

# BRUNSWICK TOWN COUNCIL

## MINUTES

DECEMBER 7, 1998  
MUNICIPAL MEETING FACILITY

**7:30 p.m.**

Chair McCausland called the meeting to order and asked for the pledge to the flag.

**Councilors Present:** Chair Stephen McCausland, Michael Feldman, Eleanor Swanson, Robert Galloupe, Timothy Dotts, Clement Wilson, Ervin Snyder, and David Gleason

**Councilors Absent:** Vice-Chair Faith Moll

**Others Present:** Donald Gerrish, Town Manager; Melissa Smith, Deputy Town Clerk; Jerry Hinton, Police Chief; Theo Holtwijk, Director of Planning and Development; Gary Howard, Fire Chief; several Full-time and Call Firefighters; citizens, members of the press and TV Video Crew.

### **Correspondence:**

A letter of resignation from Rob Laskey, member of the Solid Waste Advisory Committee, was received. A letter of appreciation will be sent and the opening will be advertised.

### **Minutes of Meetings:**

**Moved by Councilor Wilson, seconded by Councilor Dotts, to approve the minutes of November 16, 1998 as distributed. The motion carried with eight yeas.**

### **Manager's Report:**

#### **2. Presentation to Brunswick Fire Department**

Fire Chief Gary Howard talked about the Bowdoin Mill fire on Thursday, November 19, 1998 in Topsham. Chair McCausland asked all the Full-time and Call Firefighters present to stand and to be recognized to the public on TV. Chair McCausland thanked the Brunswick Fire Department on behalf of the Town for their efforts.

#### **1. Budget Report**

Manager Don Gerrish gave an update on the budget. Through five months (42%) of the fiscal year, the revenue side has continued to meet expectations. Expenditures are all in good shape. Public Works Department has not used any sand or salt yet this year.

### **Adjustments to the Agenda:**

Manager Gerrish recommended that item #221 be tabled because the final paperwork from the carriers has not come in yet.

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- 215. The Town Council will hear public comments on the request for a new Victualer License for:**

Shere Punjab, Inc.  
d/b/a Shere Punjab Restaurant  
46 Maine Street

Tejinder Jit

The public hearing opened at 7:40 p.m. The public hearing closed at 7:41 p.m.

**Moved by Councilor Wilson, seconded by Councilor Feldman, to approve a new Victualer license for Shere Punjab Restaurant. The motion carried with eight yeas.**

- 216. The Town Council will hear public comments on the request for new and renewal Alcoholic Beverage licenses for:**

**New:**

**Full-time Malt and Vinous:**

Shere Punjab, Inc.  
d/b/a Shere Punjab Restaurant  
46 Maine Street

Darcey Kumar, and  
Tejinder Jit

**Renewals:**

**Full-time Malt:**

Capital Pizza Huts, Inc. & Pizza Hut, Inc.  
d/b/a Pizza Hut  
107 Pleasant Street

John J. Murphy, and  
Richard Bloomer

**Full-time Malt, Spirituous, and Vinous:**

Bo-Ed, Inc. d/b/a Atrium Motel  
Jade Dragon, Inc. d/b/a Jade Dragon  
Sagtuck, Inc. d/b/a Winners Sports Grill  
21 Gurnet Road

Robert & Andy Rosenthal  
Hoi Tung Moa,  
Gary Sagris

Brunswick Elks Lodge #2043  
d/b/a Elk's Lodge  
179 Park Row

Kevin Leeman, Exaulted Ruler

MacMillan & Co. LLC  
d/b/a MacMillan & Co.  
94 Maine Street

John Hall

Dunbarton, Inc.  
d/b/a McGillicuddy's  
103 Pleasant Street

JoAnne Gillies

The public hearing opened at 7:42 p.m. The public hearing closed at 7:43 p.m.

**Moved by Councilor Feldman, seconded by Councilor Wilson, to approve the Alcoholic Beverage licenses for Shere Punjab Restaurant, Pizza Hut, Atrium Motel, Jade Dragon, Winner's Sports Grill, Elk's Lodge, MacMillan & Co., and McGillicuddy's. The motion carried with eight yeas.**

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**217. The Town Council will hear public comments on the request for Special Amusement Licenses for:**

**New:**

Jade Dragon, Inc.  
d/b/a Jade Dragon Restaurant  
21 Gurnet Road

Hoi Tung Moa

**Renewals:**

Brunswick Elks Lodge #2043  
d/b/a Elk's Lodge  
179 Park Row

Kevin Leeman, Exalted Ruler

MacMillan & Co. LLC  
d/b/a MacMillan & Co.  
94 Maine Street

John Hall

Dunbarton, Inc.  
d/b/a McGillicuddy's  
103 Pleasant Street

JoAnne Gillies

The public hearing opened at 7:43 p.m. The public hearing closed at 7:44 p.m.

**Moved by Councilor Wilson, seconded by Councilor Feldman, to approve Special Amusement licenses for Jade Dragon, Elks Lodge, MacMillan & Co., and McGillicuddy's. The motion carried with eight yeas.**

**218. The Town Council will hear public comments on the proposed amendments to the Zoning Ordinance relative to the reuse of former fraternity houses and take any appropriate action. (Manager)**

Theo Holtwijk, Director of Planning and Development, stated that the fraternity houses at Bowdoin College were being phased out by the year 2000. The College has plans to acquire these buildings and requests that the town amend the TR-5 District to allow college offices and residence halls in this zone. It was unanimously recommended by the Planning Board that this amendment be approved. (Attachments to permanent minutes)

The public hearing opened at 7:45 p.m.

Scott Hood, Director of Public Affairs at Bowdoin College, expressed thanks to Don Gerrish, Theo Holtwijk, staff, Planning Board, neighbors and Councilor Moll for their cooperation. He announced what the college plans will be for the five properties it is considering buying. These properties include: Chi Psi, 7 Boody St; Beta Sigma Psi, 14 McKeen St; Alpha Delta Phi, 228 Maine St; Theta Delta Chi, 244 Maine St, and Psi Upsilon, 250 Maine St. Three of these properties (Chi Psi, Alpha Delta Phi and Psi Upsilon) will be incorporated into the college housing system. A possible children's center is planned for Beta Sigma Psi and a new admissions office is being planned for Theta Delta Chi. Bowdoin College has a purchase and sales agreement with Psi Upsilon and Theta Delta Chi. The Psi Upsilon agreement is contingent upon approval of this amendment to the Zoning Ordinance. If this amendment is passed, the college is prepared to go forward immediately and restore the Psi Upsilon house. It is prepared to spend over a million dollars to restore this property because of its architectural significance. Originally the College wanted two other properties included but after talking to residents, decided against this. Director Hood stated that without the Council's help they could not reuse the

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fraternity houses.

The public hearing closed at 7:50 p.m.

**Moved by Councilor Wilson, seconded by Councilor Feldman, to approve the proposed amendments to the Zoning Ordinance relative to the reuse of former fraternity houses as recommended by the Planning Board. The motion carried with eight yeas.**

- 219. The Town Council will hear public comments on the proposed amendments to the Sign Ordinance relative to flashing illumination signage and take any appropriate action. (Manager)**

Theo Holtwijk, Director of Planning and Development, explained that a request was made by Androscoggin Savings Bank at Cook's Corner to have a digital time and temperature sign. The Planning Board recommended that the current ordinance, which prohibits flashing illumination signage, remain in place but that time and temperature signs be exempt. The Planning Board voted unanimously for this action. (Attachments to permanent minutes)

The public hearing opened at 7:52 p.m.

Doug Bolles, Androscoggin Savings Bank, said that he viewed a time and temperature sign as a public service for their customers and the community at large. Most of the Androscoggin banks have time and temperature signs. A photograph of the time and temperature sign was passed around to the Council. He also felt that a time and temperature sign would generate goodwill and attention. The bank's proposed sign is a LED sign, which uses 5% of the energy that a sign with light bulbs would use. The time is displayed for five seconds, then the temperature is displayed for five seconds.

The public hearing closed at 8:00 p.m.

Councilor Swanson stated that the Androscoggin Savings Bank is one of three handsome buildings on that block. The Planning Board had done a very good job in not having the appearance of a "strip zone". She felt that one characteristic of a "strip zone" was illuminated signs. A dignified building such as the Androscoggin Bank deserves a dignified sign.

Councilor Feldman was initially opposed to the time and temperature sign. His concern was the frequency of the flashing light. He wanted the area to look residential as you left Cook's Corner and was afraid that the sign would be distracting to drivers. Upon experiencing the five second test, he now believes that the flashing light would not be a problem.

**Moved by Councilor Wilson, seconded by Councilor Galloupe, to approve the proposed amendments to the Zoning Ordinance relative to flashing illumination signage. Motion carried with seven yeas and (1) nay - Councilor Swanson.**

- 220. The Town Council will hear public comments on the proposed amendments to the No-Parking Ordinance relative to adding the north side of Grover Lane and take appropriate action. (Manager)**

Police Chief Jerry Hinton addressed the council. The proposed amendment on Grover Lane is to protect the residents from accidents while backing out of their driveways because cars are parked on

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both sides of the road and their vision is impaired. This situation has arisen since the opening of the new bike path. On the weekends vehicles park on both sides of the road and the traffic level has increased more than expected. The residents were asked their opinions and it was decided that there should not be any parking on the north side of Grover Lane where the driveways are located. (Attachments to permanent minutes)

The public hearing opened at 8:10 p.m. The public hearing closed at 8:11 p.m.

**Moved by Councilor Feldman, seconded by Councilor Wilson, to approve amendments to the No-Parking Ordinance relative to adding the north side of Grover Lane. The motion carried with eight yeas.**

**221. The Town Council will consider proposed amendments to the Towns 457 Deferred Compensation Plan and take any appropriate action. (Manager)**

Chair McCausland considered this item #221 tabled until the next meeting.

**222. The Town Council will consider confirming a second extension of the Purchase and Sales Agreement with Bowdoin College for property located on Maine Street as signed by the Town Manager. (Manager)**

Manager Gerrish stated that a Purchase and Sales agreement with Bowdoin College for property located on Union Street was signed. The process worked well. There are still some issues that need final approval from all the boards and authorities. The deadline to finalize this sale is December 31, 1998 and the Town would like to extend the agreement to February 19, 1999 to be sure that everything is done before the property is sold. (Attachments to permanent minutes)

**Moved by Councilor Snyder, seconded by Councilor Wilson, to ratify the second extension of the purchase and sales agreement with Bowdoin College pertaining to the Maine Street property. The motion carried with eight yeas.**

**223. The Town Council will receive a report from the Director of Planning and Development concerning the Cooks Corner Master Plan and take any appropriate action. (Manager)**

Theo Holtwijk, Director of Planning and Development, presented a memo concerning the Cook's Corner Master Plan. (Attachment to permanent minutes)

Manager Gerrish recommended acceptance of the Master Plan proposal and memo as they were presented by the Director of Planning and Development. He believes that this is the next step to begin to implement the Cook's Corner Master Plan.

Councilor Wilson was very appreciative of all the work done. He would like to know what it is going to cost in the next few years.

Director Holtwijk said he would prepare a multi year cost estimate by budget time.

Councilor Swanson wanted to know if the Council would get to prioritize the eight items presented.

Director Holtwijk thought it would be good feedback if the council did prioritize.

Manager Gerrish suggested that they finalize the cost estimates so that they would know what could be done in house. He stated the need to have a balance of expenditures.

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**Moved by Councilor Feldman, seconded by Councilor Snyder, to accept the report and to have the Town Manager and the Director of Planning and Development work with the report to be utilized in the 1999-2000 budget. The motion carried with eight yeas.**

224. The Town Council will consider making appointments to the following boards and committees:

**Planning Board - 1 Full member, balance of a 3 year term to expire 2/23/01**

Councilor Wilson nominated Edward L. Hawes who is now an associate member on the Planning Board.

**Councilor Wilson moved nominations cease and that the Chair cast a single ballot for Edward L. Hawes. Councilor Feldman seconded the motion. The motion carried with eight yeas.**

**Edward L. Hawes was appointed as a full member of the Planning Board.**

**Solid Waste Management Advisory Committee - 1 Full member, Balance of a 3 year term to expire 01/01/00**

Councilor Dotts nominated Shay L. Bellas.

**Councilor Dotts moved nominations cease and that the Chair cast a single ballot for Shay L. Bellas. Councilor Wilson seconded the motion. The motion carried with eight yeas.**

**Shay L. Bellas was appointed to the Solid Waste Management Advisory Committee.**

The meeting adjourned at 8:40 p.m.

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

Melissa L. Smith  
Deputy Town Clerk  
12/09/98

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Date of Approval

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Council Chair