street. These three streets are currently being reconstructed by the Town.

Application ULP 2009-08, Mason St, Cressey Rd, Stone St, Water St Maine Natural Gas seeks authorization to install a 4" gas main from the existing on the west side of Federal Street, down the south side of Mason Street, outside of the pavement, and across Cressey Road. Then down the north side of Cressey Road, 2 feet off the edge of pavement, to a point directly across from Stone Street. Then across Route 1 to Stone Street, a State Permit is required to drill under Route 1. The gas main will continue along the west side of Stone St, 2 feet off edge of pavement, to and across to the north side of Water Street. Then along the north side of Water Street to a point across from the Daniel Stone Inn.

1. Maine Natural is responsible for determining the bounds of the public easement in which the infrastructure is being installed.
2. The gas lines shall have a minimum of 36 inches of cover as proposed on the applications.
3. The final location of the gas line is subject to adjustment, as determined necessary by the Town Engineer, to provide adequate clearance from any actual underground facilities as determined by field verification by each utility.
4. Installation across public ways paved within the past 5 years will be done by directional boring.
5. All work is subject to compliance with the Town's Street Opening and road restoration requirements.

Town of Brunswick
Public Works Department

Application for Utility Location Permit

DATE July 10, 2009

Permit Number: ULP 2009-06
(to be provided by Town)

The Maine Natural Gas and _____
(Name of Utility) Joint Utility Name (if applicable)

duly authorized under the laws of the State of Maine to construct, maintain and
operate a natural gas distribution system
(Type of Utility)

within the Right of Way of highways within the State, hereby applies, pursuant to Title 35A M.R.S.A., Section 2503, and 17-229 C.M.R. Chapter 205, for a Location Permit for the following installation in the Town of Brunswick.

Provide a Brief Description. (Attach both a general location map and a detailed plan of the installation indicating the exact utility location with offsets for centerline or edge or right of way provided.):

Name of Street: Elaine Drive & Pejepscoot Terrace
Starting Point: Pejepscoot Terrace End Point: Elaine Drive

Maine Natural Gas proposes to install a 2-inch Medium Density Polyethylene (MDPE) and a 4-inch Medium Density Polyethylene (MDPE) gas main. The proposed gas main extension will extend the previously proposed gas main from Pejepscoot Terrace out along Jordan Ave behind the utility poles on Elaine Drive it will run along the southwest side behind the sidewalk. The extension will run approximately 180 feet of 4-inch MDPE and 710 feet of 2 inch MDPE.

Minimum Depth of Cover 36" (if applicable) Maximum PSI 60 (if applicable)

"Any person, firm or corporation owning property which abuts the public way described above and claiming to be adversely affected by this proposed location, may file a written objection with the Town of Brunswick Public Works Dept, 9 Industry Rd, Brunswick, ME 04011, stating the cause of said objection within fourteen (14) days after the publication of this notice. The written objection must be served by delivery in hand or by registered certified mail".

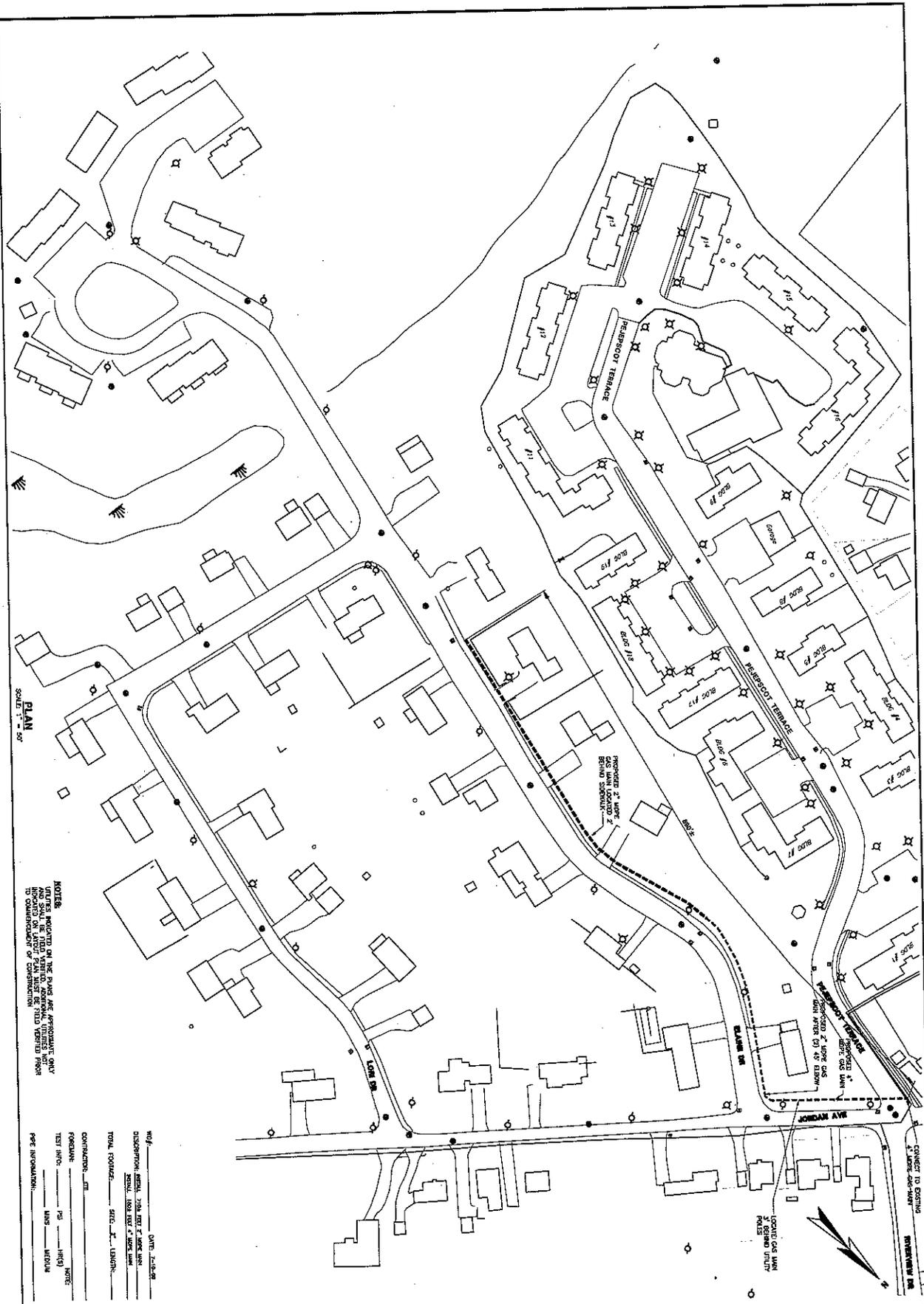
The text of this application will will not be published*: Publish Date: _____

Name of Newspaper: _____

Signature of Utility: Gary A. Kenny

Print Name and Title: Gary A. Kenny, P.E. - Manager of Engineering & Operations

*If publication is chosen, the entire application above the double line is to be published. Submit completed applications to the address provided above in the objection statement.



PLAN
SCALE: 1" = 40'

NOTES
 1. UTILITIES SHOWN ON THIS DRAWING ARE APPROXIMATE ONLY.
 2. UTILITIES SHOWN ON THIS DRAWING ARE BASED ON FIELD VERIFICATION.
 3. UTILITIES NOT SHOWN ON THIS DRAWING ARE NOT TO BE CONSIDERED FOR CONSTRUCTION.

DATE: 2/15/18
 DISCUSSION: SEEAL, TOTAL COST OF WORK: \$100,000
 TOTAL FUNDING: SEEAL, TOTAL COST OF WORK: \$100,000
 CONTRACTOR: CMI
 FOREMAN: PHJ
 TEST INFO: HRS
 PER INFORMATION: MMS, MEDINA

MAINE NATURAL GAS
GAS MAIN INVENTORY MAPPING
BRUNSWICK MAINE
GAS MAIN EXTENSION
ELAINE DRIVE



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NO.	REVISIONS	APPROV.	DATE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____
 APPROVED BY: _____
 DATE: _____
 BOOK NO.: _____
 PROJECT NO.: 70870
 SCALE: AS NOTED

DRAWING
1 OF 1

Town of Brunswick
Public Works Department

Application for Utility Location Permit

DATE July 10, 2009

Permit Number: ULP 2009-07
(to be provided by Town)

The Maine Natural Gas and _____
(Name of Utility) Joint Utility Name (if applicable)

duly authorized under the laws of the State of Maine to construct, maintain and
operate a natural gas distribution system
(Type of Utility)

within the Right of Way of highways within the State, hereby applies, pursuant to Title 35A M.R.S.A., Section 2503, and 17-229 C.M.R. Chapter 205, for a Location Permit for the following installation in the Town of Brunswick.

Provide a Brief Description. (Attach both a general location map and a detailed plan of the installation indicating the exact utility location with offsets for centerline or edge or right of way provided.):

Name of Street: School Street, Stetson Street, Franklin Street
Starting Point: Federal Street End Point: Franklin Street

Maine Natural Gas proposes to install a 2-inch Medium Density Polyethylene (MDPE) gas main. The proposed gas main extension will extend the previously proposed gas main from Federal Street out along the northern side of School Street, turn on to Stetson Street and then turn on to the southern side Franklin Street. The extension will run approximately 1565 feet.

Minimum Depth of Cover 36" (if applicable) Maximum PSI 60 (if applicable)

"Any person, firm or corporation owning property which abuts the public way described above and claiming to be adversely affected by this proposed location, may file a written objection with the Town of Brunswick Public Works Dept, 9 Industry Rd, Brunswick, ME 04011, stating the cause of said objection within fourteen (14) days after the publication of this notice. The written objection must be served by delivery in hand or by registered certified mail".

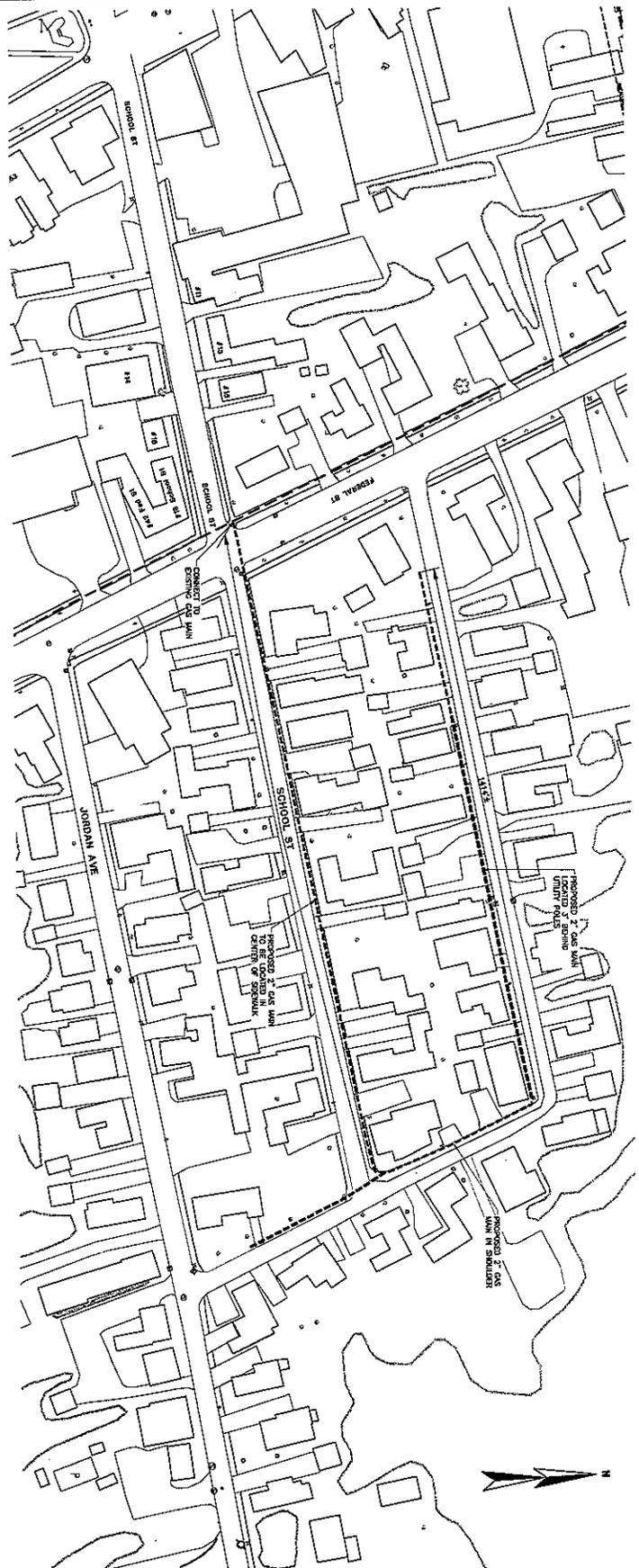
The text of this application will will not be published*: Publish Date: _____

Name of Newspaper: _____

Signature of Utility: Gary A. Kenny

Print Name and Title: Gary A. Kenny, P.E. - Manager of Engineering & Operations

*If publication is chosen, the entire application above the double line is to be published. Submit completed applications to the address provided above in the objection statement.

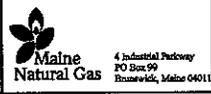


PLAN
SCALE 1" = 30'

NOTES:
DIMENSIONS SHOWN ON THIS PLAN ARE APPROXIMATE ONLY
AND SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO
CONSTRUCTION OF CONSTRUCTION

NO. _____ DATE: 06/28/09
 DESCRIPTION: SCHOOL STREET EXT. 2" GAS MAIN
 TOTAL LENGTH: _____ SIZE: 2" LENGTH:
 CONTRACTOR: _____
 PRESSURE: _____ PSI _____ INCHES
 TEST INFO: _____
 PER INFORMATION: _____

MAINE NATURAL GAS
 GAS MAIN INVENTORY MAPPING
 BRUNSWICK MAINE
 GAS MAIN EXTENSION
 SCHOOL STREET



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NO.	BY/CHKD	APP'D	DATE
1	DRN		
2	CHKD		
3	APP'D		
4	DES		
5	BOX		
6	PROJ		
7	SCALE		

DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____
 APPROVED BY: _____
 DES: _____
 BOX NO: _____
 PROJECT NO: 7687
 SCALE: AS NOTED

DRAWING
1 OF 1

Town of Brunswick
Public Works Department

Application for Utility Location Permit

DATE July 10, 2009

Permit Number: ULP 2009-08
(to be provided by Town)

The Maine Natural Gas and _____
(Name of Utility) Joint Utility Name (if applicable)

duly authorized under the laws of the State of Maine to construct, maintain and
operate a natural gas distribution system
(Type of Utility)

within the Right of Way of highways within the State, hereby applies, pursuant to Title 35A M.R.S.A., Section 2503, and 17-229 C.M.R. Chapter 205, for a Location Permit for the following installation in the Town of Brunswick.

Provide a Brief Description. (Attach both a general location map and a detailed plan of the installation indicating the exact utility location with offsets for centerline or edge or right of way provided.):

Name of Street: Cressey Road, Columbus Drive, Manson Street, Stone Street, Water Street
Starting Point: Federal Street End Point: Water Street

Maine Natural Gas proposes to install a combination of 4-inch Medium Density Polyethylene (MDPE) gas main. The proposed gas main extension will extend the previously proposed gas main from Federal Street out along the northern side of Cressey Street which turns into Columbus Drive. The Line will then be directionally drilled under Route 1 and then run along the east side of Stone Street and then turn on to Water Street. The extension will run approximately 2892 feet.

Minimum Depth of Cover 36" (if applicable) Maximum PSI 60 (if applicable)

"Any person, firm or corporation owning property which abuts the public way described above and claiming to be adversely affected by this proposed location, may file a written objection with the Town of Brunswick Public Works Dept, 9 Industry Rd, Brunswick, ME 04011, stating the cause of said objection within fourteen (14) days after the publication of this notice. The written objection must be served by delivery in hand or by registered certified mail".

The text of this application will will not be published*: Publish Date: _____

Name of Newspaper: _____

Signature of Utility: Gary A Kenny

Print Name and Title: Gary A. Kenny, P.E. - Manager of Engineering & Operations

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