

-- Approved --
BRUNSWICK TOWN COUNCIL MINUTES
November 18, 2002
Municipal Meeting Facility

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

Councilors Present: Chair Charles R. Priest, W. David Watson, Jacqueline A. Sartoris, Robert A. Galloupe, Douglas A. Rice, Nancy E. Randolph, Forrest Lowe, Thomas E. Crimmins, and Stephen H. McCausland.

Councilors Absent: None.

Others Present: Donald H. Gerrish, Town Manager; Fran Smith, Town Clerk; Patricia Harrington, Assistant Town Manager; Theo Holtwijk, Director of Planning and Development; Tom Farrell, Parks and Recreation Director; Peter Baecher, Parks and Recreation Facilities Manager; Steve Walker, Natural Resource Planner; State Representative Stanley Gerzofsky; several citizens, members of the press, and TV video crew.

Minutes of Previous Meeting: November 4, 2002

Hearing no objection from the Council, Chair Priest declared the minutes of November 4, 2002, accepted as written.

Correspondence:

Letter Regarding Elimination of Personal Property Tax

Manager Gerrish discussed a letter he received regarding the possible elimination of personal property taxes. He said this issue will be coming up again in the future.

(A copy of the letter from the Town of Jay and Livermore Falls will be attached to the official minutes.)

Manager Gerrish also discussed a letter that had come in from the Sewer District, discussing the expansion of its boundaries. This will be on the December 2 meeting.

Councilor Sartoris said there was going to be an open house on the proposed public boat landing on December 4 from 6:00 p.m. to 8:00 p.m. at the old high school. There will be a presentation and time for questions and answers. It will be at least one (1) year before the permitting is completed and up to another year before construction begins.

Manager's Report:

1) Town Council E-mail Address

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what the Natural Resource Protection Act states. It changes streams' definition from a map base to physical characteristics based.

Chair Priest opened the public hearing.

Janet Brand, 318 Bunganuc Road, asked about the definition of an intermittent stream. She was concerned with the stream definition, the large setback requirement (from streams), and how the changes will effect property rights. She was offended by the rules being changed without property owners' input.

Chair Priest closed the public hearing.

Mr. Walker responded that the ordinance allows for grandfathering existing gardens, and he would be happy to look at Ms. Brand's property. (Councilor Randolph read the language that Mr. Walker was referring to.)

Councilor Sartoris said these amendments would put the town in line with state regulations and would assist in streamlining the permitting process.

Councilor Sartoris moved, Councilor Randolph seconded, to adopt the proposed amendments to the Zoning Ordinance in regards to the Stream Protection provisions of the Natural Resources Protection Zone. The motion carried with nine (9) yeas.

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

209. The Town Council will hear public comments on the Park, Recreation and Open Space Plan for Brunswick, Maine.

Councilor Lowe, Chair of the Open Space Task Force, introduced the Plan. Over three (3) years ago, the Task Force began the process to create a long term plan for the use of parks, recreation and open spaces. During this time, there was a great deal of public input, including approximately thirty (30) neighborhood meetings and nine (9) community discussions. The Plan encompasses decades of time and allows a long time to get concepts done. The taxpayers will not bear the cost to implement the Plan alone, and there have been discussions of private/public partnerships amongst other funding options. The Plan has one hundred thirty-nine (139) action items. He said by endorsing the plan it does not require spending funds; it is just a blueprint as to what can happen in the future.

Chair Priest opened the floor for comments.

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

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Sarah Laurence, 6 Longfellow Avenue, spoke in support of the Plan. There needs to be a long term plan for the future. It allows for other sources of funds and protects Brunswick's natural appearance.

Megan Hellstedt, 13 Franklin Street, spoke in support of the Plan. She works with the Maine Coastal Heritage Trust, which will be willing to work with Brunswick in the future.

Liz Beron, 656 Harpswell Road, spoke in support of the Plan. The cost of preserving land is cheaper than the costs related to developed land.

Bruce Amstutz, 15 Blueberry Lane, spoke in support of the Plan. He suggested having a three million dollars (\$3,000,000) bond, (instead of the Plan's proposal of a two million dollar (\$2,000,000) one). He expressed concerns for wildlife and hoped the Plan addressed this.

Jack Haley, Executive Director of Land Trust, spoke in support of the Plan. It is important the bond issue be passed in order to protect land. In many cases, they purchase the development rights and the property still provides taxes.

Judith Chamberlain, 705 Harpswell Road, spoke in support of the Plan.

Lisa Martin, 185 Hacker Road, spoke in support of the Plan. It is an investment in Brunswick's future. She discussed the donations made to the Cox Pinnacle project and how something similar could work with parts of this Plan.

Campbell Niven, 12 Atwood Lane, urged people to have patience with the Plan and prioritize what is most important. He wished the Council well with the Plan.

Robert Downs, 27 ½ Thompson Street, said he appreciated the work done on the Plan, and it is a necessary plan. Yet, there needs to be consideration for the taxpayers funding this project, with other town needs that should be done first.

Glen Peabody, 47 Merrymeeting Road, spoke in support of the Plan and especially on the recreation side of it as he is associated with a little league group.

Kermit Smyth, 8 Noble Street, spoke in support of the Plan. He discussed the possibility of a land bank for open space as a method to fund parts of the Plan.

Tom Peterson, 14 Larrabee Farm Road, spoke in support of the Plan.

Bill Ferdinand, 40 Longfellow Ave, (Conservation Commission chair) spoke in support of the Plan. The Plan would provide better guidance to the Conservation Commission in their decision making process. If it is important to preserve open space, the town needs to get more deliberate in its action. There is broad value in preserving open space.

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Tom Henze, 7 Page Street, spoke in support of the Plan.

Bruce Clark, Highland Road, said he does not have a problem with having a plan, but the cost of purchasing land and how it effects town taxes does concern him. The studies that discussed saving cost by preserving land should be used only as a factor in making choices. The town needs to be careful when spending tax payers' money, and it is important to get funds elsewhere.

Jamie Ecker, 67 Simpson Point Road, spoke in support of the Plan. He read from a prepared statement.

(A copy of Mr. Ecker's comments will be attached to the official minutes.)

Silas Atkins, 39 Page Street, spoke in support of the Plan. It is a way to preserve areas in the future.

Steven Klockow, 30 Belmont Street, spoke in support of the Plan. There needs to be playing fields and recreation areas throughout the town.

Shirley Green, property owner on River Road, said she owns one hundred thirty six (136) acres of land, which she pays taxes on and in the last six (6) years things have been changed so she cannot subdivide her property. Brunswick's land is being paid for by someone regardless of its use. All plans are good, but use common sense and think about what is happening to those intimately involved with the changes.

Janet Brand spoke against the Plan. This plan reaches fifty (50) years into the future and it is not allowing our children to make their own decisions. Fisherman and others are being taxed out of this town. Spending is an issue and should be looked at.

Jean Shaw, 7 Pine Street, spoke in support of this Plan. There are hidden benefits and our children are going to grow up in a town that has a plan and that gives them the ability to say they come from somewhere.

Nancy Heiser, 45 Harding Road, spoke in support of the Plan. Recreation facilities are necessary for those in East Brunswick.

Craig Worthing, 18 Bowdoin Street, spoke in support of the Plan.

Ed Benedikt, 45 Harding Road, supported open space planning and recreation improvements, but he feels the Plan is not quite ready for adoption. It needs to have more exact language, and he has concerns with the cost. The Plan's implementation will require increasing staffing. There should have had two (2) reports – a barebones plan and a more detailed one with the costs and choices.

Leslie Hunt, 39 Hemlock Road, spoke in support of the Plan. The loss of open space is irreversible and has an impact on the quality of life. Open space is priceless.

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(A copy of written comments in favor of the Plan from Sherrill Strauss, 569 River Road, and Stella Thibeault, 19 McLellan Street, will be attached to the official minutes.)

Chair Priest closed the meeting to public comments.

Councilor Lowe discussed the e-mails the Council received on the Plan. There were around thirty (30) of them and they supported the Plan.

Councilor Lowe moved, Councilor Sartoris seconded, to move the acceptance of “The Parks, Recreation and Open Space Plan - From the River to the Bay” as the blueprint for future planning and action in Brunswick relating to open space, recreation needs, and parks.

Councilor Galloupe said this Plan is a beginning and the town will need to prioritize goals. Plus, there is the issue of where the money is coming from.

Councilor Randolph said “concept approval” is fine, but she does not agree with everything on the list. She would like to be in the Council record as wishing to call the Plan being approved in “concept” – not as a “blueprint”.

Councilor Sartoris supports the Plan. Open space and the expenditure for it is not a luxury, but long-term savings to the town.

Councilor Rice said he is very impressed with the Committee’s work, but has concerns with taking properties off the tax roles. He would like to see more studies regarding savings created by preserving open space. The Council is not endorsing the cost, and it is important for voters to make decisions on any bond(s) issues. He supports the blueprint concept, recognizing there could be changes in the future.

Councilor Lowe moved, Councilor Sartoris seconded, to move the acceptance of “The Parks, Recreation and Open Space Plan - From the River to the Bay” as the blueprint for future planning and action in Brunswick relating to open space, recreation needs, and parks. The motion carried with nine (9) yeas.

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

TABLED ITEM

203. The Town Council will receive proposed amendments to the Marine Resources Ordinance and will take any appropriate action.

Steve Walker, Natural Resource Planner, said the proposed changes to the Marine Resource Ordinance are in three (3) areas: time allowed for picking up licenses, the way student licenses are issued, and a military duty clause, which freezes the class status while on active duty. The issue was discussed at the last meeting regarding the type of

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military discharge being taken into consideration in issuance of licenses. The Town Attorney wrote a letter stating under the proposed language that the filing of intentions has to do with those on active duty - not with how they are discharged. He added this is also not covered under the Soldier Relief Act.

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

Councilor Rice moved, Councilor Watson seconded, to set a Public Hearing on December 2, 2002, on the proposed amendments to the Marine Resources Ordinance to be adopted on an emergency and regular basis. The motion carried with nine (9) yeas.

210. The Town Council will receive a report from the Comprehensive Plan Subcommittee and will take any appropriate action.

Theo Holtwijk, Director of Planning and Development, discussed the Comprehensive Plan Subcommittee's report on the process to update the Comprehensive Plan.

(A copy of the Comprehensive Plan Update Process – Council Committee Recommendations and Planning Decisions' Revised Proposal to Provide Planning Assistance will be attached to the official minutes.)

Councilor Randolph moved, Councilor Sartoris seconded to adopt the Comprehensive Plan Update Process report and to move forward on the Comprehensive Plan.

The Council decided to table this motion until the next meeting to allow more time to review the report.

Councilor McCausland said this is not reinventing the wheel and it is a rewrite of the current plan. Less is best and they will be looking at the areas needing changes.

211. (WITHDRAWN) The Town Council will consider a request to accept roadways in Phase V of the Wildwood Subdivision and will take any appropriate action.

This item had been withdrawn.

212. The Town Council will consider a request from Bowdoin College to hang a banner over Maine Street and will take any appropriate action.

Councilor Lowe moved, Councilor McCausland seconded, to approve the request from Bowdoin College to hang a banner over Maine Street from May 28 to June 2, 2003, and from October 23 to October 27, 2003. The motion carried with nine (9) yeas.

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**Councilor Randolph moved, Councilor Watson seconded, to adjourn the meeting.
The motion carried with nine (9) yeas.**

The meeting adjourned at 9:52 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.**

Frances M. Smith
Town Clerk
November 22, 2002

December 2, 2002

Date of Approval

Charles R. Priest

Council Chair