

**BRUNSWICK TOWN COUNCIL**

**Agenda**

**October 1, 2012**

**7:00 P.M.**

**Municipal Meeting Room**

**Brunswick Station**

**16 Station Avenue**

Pledge of Allegiance

Roll Call

Public Comment:

Correspondence:

Adjustments to the Agenda:

**MANAGER'S REPORT:**

- (a) Council Committee Updates
- (b) Update on Quiet Zones for train
- (c) Permission to apply for and expend a 2013 Byrne Grant for the Police Department  
(*Action Required*)
- (d) Permission to apply for and expend an Emergency Management Planning Grant for the Fire Department (*Action Required*)

**PUBLIC HEARINGS**

102. The Town Council will hear public comments on amendments to the Zoning ordinance regarding rezoning the west side of Federal Street between Mason and Center Streets to Town Center 1, and will take any appropriate action. (Manager)

**HEARING/ACTION**

**NEW BUSINESS**

103. The Town Council will consider requesting that the Planning Board review and make recommendations to the Council regarding the Town Zoning Ordinance, Chapter 2, Section 216, relating to the review of demolitions in the Village Review Overlay Zone, and take any appropriate action. (Councilor King and Councilor Tucker)

**ACTION**

104. The Town Council will discuss the recreation and open space assets located on the former Navy housing off of McKeen Street to determine if the Council has an interest in accepting them from the developer, and will determine if future action is needed. (Manager)

**DISCUSSION**

105. The Town Council will consider appointments to the Town's Boards and Committees, and will take any appropriate action. (Appointments Committee)

**ACTION**

**CONSENT AGENDA**

- (a) Approval of the Minutes of September 4, 2012
- (b) Approval of minutes of September 17, 2012
- (c) Appointment of Wardens and Deputy Wardens for the Election on November 6, 2012
- (d) Approval of the Election Warrant for November 6, 2012
- (e) Approval of extended hours for registrar

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

**Brunswick Town Council**  
**Agenda**  
**October 1, 2012**  
**Council Notes and Suggested Motions**

**MANAGER'S REPORT:**

- (a) 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 is required.

- (b) Update on request for Quiet Zone designation: Manager Brown will update the Council and the public on the status of these applications. A copy of Manager Brown's memo is included in your packet.

*Suggested Motion:* No motion is required.

- (c) Permission to apply for and expend 2013 Byrne Grant for the Police Department (Action Required): This item is to request the Council to allow the Police Department to apply for and expend this grant. If they receive it, the funds will be used for training and equipment as outlined in a memo from Captain Waltz, who will be at the meeting at answer any questions. This grant requires no Town match. A copy of grant information is included in your packet.

*Suggested Motion:*

Motion to allow the Police Department to apply and expend, if received, the 2013 Byrne Grant in the amount of \$7,787.00.

- (d) Permission to apply for and expend an Emergency Management Planning Grant for the Fire Department (Action Required): The Fire Department is requesting permission to apply for this grant in the amount of \$20,000 to help offset the cost of Emergency Management Planning, which the Town is required to do. This is an annual grant the Fire Department has received the last few years. Chief Brilliant will be at the meeting to answer any questions. A copy of his memo and application is included in your packet.

*Suggested Motion:*

Motion to allow the Fire Department to apply and expend, if received, an Emergency Management Planning Grant in the amount of \$20,000.

**PUBLIC HEARINGS**

102. This item is the required public hearing on amendments to the Zoning Ordinance regarding rezoning the west side of Federal Street between Mason and Center Streets to Town Center 1. This item comes back to the Council after the Council's request that the Planning Board review rezoning 28 Federal Street for commercial use. After

reviewing the zoning history for the property and holding a public hearing, the Planning Board is recommending that the zone be changed on Federal Street from Center to Mason Street from Town Residential 2 to Town Center 1. Copies of a memo from Anna Breinich and maps are included in your packet.

*Suggested Motion:*

Motion to adopt amendments to the Zoning Ordinance regarding rezoning the west side of Federal Street between Mason and Center Streets to Town Center 1.

**NEW BUSINESS**

103. This item seeks recommendations on how to improve the process for reviewing demolitions in the Village Review Zone. Chapter 2, Section 216 of the Town Zoning Ordinance designates the Village Review Zone, establishes the Village Review Board, and vests in the Village Review Board the power to grant Certificates of Appropriateness for new construction, additions, alterations, relocations or demolitions. The granting or denial of a Certificate of Appropriateness for demolition is currently based on the criteria in Section 216.9 as well as findings based on factors listed in Section 216.10.C. The Planning Board will be asked to review the Ordinance, taking into account the purposes of the Ordinance, the Comprehensive Plan update, and the history of implementing the Ordinance. The Board will be encouraged to receive comment from the public, the members of the Village Review Board, and Town Planning Department staff in developing recommendations to the Council. The Planning Board will be requested to make a recommendation to the Town Council no later than November 14. Copies of relative sections of the Zoning Ordinance and Comprehensive Plan are included in your packet.

*Suggested Motion:*

Motion to request that the Planning Board review and make recommendations to the Council regarding the Town Zoning Ordinance, Chapter 2, Section 216, relating to the review of demolitions in the Village Review Overlay Zone.

104. This item is for the Council to discuss any interest in accepting the recreation and open space assets located on the former Navy housing off of McKeen Street. The property owner, Affordable Midcoast Housing, has requested the Town accept them and has agreed to pay costs to make repairs and maintenance. There is an overhead electrical transmission line above the basketball court and baseball diamond. Staff is recommending the Council visit the site prior to any action at your October 15<sup>th</sup> meeting. Copies of a memo from Manager Brown, maps of the site, costs and draft resolution for acceptance are included in your packet.

*Suggested Motion:*

No recommended motion since this is a discussion item.

105. At this time the Appointments Committee will make nominations to fill vacancies on Town Boards and Committees. At your September 4<sup>th</sup> meeting, you appointed Stephen Cohen to the Conservation Commission, which had been advertised in error as having a vacancy when it had been filled earlier in the summer. Upon speaking

with him, he expressed an interest in serving on the Zoning Board of Appeals. Copies of the Committee's report and the applications are included in your packet.

*Suggested Motion:*

Nominations will be made, with no seconds required, and the Council will then vote on the nominations.

**CONSENT AGENDA**

- (a) Approval of the Minutes of September 4, 2012: A copy of the minutes is included in your packet.
- (b) Approval of minutes of September 17, 2012: A copy of the minutes is included in your packet.
- (c) Appointment of Wardens and Deputy Wardens for the Election on November 6, 2012: This item is for the appointment of Wardens and Deputy Wardens for the upcoming election. A copy of a memo from the Town Clerk, with the list of nominees, is included in your packet.
- (d) Approval of the Election Warrant for November 6, 2012: This item approves the election warrant for the Town's municipal election. A copy of the warrant is included in your packet.
- (e) Approval of extended hours for registrar: This item approves the extended hours for the registrar. A copy of the proposed hours is included in your packet.

*Suggested Motion:*

Motion to approve the Consent Agenda.

*Suggested Motion:*

Motion to adjourn the meeting.

# MANAGER'S REPORT - A NO BACK UP MATERIALS

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# MANAGER'S REPORT - B BACK UP MATERIALS

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**TOWN OF BRUNSWICK**  
TOWN MANAGERS OFFICE  
MEMORANDUM

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TO: Brunswick Council

FROM: Gary Brown, Town Manager

DATE: September 26, 2012

RE: Quiet Zone designation update

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The Council has previously been advised that staff would be working on extending the existing quiet zone designation to include Union and Stanwood Streets.

Quiet zone applications require that all crossings be completed prior to submitting them. With the crossings complete and the train schedule released, we are able to submit the necessary paperwork to seek the extension of the quiet zones. It will likely be a matter of about three months before the extension is approved.

As this matter progresses, we will keep the Council informed.

# MANAGER'S REPORT - C BACK UP MATERIALS

Brunswick Police Department Subgrant Request  
2012 Edward Byrne Memorial Justice Assistance Grant

PROJECT NARRATIVE

- A. The Brunswick Police Department plans to use \$2,000.00 of the Fiscal Year 2012 Edward Byrne Memorial Justice Assistance Grant Funds to send two officers to training to utilize a total station and forensic mapping program to be trained to map crime scenes. We recently purchased the equipment and trained two officers, but we would like to have a total of four officers on the department who can use the equipment and this grant will allow us to train the additional two. We would also like to purchase a dedicated laptop computer and case (\$1,750.00) for use with the forensic mapping program.
  
- B. The Brunswick Police Department plans to use \$4,031.04 of the Fiscal Year 2012 Edward Byrne Memorial Justice Assistance Grant Funds to purchase a Varda alarm and accessories so that the alarm can be used to detect burglaries and as a panic alarm for victims of domestic violence. A Varda alarm is a device which can broadcast a signal directly over our radio frequency when it is triggered.

PROJECT BUDGET

- A. Forensic Mapping
  - Training – Tuition for two officers @ \$1,000 each = \$2,000
  - Computer – One with case at \$1,750 = \$1,750.00
  - Total for Forensic Mapping - \$3,750.00**
  
- B. Varda Alarm and Accessories - \$4,031.04
  - Total for Varda Alarm and Accessories - \$4,031.04**

**Total for both Projects: \$7,781.04**

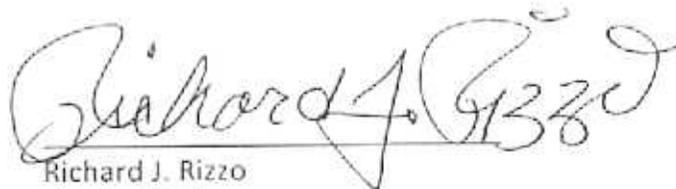
BUDGET NARRATIVE

- A. The tuition (\$1,000.00 per officer) is based upon a quote by Collision Forensic Solutions for a class to be held in Lincoln County in late November/early December, 2012. An exact computer model has yet to be selected as the prices change regularly, but our technology expert has informed us that that for \$1,750.00, we can get a laptop which will be able to run the forensic mapping program and a case. The computer will be used by the four officers who have received the training in forensic mapping in connection with their maps.

- B. The \$4,031.04 price for a Varda alarm and accessories is based upon a quote from the Varda Company which is good for 60 days. We currently have two alarms (one is about 25 years old and the other is about 10 years old) but they are frequently both out at the same time and seek a third so that we have the capability to use one in connection with a burglary case and still have two available as panic alarms in domestic violence cases. We have multiple officers in the department who are trained to set up Varda alarms.

Neither project A nor Project B will require further funding to sustain for at least the next five years as the equipment is expected to last at least that long.

August 31, 2012

A handwritten signature in black ink, appearing to read "Richard J. Rizzo". The signature is written in a cursive style with a horizontal line underneath the name.

Richard J. Rizzo  
Chief of Police  
Brunswick Police Department  
28 Federal Street  
Brunswick, Maine 04011

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# MANAGER'S REPORT - D BACK UP MATERIALS

# Town of Brunswick, Maine

Incorporated 1739

Brunswick Fire Department



"Working Today for a Safer Tomorrow"



KEN BRILLANT, CHIEF  
JEFF EMERSON, DEPUTY CHIEF  
DONALD KOSLOSKY, DEPUTY CHIEF

21 TOWN HALL PLACE  
BRUNSWICK, ME 04011  
TELEPHONE 207-725-5541  
FAX # 207-725-6638  
[WWW.BRUNSWICKME.ORG](http://WWW.BRUNSWICKME.ORG)

September 20, 2012

James Budway, Director  
Cumberland County EMA  
22 High Street  
Windham, Maine 04062

Dear Jim,

The Town of Brunswick is applying for funding under the 2012 Emergency Management Performance Grant (EMPG) to support our Emergency Management Program. We understand this program covers the period October 1, 2012 to September 30, 2013. We also understand it is a reimbursement grant, that the base reimbursement rate is 50%, and that the reimbursement can be increased up to 100% through the use of in-kind match if available. Our budget is attached, and includes an estimated \$ 20,300 in direct expenses and \$32,832 in in-kind match. Part of the budget is \$1300. \$500 of this request covers the cost of one Verizon Wireless MiFi unit and \$800 to cover the cost of some phone lines in the EOC.

We have also attached our Work Plan for this year.

We currently participate in the program and attached is a summary of activities for the past year.

The substantial portion of this request falls into the following areas:

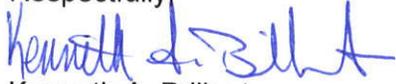
1. A portion of the salary and benefits paid to the Fire Chief for emergency management activities; estimated at 15% or approximately six hours per week.
2. Related telecommunications expenses.
3. Miscellaneous emergency supplies and training.

During the previous year the Town of Brunswick Emergency Management has worked on the following.

1. Hazard Mitigation Planning
2. Storm Events
3. Updating and reviewing Town Plans
4. NIMS Coordination- Currently 100%

5. Planning and Providing Public Safety coverage for a Large Scale Airshow
6. EMA Trainings
7. Attending EMA meetings in Cumberland and Sagadahoc Counties
8. Joint Drill with CST, Haz Mat and SRT, real time and Large Scale
9. Emergency Planning with both local Hospitals

Respectfully



Kenneth A. Brilliant  
Fire Chief/ EMA Director

**State of Maine**  
**2012 EMPG Local Capacity Grant BUDGET Worksheet**

Town: **Brunswick**  
 County: **Cumberland**  
 Grant Period: from: **10/1/2012** to: **9/30/2013**

Enter data in blue fields; yellow fields are calculated or fixed.

**BUDGET PHASE**

**Volunteer rate: 17.28**

- 1) Budget your ENTIRE program or project: What do you estimate your cash outlay expenses will be? What do you estimate for non-cash (unpaid hours and in-kind) resources? (Block 1).
- 2) Take note of the estimated EMPG reimbursement (Block 2)
- 3) Note the Additional Match Needed, or Overmatch in Block 3. Adjust your budget column (Block 1) accordingly.
- 4) Make sure to explain "Equipment" and "Other" line items in your cover letter

<b>BUDGET WORKSHEET</b>		<b>1) Budget Projected</b>	<b>2) EMPG Reimbursement Estimated/ Projected</b>	<b>3) Projected Additional Match Needed/Overmatch</b>
<b>Estimate of Expenses Paid By Jurisdiction:</b>				
Personnel Stipend or Salaries		\$18,000.00		
Supplies/Materials/Printing		\$0.00		
Equipment (less than \$5,000)		\$0.00		
Equipment (\$5,000 or more)		\$0.00		
Utilities		\$0.00		
Meetings		\$0.00		
Training		\$1,000.00		
Exercise		\$0.00		
EOC Upgrades		\$0.00		
Travel		\$0.00		
Other (please explain in your narrative)		\$1,300.00		
<b>Total Expenses</b>		<b>\$20,300.00</b>		<b>Add'l Match Needed for full reimbursement: \$0.00</b>
<b>Estimate of Non-Cash/In-Kind Resources:</b>				
Unpaid Hours	1900 hours	\$32,832.00		
In-Kind Match (services, supplies, facilities, etc.)		\$0.00		
<b>Total Resources:</b>		<b>\$32,832.00</b>		
<b>Total Estimated Project Budget</b>		<b>\$53,132.00</b>	<b>\$20,300.00</b>	<b>Overmatch \$12,532.00</b>

## 2012 MUNICIPAL EMERGENCY MANAGEMENT WORK PLAN

**Please note:** If you have volunteers involved in your program, and you plan to use their hours as in-kind match, please be sure to list the activities they will be involved in. Also, please list under “facilities and equipment” any equipment or EOC improvements you have included in your budget. Equipment or improvement projects must be less than \$5,000.

1. PLANNING:

- ❖ Complete annual updates to the Municipal Emergency Operations Plan.
- ❖ Participate in the update process for the Cumberland County hazard Mitigation Plan.
- ❖ Complete mutual aid agreements with local non-governmental organizations.
- ❖ Develop an alert roster to contact the Municipal Officers/Officials of an impending emergency.

2. TRAINING/EXERCISES:

- ❖ Complete training incident command, emergency management, hazardous materials, damage assessment and disaster recovery.
- ❖ Maintain training records that documents the above training.
- ❖ Participate in municipal public safety drills and County disaster exercises.

3. EDUCATION AND AWARENESS PROGRAM:

- ❖ Publish periodic disaster preparedness articles in local newsletters.
- ❖ Distribute family disaster preparedness information to municipal residents through Town Office.

4. FINANCE AND ADMINISTRATION:

- ❖ Complete and submit invoices for the Local EMPG grant.
- ❖ Track your Local EMPG grant hours for the EM work tasks.
- ❖ Provide the County EMA office with updated Public Safety resource and personnel information.

5. FACILITIES AND EQUIPMENT:

- ❖ Conduct monthly radio communications checks with the County EMA.
- ❖ Establish a location to be your municipal Emergency Operations Center (EOC). Report on all communications information for this EOC (i.e., phone numbers, fax numbers, e-mail, radio information, etc.)

6. In Kind Match by CERT/ ARES Teams

- ❖ Teams are involved with monthly training exercises and various drills around the area.



Municipal Emergency Management Director

## 2011 Accomplishments

1. Hazard Mitigation Planning
2. Storm Events
3. Updating and reviewing Town Plans
4. NIMS Coordination- Currently 100%
5. Planning and Providing Public Safety coverage for a Large Scale Airshow
6. EMA Trainings
7. Attending EMA meetings in Cumberland and Sagadahoc Counties
8. Joint Drill with CST, Haz Mat and SRT, real time and Large Scale
9. Emergency Planning with both local Hospitals

**ITEM 102**

**BACK UP MATERIALS**



## **TOWN OF BRUNSWICK PUBLIC HEARING**

**THE BRUNSWICK TOWN COUNCIL will hold public hearings** at their regular meeting on Monday, October 1, 2012, 7:00 p.m. in the Municipal Meeting Room (Room 217), Brunswick Station, 16 Station Avenue, to receive public comment on the following amendments:

Item 1. The Town Council will hear public comments on amendments to the Zoning ordinance regarding rezoning the west side of Federal Street between Mason and Center Streets to Town Center 1.

For more information contact the Town Manager's office at 725-6659.

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

Fran Smith, Town Clerk  
Brunswick, Maine

Times Record – September 20, 2012



# 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

September 12, 2012

**To:** Brunswick Town Council  
Gary Brown, Town Manager  
**From:** Anna Breinich, AICP  
**Subject:** Request to schedule public hearing: Proposed zoning change from TR-2 to TC1,  
West side of Federal Street between Mason and Center Streets

At their July 23<sup>rd</sup> meeting, the Brunswick Town Council unanimously voted to request Planning Board's consideration of options to amend the zoning ordinance to allow other uses at 28 Federal Street (Town Hall and Recreation Facility), once the buildings are no longer used as a municipal facility, and make recommendation to Council. The Planning Board held a public hearing on September 11, 2012 to consider a zoning map change for the west side of Federal Street between Mason and Center Streets, from the current Town Residential 2 Zoning District to Town Center 1. The Board then voted unanimously to recommend the proposed zoning change, as shown on the attached area map, to Town Council for adoption.

As background, staff researched zoning of 28 Federal Street in effect at the time of construction of the Municipal Building and, thereafter, to determine if its functional use as an office would be considered a legally-established nonconforming use.

In 1959, the Town of Brunswick acquired the 28 Federal Street property. We are unable to confirm whether the Parks and Recreation Building, 30 Federal Street, was also acquired at that time or earlier. At the time of purchase and it is assumed, at the time of construction of the municipal building, the property was zoned as General Residence. Municipal Use was a permitted use; office use was not.

In 1969, the Zoning Ordinance was significantly updated with the creation of new zoning districts and changes made to existing zoning district boundaries. The west side of Federal Street from Mason to Center Street was rezoned from General Residence to C-1, Downtown Commercial District. This district generally included Maine Street from Fort Andross to Pleasant Street, then continuing south on the west side of Maine Street to Noble Street. Permitted uses included multi-family residential only by "exception" approved by the Board of Appeals, a mix of commercial, institutional, recreational and educational uses. Single-family residential was not a permitted use. With regard to 28 Federal Street, "governmental building or facility" was a permitted use as well as offices. The Municipal Building continued as a governmental building or facility use and was not reclassified as an office.

The C-1 Zoning District remained as adopted in 1969 until September 1986, at which time an updated zoning ordinance was adopted. Zoning districts were again redrawn and all previously zoned C-1 properties fronting Federal Street were now rezoned a new Intown Residential 11 District, as was all Federal Street. Unfortunately the rezoning from C-1 to Intown Residential 11 created 5 non-conforming uses/properties out of 7 properties located between Mason and Center Streets. For the most part, these non-residential uses were legally established between 1969 and 1986 and still exist today as nonconforming uses today. In hindsight, this area should have remained C-1.

Presently, as a municipal facility, the town offices and recreation center are permitted uses by ownership alone. As to their functional use, offices and recreational facilities are prohibited uses in the current Town Residential 2 Zoning District (TR2) established in 1997, as part of a comprehensive Town-wide rezoning. Single-family and multi-family residential uses are the only permitted uses in the TR2 District encompassing Federal Street with the exception of an area near Cleveland Street. Bed and breakfast establishments, greenhouse and florist, photographer and artist studios and religious institutions are permitted by Special Permit. Therefore, if the existing Town offices and recreation uses are vacated, the buildings/parcels cannot be used for the same non-municipal functional use.

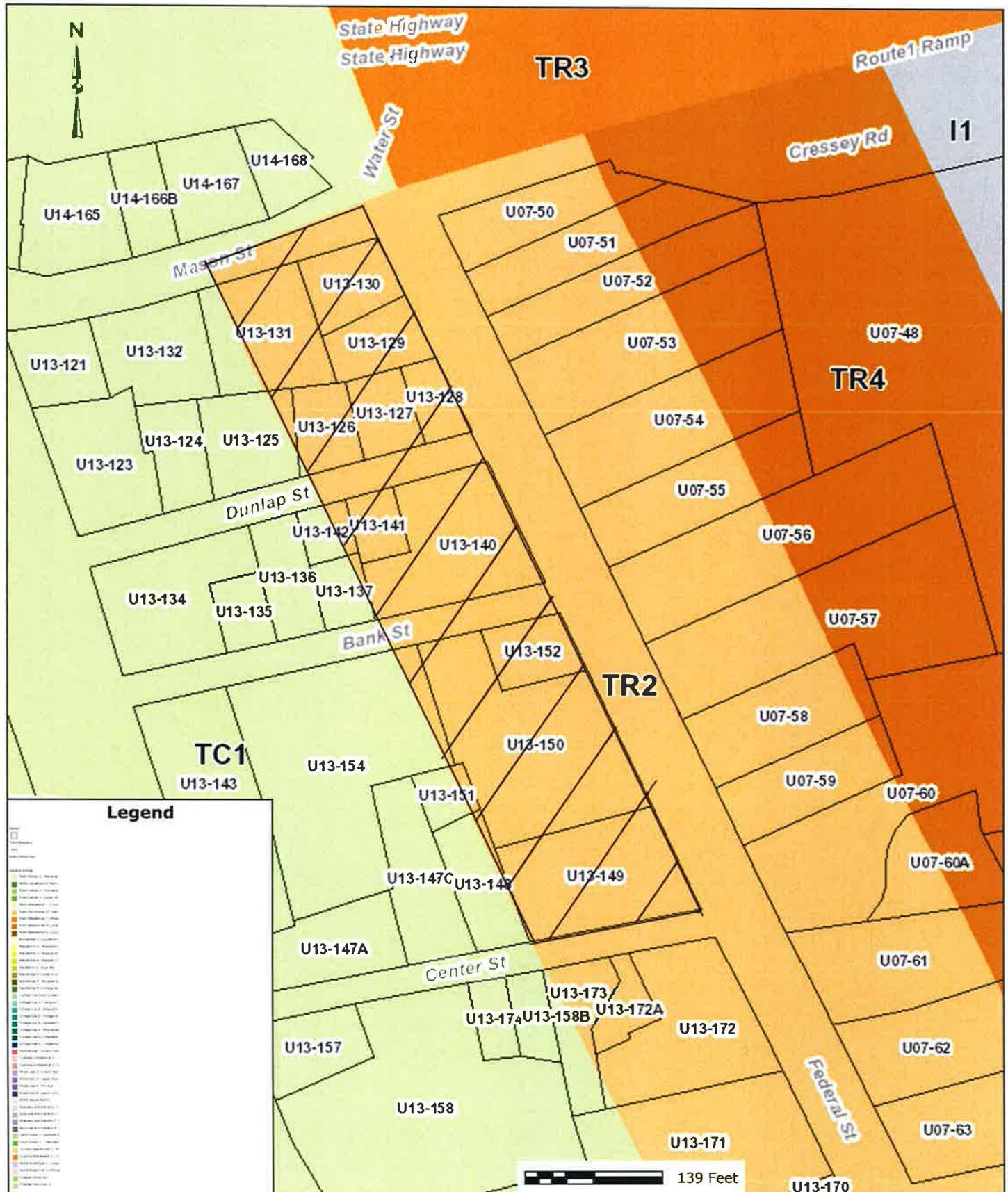
At the Board's July 31, 2012, staff suggested two alternatives to address the issue:

- 1) To rezone the west side of Federal Street, between Mason and Center Streets, back to what is now known as Town Center 1 (formally C-1), thereby reflecting the majority of existing nonconforming uses established by right between 1969 and 1986 – primarily non-residential uses, compatible with residential uses; or
- 2) To amend the existing municipal facilities standards (Section 306.17) to allow the continuation of existing prohibited functional uses of municipal facilities, as a legally-established nonconforming use. Essentially, the functional use of the municipal facility would be considered non-conforming having the same restrictions as any other nonconforming use town-wide.

After much deliberation, the Planning Board took unanimous action to schedule a public hearing on September 11, 2012 to consider the rezoning of the west side of Federal Street between Mason and Center Streets, from Town Residential 2 to Town Center 1. Following the public hearing, the Planning Board unanimously voted to recommend the proposed zoning change to Town Council for adoption.

Staff respectfully requests Town Council to consider scheduling a public hearing to take comment and possible action on the recommended zoning change.

I will be in attendance at the Council meeting to answer questions.



**Town of Brunswick, Maine**



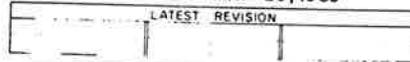
**PROPOSED TC1 ZONING**

*This information has been compiled from various public and private sources. While every attempt has been made to provide accurate information, neither the municipality nor the service host guarantee the accuracy of information provided herein.*

# ZONING DISTRICTS

ADOPTED MAY 28, 1969

LATEST REVISION



R-1

URBAN  
RESIDENTIAL

R-2

SUBURBAN A  
RESIDENTIAL

R-3

SUBURBAN B  
RESIDENTIAL

R-4

COASTAL  
RESIDENTIAL

R-5

COUNTRYSIDE  
RESIDENTIAL

C-1

DOWNTOWN  
COMMERCIAL

C-2

HIGHWAY  
COMMERCIAL

C-3

SUBURBAN BUSINESS  
AND SHOPPING CENTER

F

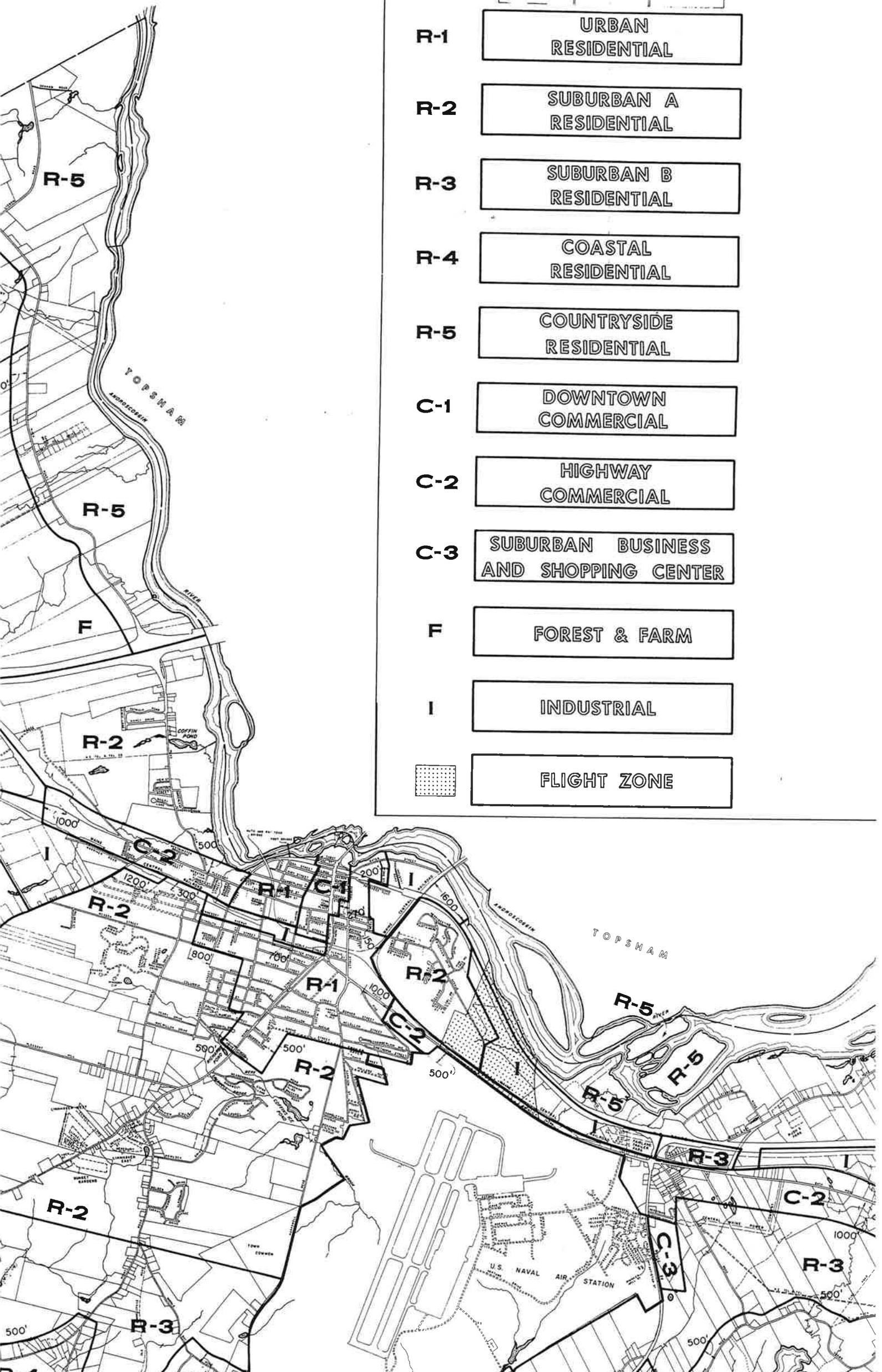
FOREST & FARM

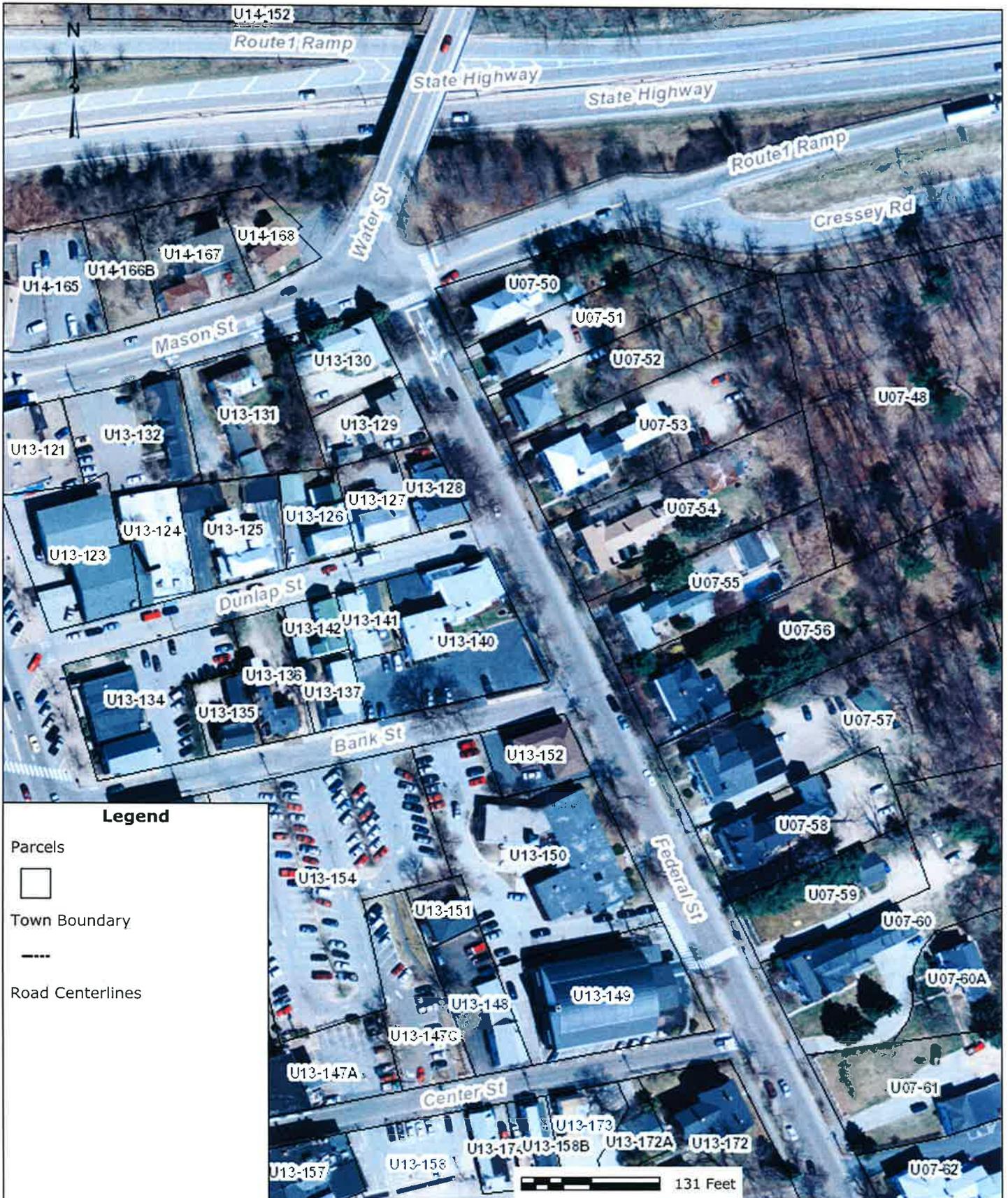
I

INDUSTRIAL



FLIGHT ZONE





**Town of  
Brunswick, Maine**

**FEDERAL STREET ZONING**

*This information has been compiled from various public and private sources. While every attempt has been made to provide accurate information, neither the municipality nor the service host guarantee the accuracy of information provided herein.*

**Federal Street Uses**

Map Lot	Street Number	Street Name	Owner	1969-1985 Use	Present Use
U13-129	6	FEDERAL ST	FEDERAL (6) LLC	2 Family --> 5 Offices, 2 Apts in 1979	5 Offices, 2 Apts
U13-149	30	FEDERAL ST	BRUNSWICK, TOWN OF	Town Hall	Town Hall
U13-150	28	FEDERAL ST	BRUNSWICK, TOWN OF	Recreation Center	Recreation Center
U13-140	12	FEDERAL ST	ABP INC	Funeral Home	Funeral Home
U13-152	20	FEDERAL ST	RANGER, ORVILLE T	Law Office (converted from dwelling in 1969)	Law Office
U13-130	4	FEDERAL ST	NOCK, STANLEY SR	Single Family	Single Family
U13-128	8	FEDERAL ST	MILLAR, ROBERT H ETAL TRUSTEES	3 Apts	3 Apts

Map Lot	Street Number	Street Name	Owner	1969-1985 Use	Present Use
U07-54	9	FEDERAL ST	LAITALA, THEODORE A JR & NANCY	Single Family	Single Family
U07-58	19	FEDERAL ST	FEDERAL (19) BRUNSWICK LLC	Added 2 Apts in 78; Multifamily	Multifamily
U07-60	25	FEDERAL ST	FEDERAL (25) BRUNSWICK LLC	Multifamily (8)	Multifamily (7)
U07-59	23	FEDERAL ST	FEDERAL (23) BRUNSWICK LLC	2 Family	2 Family
U07-60A	25	FEDERAL ST	FEDERAL (25 1/2) BRUNSWICK LLC	Single Family	Single Family
U07-50	1	FEDERAL ST	HOBART, KATHERINE B & BRIAN D JT	2 Family	2 Family
U07-51	3	FEDERAL ST	GERZOFKY, STANLEY J &	2 Family	2 Family
U07-52	5	FEDERAL ST	BABBITT, THOMAS C II	Single Family	Single Family
U07-56	13	FEDERAL ST	THEBERGE, CORY & SHILOH D JT	Single Family	Single Family
U07-53	7	FEDERAL ST	FEDERAL (7) BRUNSWICK LLC	Variance granted for Professional Office in 72; 2 Apts in 75	Multifamily (8)
U07-55	11	FEDERAL ST	COPELAND, ELISE C	Added Apt in 76; 3 Family	2 Family
U07-57	17	FEDERAL ST	FEDERAL ST (17) LLC	Multifamily	Multifamily

**ITEM 103**

**BACK UP MATERIALS**

# Zoning Ordinance Sections relative to the Village Review Board

## **216 Village Review Zone (VRZ)**

### **216.1**

#### **Purpose**

The purpose of the Village Review Zone is to promote the economic, cultural, educational, and general welfare of the Town of Brunswick by:

- A. Applying design standards in a reasonable and flexible manner in order to maintain Brunswick's traditional features and to ensure compatible construction and rehabilitation in the Village Review Zone without stifling change and development or forcing modern recreations of historic styles.
- B. Developing administrative methods and objective standards that identify, and encourage the preservation and enhancement of buildings, sites, and structures that have historic or architectural significance in the town.
- C. Promoting economic development by enhancing the attractiveness of the Town to businesses, shoppers, home-buyers and home-owners, residents, tourists and other visitors to Brunswick.
- D. Fostering civic pride in the Town's history and development patterns as represented in distinctive sites, structures, and objects.
- E. Promoting and protecting neighborhood character.
- F. Providing a review mechanism to ensure that new construction and alterations in the Village Review Zone are compatible with the zone's traditional development patterns and building styles.
- G. Promoting and protecting significant features of the historic patterns of development, including traditional landscaping, densities, street widths and public amenities.
- H. Stabilizing and improving property values through design review and historic preservation.

### **216.2**

#### **Duties of the Village Review Board**

The Duties of the Village Review Board are to:

- A. Review new construction, additions, alterations, relocations or demolitions within the Village Review Zone, and issue a Certificate of Appropriateness where the requirements of this Section are satisfied.
- B. Develop, regularly update, and apply the Board's Design Guidelines in review of applications for Certificates of Appropriateness for proposed new construction, additions, alterations, relocations or demolitions on properties within the Village Review Zone.
- C. Act in an advisory role to the Town Council, Planning Board and other Town bodies regarding the protection of historic sites, structures, and artifacts.
- D. Review and comment upon proposed National Register nominations for properties within the Town.
- E. Conduct or cause to be conducted a continuing survey of architectural resources in the community using guidelines established by the Maine Historic Preservation Commission.

- F. Work toward the continuing education of Brunswick residents regarding historic preservation issues and concerns.
- G. Provide a resource of information and expertise to help those interested in building or rehabilitating structures in the Village Review Zone and elsewhere.

**216.3**

**Village Review Board Membership**

- A. The Village Review Board shall consist of seven members.
- B. All members shall be appointed by the Town Council for three year terms except that, for the first board constituted under this ordinance, the initial terms shall be staggered so that no more than two vacancies are opened during any given year.
- C. Annually, on or about February 22, the Village Review Board shall choose a Chair and Vice-Chair from its membership.
- D. A quorum shall consist of four members.
- E. The Village Review Board shall adopt its own rules of procedure and shall establish appropriate meeting times.
- F. The membership should include Brunswick citizens with interest, expertise or experience in the fields of architecture, history, architectural history, planning, law, construction or other related fields. At least one member shall be a representative from the Pejepscot Historical Society and another resident of the Village Review Zone.

**216.4**

**Certificate of Appropriateness**

- A. A Certificate of Appropriateness is required for any of the following in the Village Review Zone:
  - 1. Construction of a new structure.
  - 2. Addition to an existing structure.
  - 3. An alteration to the exterior appearance of any structure with the exception of normal maintenance and painting. This includes, but is not limited to, any construction requiring a building permit, the creation of new impervious surfaces, the construction of fences, changes in windows or façade materials, or the elimination or addition of any ornamentation,. This does not include replacement of windows, facades and building ornamentation with articles that are identical in design and materials.
  - 4. Relocation of any structure, or portions thereof.
  - 5. Demolition of any structure or portions thereof.
  - 6. Construction, installation or alteration of any sign, with the exception of directional signage with an area of less than three square feet.

- B. The power to grant a Certificate of Appropriateness for new construction, additions, alterations, relocations or demolitions under this Section is vested in the Village Review Board; however that power is hereby delegated in accordance with the following provisions:
1. The Director of Planning and Development shall have the power to grant a Certificate of Appropriateness in cases where, in her/his judgment, the impact of the proposed activities will be minor and in keeping with the review standards of the Ordinance.
  2. The Director of Planning and Development shall regularly apprise the Village Review Board of Certificates of Appropriateness granted in accordance with paragraph 1, above, so that the Board may provide guidance to the Director regarding the exercise of its delegated authority.
  3. Notwithstanding the authority delegated to the Director of Planning and Development, the applicant and the Village Review Board Chair each has the right to require review of an application by the Village Review Board.
  4. The Director of Planning and Development may find proposed changes to an approved certificate of appropriateness or related materials to be a minor modification in which case approval by the Village Review Board shall not be necessary.
- C. If a structure or property has been damaged by fire, flood, storm or other natural disaster, and emergency temporary repairs are required in order to protect health or safety, or to prevent further damage to the structure or property, the Codes Enforcement Officer may waive temporarily the requirements of this Article for a Certificate of Appropriateness and issue a building permit for such emergency temporary repairs, including demolition or partial demolition. No later than 30 days after the issuance of the permit, the permit applicant must apply for a Certificate of Appropriateness if the repairs already made or any planned permanent repairs or additional demolition work require a Certificate of Appropriateness under Section 216.5 paragraphs A, B or C.

**216.5 Limitation on Granting of Other Permits**

No building permit or final development review approval may be issued until a Certificate of Appropriateness is granted. Where an application requires both a Certificate of Appropriateness and Development Review, the application for Development Review may be submitted prior to the granting of the Certificate of Appropriateness; however, should the Certificate of Appropriateness not be granted, the application for Development Review shall be denied. If the Certificate of Appropriateness is granted with conditions, those conditions may be added to the Development Review approval as a minor modification pursuant to Section 403.3B.

**216.6 Application for Certificate of Appropriateness**

Applications for Certificates of Appropriateness shall be available on a form provided by the Department of Planning and Development, which will forward completed applications to the Village Review Board. The applicant shall provide the following information:

- A. Name, address and interest in the property.
- B. Location and nature of the proposed change.

- C. A brief description of the proposed construction, reconstruction, alteration, demolition and proposed re-use, or other change. The description shall include the reason for the change, and will demonstrate how the proposal is in compliance with Section 216.9.
- D. A drawing illustrating the design, texture, and location of any construction, alteration, or demolition for which a certificate is required. The drawing shall include plans and exterior elevations drawn to scale, with sufficient detail to show their relation to exterior appearances and the architectural design of the building. Proposed materials and textures shall be described, including samples where appropriate. Drawings need not be prepared by an architect or engineer, but shall be clear, complete, and specific.
- E. Photographs of the building(s) involved and of immediately adjacent buildings. The Pejepscot Historical Society may be contacted for information about the building(s).
- F. A Site Plan showing the relationship of proposed changes to walks, driveways, signs, lighting, landscaping, and adjacent properties.
- G. The Board may grant a waiver of submission requirements if it finds that the submission of that information is not relevant to a determination that the proposal will satisfy the applicable review standards.

**216.7 Section Skipped**

**216.8 Review Process**

**A. Village Review Board**

An application for a Certificate of Appropriateness from the Village Review Board shall be filed at least 14 days before the meeting at which it will be discussed. The Town shall notify the owners of all property within a 200-foot radius of the boundaries of the property under review, giving a general description of the project and specifying its location. Notifications shall be mailed via first class mail, at least 10 days prior to a scheduled review, stipulating the time and place of the Board's meeting. At the meeting, the Village Review Board shall determine whether to accept the application as complete, accept the application with the condition that additional materials or information be provided prior to decision, or return the application to the applicant as incomplete. Within 30 days after accepting the application, the Village Review Board shall decide whether to grant a Certificate of Appropriateness. The Village Review Board shall set forth the reason or reasons for its decision and make findings of fact, in writing, sufficient to apprise the applicant and any interested member of the public of the basis for the decision. Appeals of decisions by the Village Review Board are decided by the Zoning Board of Appeals.

**B. Department of Planning and Development**

When the Department of Planning and Development reviews the Certificate of Appropriateness, it shall either render its decision or refer the application to the Village Review Board within 10 days of receipt of complete application materials. Appeals of decisions by the Department are decided by the Village Review Board.

## Standards for Review of Application of Certificate of Appropriateness

### A. Buildings and Other Structures

1. In approving applications for a Certificate of Appropriateness, the Village Review Board shall make findings that the following principles have been complied with:
  - a. To the greatest practical extent, structures that contribute to the character of the Village Review Zone shall remain unaltered.
  - b. Any alteration of existing properties shall be compatible with their historic character, as well as with any surrounding properties.
  - c. New construction shall be compatible with surrounding historic properties.
  - d. All Certificates of Appropriateness for new construction, alterations or demolition shall be in accordance with applicable requirements of both this Ordinance and the U.S. Secretary of Interior's Standards for Rehabilitating Historic Buildings.
  - e. The Village Review Board's application of the U.S. Secretary of Interior's Standards will be in accordance with the Board's Design Guidelines.

### B. Signs

Signs shall comply with the requirements of Chapter 6 (Sign Regulations).

### C. Specific Standards for New Buildings and Major Additions in the TC1 (Maine Street) and TC2 (Fort Andross) Districts

The following provisions apply only to new buildings located within the TC1 and TC2 Districts, and do not apply to renovations of, or major additions to, pre-existing structures:

1. Parking lots shall be prohibited in side and front yards, except if the application involves the renovation of existing structures where such a configuration currently exists. In cases where such parking configurations exist, the parking area shall be screened from Maine Street with landscaping or fencing.
2. Site plans shall identify pedestrian ways and connections from parking areas to roads. Clearly identified pedestrian paths to, from and across parking lots to Maine Street shall be required.
3. All dumpsters and mechanical equipment shall be located 25 feet away from a public street and shall be screened from view of a public road.
4. Where a side-setback exists it shall be at least 10 feet wide. Side yards of more than 10 feet shall be landscaped and may be used as driveways, pedestrian pathways and semi-public spaces, such as restaurant patios.

5. All new buildings and additions on Maine Street may not be set back from the property line. This may be waived if at least 60% of the building's front facade is on the property line, and the area in front of the setback is developed as a pedestrian space.
6. Parapets, projecting cornices or decorative roof hangs are encouraged. Flat roofs without cornices are prohibited.
7. Heating, ventilation, and air conditioning equipment on the roof shall be screened from the view of any public street.
8. On Maine Street, all new buildings, or additions that add more than 50% new floor area to a structure, shall be at least two stories high and not less than 20 feet tall at the front lot line.
9. Awnings and overhangs are permitted.
10. The first floor facade of any portion of a building that is visible from Maine Street shall include a minimum of 50% glass. Upper floors shall have a higher percentage of solid wall with between 15% and 40% glass.
11. No building shall have a horizontal expanse of more than 40 feet without a pedestrian entry.
12. No building facing or visible from a public street shall have more than 15 feet horizontally of windowless wall.
13. Building Materials:
  - a. The use of cinder-block, concrete and concrete block is prohibited on any portion of a structure that is visible from the building's exterior, with the exception of use in the building's foundation.
  - b. The use of vinyl and/or aluminum siding must be in accordance with the Board's Design Guidelines. Asphalt and asbestos siding are prohibited.
  - c. Buildings with advertising icon images built into their design ("trademark buildings") are prohibited.

**216.10**

**Certificate of Appropriateness for Demolition**

- A. No permit for demolition or removal of a structure or a portion of a structure in the Village Review Zone shall be issued without a Certificate of Appropriateness. Where the demolition or removal is proposed in connection with development of the property, the Village Review Board may require that the developer demonstrate binding financial commitments or provide performance guarantees to ensure that any approved development on the site is properly completed. Within 30 days, the Village Review Board shall either grant the certificate, grant the certificate with conditions attached, deny the certificate, or declare a 90-day moratorium for the proposed demolition. The purpose of the 90-day moratorium is to provide time for the applicant:
  - I. To relocate the structure.

2. To produce photographs and/or scale drawings to document the structure (in which case two copies of all such materials are to be provided to the Town), and/or
  3. To examine, with the Board, alternative ways for the applicant's needs to be met.
- B. If at the end of the 90-day period, no satisfactory solution has been found, then the Village Review Board shall either grant or deny a Certificate of Appropriateness to demolish the structure.
- C. Any grant or denial of a Certificate of Appropriateness for demolition shall be based upon the criteria in Section 216.9 as well as findings based on the following:
1. The significance of the structure proposed for demolition, as evidenced by its status as listed or eligible for listing on the National Register of Historic Places
  2. The condition of the structure provided that the applicant has not contributed significantly to the deterioration of the structure.
  3. The availability of permitted alternative uses of the structure that would maintain its economic viability.
- D. A written notice of the determination of the Village Review Board, including findings of fact, shall be sent by regular mail to the applicant and to the Planning Board within 10 days of the Village Review Board's determination.

**216.11**

**Appeal to Zoning Board of Appeals**

**A. Applicability**

1. Any applicant whose application for Certificate of Appropriateness has been denied, or approved with conditions unacceptable to the applicant, may, within 30 days of such denial, file an appeal with, or make application for a Certificate of Economic Hardship from, the Zoning Board of Appeals.
2. The Zoning Board of Appeals shall approve an application for a Certificate of Economic Hardship to allow the proposed activity or demolition only if it finds that the denial of approval will result in the loss of the reasonable use of the property.

**B. Standards to be Applied with Certificate of Economic Hardship**

In determining loss of reasonable use, the Zoning Board of Appeals shall consider among other things any information presented concerning the following:

1. Any opinions from a licensed engineer or architect with experience in renovation, restoration, or rehabilitation as to the structural soundness of the structure and its suitability for continued use, renovation, restoration, or rehabilitation.
2. Any estimates of the cost of the proposed new construction, additions, alterations, relocations or demolitions, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Village Review Board for changes necessary for it to be approved.

3. Any estimates of the market value of the property:
  - a. In its current condition.
  - b. After completion of the proposed alteration, construction, demolition, or removal.
  - c. After any expenditures necessary to comply with the recommendations of the Village Review Board for changes necessary for it to approve a Certificate of Appropriateness.
  - d. In the case of a proposed demolition, after renovation of the existing structure for continued use.
4. In the case of a proposed demolition, any estimates from architects, developers, real estate consultants, appraisers, or other real estate professionals experienced in rehabilitation as to the economic feasibility of restoration, renovation, or rehabilitation of any existing structures or objects.
5. The cost to relocate the structure, object or artifact as determined by a written estimate(s) from professional(s) in the field.

**C. Information to be Supplied by the Applicant with Certificate of Economic Hardship.**

The applicant shall submit the following information for an application to be considered complete. The applicant may request that certain information below be confidential to the extent permitted by State Law.

1. The assessed value of the property and/or structure for the two most recent assessments.
2. The real property taxes paid for the previous two years.
3. The amount paid for the property by the owner, the date of purchase, and the party from whom the property was purchased (seller), including a description of the relationship, if any, between the owner and the seller.
4. The current balance of any mortgages or any other financing secured by the property and the annual debt service, if any, for the previous two years.
5. All appraisals obtained within the previous two years by the owner or applicant in connection with purchase, offerings for sale, financing, or ownership of the property, or statement that none were obtained.
6. All listings of the property for sale or rent, price asked, and offers received, if any, within the previous four years, or a statement that none were obtained.
7. All studies commissioned by the owner as to profitable renovation, rehabilitation, or utilization of any structures or objects on the property for alternative use, or a statement that none were obtained.
8. For income-producing property, itemized income and expense statements from the property for the previous two years.

9. Estimate of the cost of the proposed new construction, additions, alterations, relocations or demolitions, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Village Review Board for changes necessary for it to approve a Certificate of Appropriateness.
10. Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other.

**D. Lack of Information Made Available**

In the event that the information required to be submitted by the applicant is not reasonably available, the applicant shall submit a written statement indicating which information is unavailable, and shall describe the reasons such information is unavailable.

**E. Public Hearing**

The Zoning Board of Appeals shall hold a public hearing on the application within 30 days of receipt of the complete application. Notice of the public hearing shall conform to the requirements found in Chapter 4 of this ordinance for public hearings.

1. When the applicant requests the demolition of a landmark or a contributing structure within the Village Review Zone, the applicant will, at the time of submission of the appeal, place a notice supplied by the Codes Enforcement Officer in a prominent place on the structure and maintain it there at all times during the pendency of the demolition application. The notice shall be substantially in the following form:

This structure has been proposed to be demolished by its owner. For further information, contact the Brunswick Codes Enforcement Officer at 725-6651.

**206.12 Expiration of Certificate of Appropriateness**

If two years after issuance of a Certificate of Appropriateness, the approved work is not found to be complete by the Codes Enforcement Officer, the approval shall lapse. The applicant may, at any time before the date of approval expiration, make a written request to the Village Review Board for an approval time extension. This request shall explain the reasons why the improvements have not been completed and indicate how the applicant expects to complete the project if the Board grants an extension. The Board may consider any changes to the Zoning Ordinance or any other new information relevant to the application when considering an extension request. (Amended 9/4/01 R)

(Section 216 was amended in its entirety on 4/18/06 R)

# Comprehensive Plan Sections relative to the Village Review Board

### ***Marine Resources***

- In spite of extensive attention to the marine environment over the past decade, there are still significant threats to the long-term health of these areas including nutrient loading;
- New Meadows Lake is entropic and regional watershed management is needed;
- Shellfish management remains an on-going concern.

### ***Public Facilities and Services***

- In spite of significant investment in school facilities, there are still serious facility issues with school buildings especially with the elementary schools;
- The facilities for the public safety departments are not adequate for current needs;
- The facilities for general governmental functions are inadequate and outdated;
- The Town's indoor recreation facilities are limited and inadequate for current needs.

### ***Public Utilities***

- There are areas within the growth area that are not currently served by public sewerage;
- The sewer district may face the need to expand its treatment plant in the future;
- The water district is working to upgrade its supply system including upgrading its well and pumping capacity.

### ***Transportation***

- The Town experiences significant traffic issues including through traffic on U.S. Route 1;
- In spite of significant investments in pedestrian and bicycle facilities, these remain a concern in the community;
- Parking in the downtown area is an issue;
- The community and region lack public transportation.

### ***Historic and Archaeological Resources***

- The Town lacks the tools to identify and protect historic and archeological resources;
- The Village Review Zone does not encompass all of the downtown area;
- Some activity that may impact historic resources and districts is not subject to review.

***Key Objective #2 – Make the Downtown District safer and more pedestrian friendly.***

Key Action 1: Evaluate and implement measures and physical improvements, including traffic calming mechanisms, for improving pedestrian safety and comfort on Maine Street

Key Action 2: Continue implementing the improvements listed in the 2004 Brunswick Bicycle and Pedestrian Improvement Plan relating to Downtown, particularly regarding crosswalks and sidewalks, on a regular basis.

***Key Objective #3 – Increase the number of housing options in the Downtown District.***

Key Action 1: Re-evaluate dimensional standards and conduct an inventory of neighborhood features as part of a revision of the Town's zoning ordinance to allow denser residential infill development throughout the downtown while preserving valued features.

Action 2: Coordinate the development of a building rehabilitation code to facilitate renovations of existing downtown building with the Town's building code, the State's Life Safety Code, and other state efforts to accomplish the same.

***Key Objective #4 –In partnership with local organizations, make the Downtown more attractive, inviting and the “hub” of community activity.***

Key Action 1: Develop a new Master Plan for the downtown relating economic, housing and infrastructure improvements. Considerations for such a plan include traffic, bicycle and pedestrian patterns, alternatives to diverting thru-traffic away from Maine Street, enhancing use of upper story space, preserving historic architecture, and making new construction and renovations fit the character of the historic downtown.

Key Action 2: Expand the geographic limits of the Village Review Zone to include an area west of Maine Street to Union Street (and possibly the Cedar Street area) from the Androscoggin River to the Joshua L. Chamberlain Museum. Consider the development and application of commercial design standards.

Action 3: Install benches, information kiosks, trash receptacles, public restrooms and other amenities as needed.

Action 4: Encourage development on the side streets off Maine Street to attract pedestrian traffic and new businesses.

- Action 5: Support the concept of the north end of Brunswick's downtown as a recreational "hub" along the Androscoggin River corridor, including the bike/path walkway to Cook's Corner, the canoe/kayak portage area, the swinging bridge, the waterfront park, the fish way, the boat launch site on Water Street, and the rowing club.
- Action 6: Support efforts to develop and promote a local creative economy.
- Action 7: Continue to support the Village Review Board's ongoing efforts to work with landlords who voluntarily want to maintain the historic character of the Downtown. Support the VRB's recent efforts to establish a non-regulatory Brunswick Town Landmark and Landmark District Designation Program.

***Additional Objective #5 – Increase both the public's awareness of and the supply of public parking in the Downtown.***

- Action 1: Follow the downtown parking committee's recommendations and implement the 2001 Brunswick Downtown Parking Study.

**Performance Targets**

The community's success in accomplishing these objectives will be determined based upon the following performance targets:

1. Complete the planning and design of Maine Street Station by 2010.
2. Substantially reduce the number of pedestrian accidents in Downtown each year.
3. Increase the number of residential units in the Downtown area by 50 units by 2015.
4. The Town partners in various events designed to promote a creative economy.
5. Increase the number of all types of parking spaces available for customer use in Downtown by 10% by 2015.

### **C. Preservation of Agriculture and Forest Resources**

The Town has a limited amount of commercial agriculture. Some of this land has been purchased by land trusts and other conservation organizations. The Town's Parks, Recreation, and Open Space Plan sets out a comprehensive strategy for working with the owners of agricultural land to maintain it in production if possible. The Town is moving forward with the implementation of this strategy.

The Town has some significant areas of forest. As part of the Rural Brunswick Smart Growth Study, the Town developed a management strategy for maintaining significant blocks of forested, wildlife habitat. While the focus of this effort was on habitat preservation, it has the additional benefit of retaining the forest resource. In addition, the Town's Natural Resources Planner works with landowners on an ongoing basis.

### **D. Protection of Historic and Archeological Resources**

The Town currently provides a level of protection for identified historic resources and, to a lesser degree, known archeological resources. The Town has a Village Review Zone that provides for development proposals in the downtown area be reviewed and approved by the Village Review Board or staff. The standards of approval require that projects involving or impacting historic buildings or structures maintain the historical aspects of those buildings. In addition all development proposals are required to provide information on identified historic features on the site and to mitigate the impact of the development on those features. The submission requirements also provide that known archeological resources be identified in an application for development review.

In Chapter 5, under the downtown policies, there is a recommended action to expand the geographic area within the Village Review Zone. This will provide additional protection for historic resources in that area. To further enhance the protection of historic and archeological resources, the Town should:

1. Work with the Pejepscot Historical Society to assure that there is a full inventory of potential historic and archeological resources in the community,
2. Include consideration and protection of archeological resources, in addition to historic resources, in the development review process, and
3. Explore expanding the authority of the Village Review Board to include the review of activities involving identified historic buildings, structures, or sites anywhere in the community.

residential units are added throughout the area to increase the level of activity in the Core.

#### Allowed Uses

The allowed uses generally reflect the established pattern of development and current zoning and vary in different parts of the Town Core. In general, the following types of uses are appropriate in the Town Core:

- A wide range of residential uses, including multifamily housing and residential units as part of mixed use buildings, as well as retirement housing and other eldercare facilities;
- A wide range of small to moderate scale non-residential, commercial, municipal, and community services uses; and
- College related residential and non-residential uses.

#### Development Standards

The focus of the development standards in the Town Core should be on allowing infill development and redevelopment as well as expansions to existing buildings that maintain the overall character of the Core while allowing for intensification of use. New development, including significant enlargements or modifications of existing buildings, located in a potentially expanded Village Review Zone should be subject to design review to ensure its compatibility with the objectives for the Town Core.

The objective of the Town is to allow for a range in density of development that is consistent with maintaining the mature character of the Town Core neighborhoods and Downtown area. Zoning provisions within this area should be developed to protect and enhance existing development patterns of established neighborhoods, such as the mass and scale of buildings, average density, lot size, setbacks, impervious coverage and parking. The creation of more accessory dwelling units is encouraged. Any redevelopment should blend well and complement these established areas.

Development should be required to provide pedestrian and bicycle facilities as part of the project. The land use regulations should provide some flexibility in meeting parking requirements. The use of drive-through facilities should be limited and should be strictly controlled. All development should be subject to stringent landscaping standards including the planting of trees consistent with Tree City USA standards.

## **2. Town Residential**

The Town Residential area includes the older neighborhoods adjacent to the Town Core and the newer portion of the Bowdoin campus and is typically within a five to ten minute walk of the edge of the Town Core (see Land Use Map). The area includes the current R 1, 7, and 8 zones, parts of the TR 5 zone, the CU 2 and 5 zones, and the MU 3 and 6 zones.

## E. Overlay Districts

The Town's land use regulations include a number of overlay districts that impose additional requirements on specific geographic areas to address specific issues or concerns. The intention of the Land Use Plan is that these overlays continue in their current form with minor revisions as noted below. The seven existing overlay districts are:

**1. Natural Resource Protection District** -- This district should remain essentially as it currently is with the following three additions:

- Standards to maintain or enhance the visual character of the shoreline as seen from the water while allowing the maintenance and enhancement of scenic views consistent with Shoreland Zoning;
- Standards to regulate the construction of new docks as well as requirements for advance planning particularly within subdivisions to encourage communal use of new docks; and
- Standards to control the incremental encroachment on "protected lands" such as wetlands and stream corridors.

The Town should also study the adequacy of wetland and vernal pool regulations to determine if there is a need for additional local regulation of these resources.

**2. Aquifer Protection District** – The Town should review the adequacy of the current regulations dealing with individual homeowners within the Aquifer Protection Zone, as well as the information that is provided to property owners and residents within the district.

**3. Mobile Home Park District** -- This district should remain essentially as it currently is.

**4. BNAS Flight Path Zone** -- This district should remain essentially as it currently is as long as BNAS is open. When the base closes, the overlay will be reexamined. The Town should create redevelopment standards for the area north of Bath Road to minimize strip development. Controlling access to Bath Road will also ensure safety for autos, bicycles and pedestrians in this area. Design standards based upon the Cook's Corner Design Standards would guide development along Bath Road to complement and connect Downtown, Cook's Corner, and the newly redeveloped BNAS land.

**5. Village Review Zone** -- This district should be expanded to extend on the west of Maine Street to Page Street on the south and Union Street on the west, unless further study determines expansion to McKen Street may be appropriate.

Policy Reference	Activity	Primary Responsibility	Timing
<b>HOUSING</b>			
5-1-1	Research federal regulations relating to affordable housing of decommissioned Navy housing and position the Town to ensure affordability of those units	MRRA	Short
<b>OPEN SPACE, NATURAL RESOURCES, AND RECREATION</b>			
6-3-1	Establish a Land for Brunswick's Future Board to oversee identification and prioritization of high value open space and natural resources to be protected.	Town Council	Short
6-5-1	Enact a recreation impact fee for new residential development that reflects the impact of such development and costs associated with providing additional recreational facilities.	PB	Short
<b>DOWNTOWN</b>			
7-1-1	Ensure that the design of the Maine Street Station site and the proposed uses complement the mixed-use nature of existing downtown.	PB	Short
7-4-2	Expand the geographic limits of the Village Review Board's jurisdiction to include an area west of Maine Street to Union Street (and possibly Cedar Street) from the Androscoggin River to the Chamberlain Museum.	Village Review Board	Short

Policy Reference	Activity	Primary Responsibility	Timing
<b>DOWNTOWN</b>			
7-3-2	Coordinate the development of a building rehabilitation code to facilitate renovations of existing downtown building with the Town's building code, the State's Life Safety Code, and other state efforts to accomplish the same.	PB	Mid
7-4-3	Install benches, information kiosks, trash receptacles, and public toilets.	PB	Mid
7-4-4	Encourage development on the side streets off Maine Street to attract pedestrian traffic and new businesses.	PB	Long
7-4-5	Support the concept of Brunswick's north end as a recreational hub.	PB	Mid
7-4-6	Support efforts to develop and promote a local creative economy.	Town Council	Short
7-4-7	Continue to support the Village Review Board's ongoing efforts to work with landlords who voluntarily want to maintain the historic character of the Downtown. Support the VRB's recent efforts to establish a non-regulatory Brunswick Town Landmark and Landmark District Designation Program.	Village Review Board	Ongoing
<b>Other Actions</b>			
<b>MUNICIPAL FACILITIES</b>			
2-4-1	Publicize the prioritized 10-year capital needs budget and rationale/funding for future projects in an on-going effective public forum.	CIP Committee	Ongoing

**ITEM 104**

**BACK UP MATERIALS**

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**TOWN OF BRUNSWICK**  
TOWN MANAGERS OFFICE  
MEMORANDUM

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TO: Brunswick Council

FROM: Gary Brown, Town Manager

DATE: September 26, 2012

RE: McKeen Street recreation and open space assets

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Affordable Mid-Coast Housing has requested that the Town of Brunswick accept the recreation and open space assets at the former Navy Housing on McKeen Street. Tom Farrell, Director of Parks and Recreation, and I have met with Mr. George Schott to discuss the condition of the playground equipment, the basketball court, the equipment needs for the town to maintain these areas and the interconnecting paths.

The Department of Parks and Recreation have developed a cost estimate to make repairs to the equipment, resurface the basketball court and to purchase a tractor to mow the grass and remove the snow. The total estimate developed by the Department is \$95,512. Attached is the summary of the costs identified by the Department of Parks and Recreation.

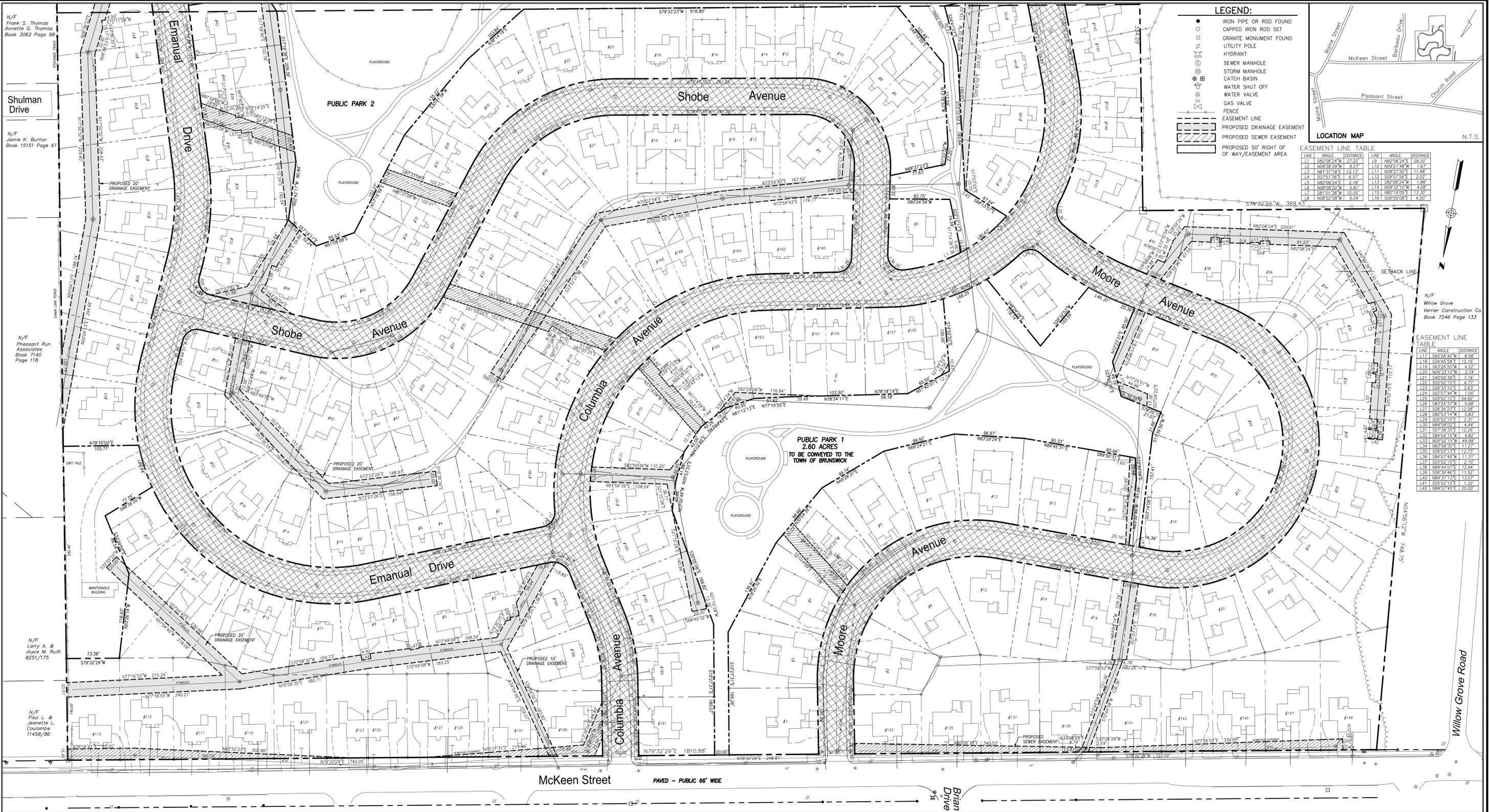
Affordable Mid-Coast Housing has agreed to provide funding in the amount that has been identified upon acceptance by the Town Council of the recreation and open space assets at McKeen Street.

One of the goals is to fully integrate the former Navy housing into the Brunswick community. The acceptance of these assets will be one step in this process as the Department of Parks and Recreation will assume the same level of maintenance and operations at these facilities as they do at other similar facilities.

There is an issue that concerns the overhead electrical transmission lines that are above the basketball court and baseball diamond. This is not a situation that the Town would normally develop, but it is what is present. We have met on-site with CMP to gain some information about the situation. There is no concern regarding a possible situation where a basketball or baseball or other object could hit the lines and result in the lines falling down.

The staff recommendation is for the Council to either visit the site individually or as a group to observe the assets as well as the issue that regards the transmission line. This issue can return to the Council at the October 15 meeting for action.

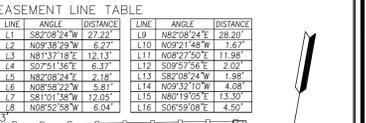




**LEGEND:**

- IRON PIPE OR ROD FOUND
- CAPPED IRON ROD SET
- GRANITE MONUMENT FOUND
- UTILITY POLE
- HYDRANT
- SEWER MANHOLE
- STORM MANHOLE
- CATCH BASIN
- WATER SHUT OFF
- WATER VALVE
- GAS VALVE
- FENCE
- EASEMENT LINE
- PROPOSED DRAINAGE EASEMENT
- PROPOSED SEWER EASEMENT
- PROPOSED 50' RIGHT OF WAY/EASEMENT AREA

**LOCATION MAP**



**EASEMENT LINE TABLE**

LINE	ANGLE	DISTANCE	LINE	ANGLE	DISTANCE
L1	S82°08'24"W	27.22	L9	N82°08'24"E	28.20
L2	N09°38'29"W	8.27	L10	N09°21'48"W	7.67
L3	N81°31'18"E	12.11	L11	N08°27'59"E	11.88
L4	S07°51'36"E	6.37	L12	S09°57'56"E	2.02
L5	N82°08'24"E	2.16	L13	S82°08'24"W	1.98
L6	N08°28'22"W	5.81	L14	N08°31'10"W	4.08
L7	S81°01'36"W	12.05	L15	N80°19'05"E	13.30
L8	N06°52'58"W	6.04	L16	S09°59'08"E	4.57

**EASEMENT LINE TABLE**

LINE	ANGLE	DISTANCE	LINE	ANGLE	DISTANCE
L17	S62°26'40"W	8.58	L33	N85°04'15"W	4.87
L18	S24°45'38"W	12.15	L34	N85°04'15"W	4.87
L19	S62°26'40"W	4.57	L35	N85°04'15"W	11.27
L20	N26°33'10"W	2.74	L36	N85°04'15"W	11.27
L21	S09°59'08"E	4.72	L37	N85°04'15"W	11.27
L22	S09°59'08"E	4.72	L38	N85°04'15"W	11.27
L23	S26°33'10"W	2.61	L39	N85°04'15"W	11.27
L24	S62°26'40"W	1.00	L40	N84°31'13"E	13.07
L25	S05°52'15"E	54.62	L41	S09°59'08"E	1.29
L26	S82°25'37"W	5.68	L42	N84°07'45"E	20.00
L27	S08°34'23"E	12.58			
L28	S82°53'14"W	5.83			
L29	S05°52'15"E	2.31			
L30	N85°04'15"W	4.44			
L31	S07°38'35"E	12.26			
L32	N85°04'15"W	4.87			
L33	N85°04'15"W	4.87			
L34	N85°04'15"W	4.87			
L35	N85°04'15"W	4.87			
L36	N85°04'15"W	4.87			
L37	N85°04'15"W	4.87			
L38	N85°04'15"W	4.87			
L39	N85°04'15"W	4.87			
L40	N84°31'13"E	13.07			
L41	S09°59'08"E	1.29			
L42	N84°07'45"E	20.00			

N/F Frank S. Thomas  
Annette G. Thomas  
Book 3062 Page 88

Shulman Drive

N/F Jamie K. Burton  
Book 15151 Page 61

N/F Pleasant Run Associates  
Book 7140 Page 118

N/F Larry A. & Joyce M. Ruth  
8251/175

N/F Paul L. & Jeanette L.  
Columbe  
11458/66

N/F Willow Grove  
Verrier Construction Co.  
Book 7246 Page 133

**UTILITY NOTE:**

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEY FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-800-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFIRMED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

**PLAN REFERENCES:**

- "ALTA/ACSM LAND TITLE SURVEY, MCKEN STREET, BRUNSWICK, MAINE PREPARED FOR GMH MILITARY HOUSING, LLC AND RAYMOND JAMES & ASSOCIATES, INC." BY OWEN HASKELL, INC. DATED JUNE 7, 2004, REVISED THROUGH DEC. 01, 2004.
- "SCHEMATIC PLAN - PHASE 1 & 2 JULY 25, 2012 BY STONEYBROOK CONSULTANTS, INC.

**ROAD INFORMATION:**

MCKEN STREET WAS LAID OUT BY THE SELECTMEN OF THE TOWN OF BRUNSWICK MARCH 3, 1961, AND ACCEPTED AT TOWN MEETING MARCH 7, 1961. (BRUNSWICK TOWN RECORDS VOLUME 18 PAGES 117 & 115 RESPECTIVELY). THE LAYOUT DESCRIBES THE NORTHERLY LINE OF A 66' WIDE ROAD WITH GRANITE MONUMENTS TO BE SET AT THE ANGLE POINTS. PLAN REFERENCE B SHOWS THE SAME GRANITE MONUMENTS TO BE SET AT THE ANGLE POINTS. IT ALSO DESCRIBES THE SOUTHERLY RIGHT OF WAY LINE OF THE MCKEN STREET AS HOLDING THE GRANITE MONUMENTS FOUND AT THAT TIME AT EITHER END OF THE NORTHERLY BOUNDARY OF THE SUBJECT PROPERTY. WE FOUND A GRANITE MONUMENT AT THE NORTHEAST CORNER OF THE SUBJECT PROPERTY AND A REBAR AT THE NORTHWEST CORNER OF THE SUBJECT PROPERTY. WE HAVE HELD THESE MONUMENTS AS THE RIGHT OF WAY LINE OF MCKEN STREET.

**GENERAL NOTES:**

- ALL DEED AND PLAN REFERENCES ARE TO THE CUMBERLAND COUNTY REGISTRY OF DEEDS UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE (NAD 1983) AS DETERMINED BY GPS OBSERVATIONS.
- OVERHEAD WIRE UTILITIES ARE NOT SHOWN FOR CLARITY. ALL RESIDENTIAL SERVICES WITHIN THE SUBJECT PROPERTY ORIGINATE FROM UTILITY POLES WITHIN THE PROPERTY. RESIDENTIAL SERVICES FOR HOUSES ON MCKEN STREET ORIGINATE FROM UTILITY POLES ALONG MCKEN STREET. NONE OF THESE SERVICES ENCRONCH ON THE ADJUTING PROPERTIES.
- ALL ROADS, EXCEPT MCKEN STREET, ON THE SUBJECT PARCEL, ARE CURRENTLY PRIVATE.
- AFFORDABLE MID COAST HOUSING, LLC SHALL RETAIN FEE TITLE TO ALL PRIVATE VAYS, BUT NOTHING HEREIN SHALL PREVENT AFFORDABLE MIDCOAST HOUSING, LLC FROM CONVEYING TITLE TO THE TOWN OF BRUNSWICK MAINE.
- THE SEWER EASEMENTS AND DRAINAGE EASEMENTS ARE CURRENTLY PRIVATE EASEMENTS TO THE DEVELOPER AND SAID SEWER LINES AND DRAINAGE LINES WILL BE MAINTAINED BY THE DEVELOPER. UPON ACCEPTANCE OF THE SEWER AND DRAINAGE LINES BY THE MUNICIPALITY, ANY DIVISION THEREOF, OR BY ANY OTHER GOVERNMENTAL ENTITY, THE SEWER EASEMENTS AND DRAINAGE EASEMENTS SHALL BECOME PUBLIC EASEMENTS IN FAVOR OF THE APPROPRIATE GOVERNMENTAL ENTITY, NOTWITHSTANDING ANYTHING ELSEWHERE SET FORTH HEREIN. OWNERS OF LOTS SHALL BE RESPONSIBLE FOR SEWER LINES AND DRAINAGE LINES RUNNING FROM THE FOUNDATION OF THE BUILDINGS ON THE LOT TO THEIR CONNECTION WITH THE MAIN LINE, EVEN IF THE CONNECTION IS OUTSIDE THE LIMITS OF THE LOT LINE.

**EASEMENT LINE TABLE**

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L43	N22°02'38"W	7.53	L55	S72°26'39"W	14.00
L44	N68°02'28"E	12.72	L56	S17°33'21"E	6.71
L45	S27°10'04"E	6.70	L57	N22°03'29"E	15.18
L46	S22°02'31"E	2.10	L58	N06°04'42"E	23.28
L47	N68°02'28"E	12.21	L59	S83°40'35"E	6.66
L48	N22°05'08"W	7.08	L60	S23°49'52"E	7.85
L49	S68°26'01"W	6.34	L61	N66°10'08"E	5.61
L50	N21°33'59"W	3.15	L62	N60°04'38"W	10.03
L51	N67°48'22"E	12.45	L63	S33°55'03"E	10.62
L52	N22°04'33"W	18.00	L64	N66°04'51"E	2.76
L53	N72°26'39"E	8.20	L65	S60°04'38"E	29.97
L54	S17°33'21"E	4.60			

**CERTIFICATE:**

OWEN HASKELL, INC. CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

DATE \_\_\_\_\_ JOHN W. SWAN, PLS NO. 1038

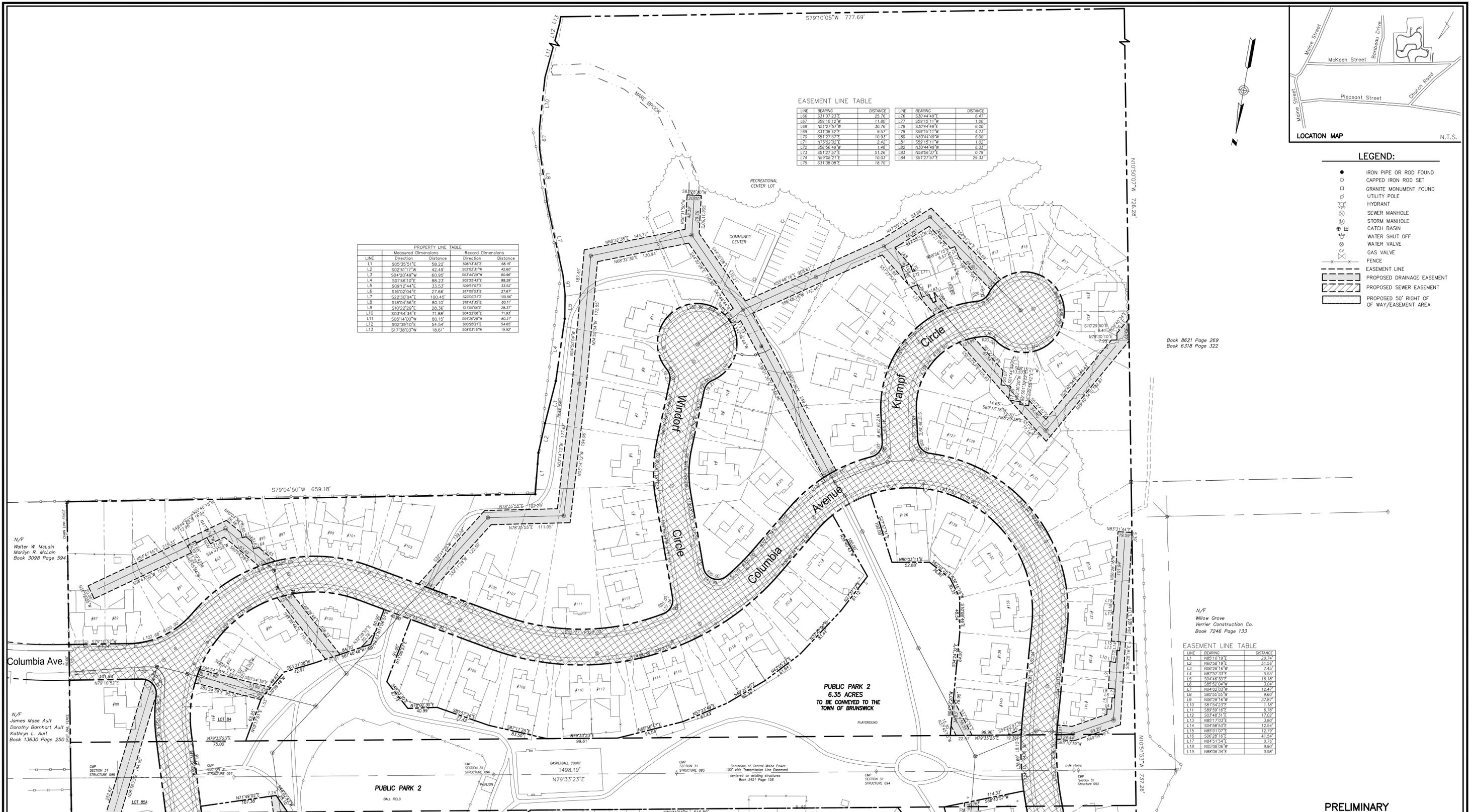


**PRELIMINARY**

**MASTER EASEMENT PLAN**  
MCKEN STREET, BRUNSWICK, MAINE  
MADE FOR  
AFFORDABLE MIDCOAST HOUSING, LLC  
550 CENTER STREET, AUBURN, MAINE 04210

**OWEN HASKELL, INC.**  
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424  
PROFESSIONAL LAND SURVEYORS

Drawn By	OHI	Date	SEPT. 5, 2012	Job No.	2012-061BK
Trace By	JLW/RRL	Scale	1" = 60'	Drwg. No.	1 OF 2
Check By	JWS				
Book No.	FILE				

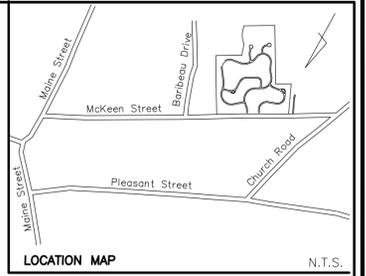


**EASEMENT LINE TABLE**

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L66	S3102°21'E	28.76'	L76	S3044°49'E	6.47'
L67	S56°10'12"W	11.80'	L77	S59°15'11"W	1.00'
L68	N51°27'57"E	30.76'	L78	S3044°49'E	6.00'
L69	S3110°42'E	35.52'	L79	S59°15'11"W	4.73'
L70	S51°27'57"E	10.93'	L80	N3044°49'W	6.00'
L71	N73°02'02"E	2.42'	L81	S59°15'11"W	1.02'
L72	S59°44'49'W	1.48'	L82	N3044°49'W	6.35'
L73	S51°27'57"E	51.26'	L83	N58°56'37"E	0.79'
L74	N59°08'21"E	10.03'	L84	S51°27'57"E	29.33'
L75	S3110°08'E	18.70'			

**PROPERTY LINE TABLE**

LINE	Direction	Measured Dimensions	Record Dimensions	
L1	S05°35'51"E	58.22'	S06°13'32"E	58.15'
L2	S02°41'17"W	42.48'	S02°02'37"W	42.60'
L3	S04°20'49"W	60.95'	S03°44'29"W	60.96'
L4	S01°46'10"E	88.21'	S02°25'42"E	88.29'
L5	S09°12'44"E	33.55'	S09°01'07"E	33.52'
L6	S16°32'04"E	27.66'	S17°03'52"E	27.67'
L7	S22°30'04"E	100.45'	S23°03'31"E	100.56'
L8	S18°04'56"E	80.10'	S18°43'35"E	80.11'
L9	S10°22'20"E	28.36'	S11°00'56"E	28.37'
L10	S03°44'34"E	71.88'	S04°22'08"E	71.83'
L11	S05°14'02"W	80.15'	S04°36'28"W	80.21'
L12	S02°30'10"E	54.54'	S03°08'21"E	54.65'
L13	S17°38'03"W	18.61'	S08°03'15"W	18.92'



**LEGEND:**

- IRON PIPE OR ROD FOUND
- CAPPED IRON ROD SET
- GRANITE MONUMENT FOUND
- UTILITY POLE
- HYDRANT
- SEWER MANHOLE
- STORM MANHOLE
- CATCH BASIN
- WATER SHUT OFF
- WATER VALVE
- GAS VALVE
- FENCE
- - - EASEMENT LINE
- - - PROPOSED DRAINAGE EASEMENT
- - - PROPOSED SEWER EASEMENT
- - - PROPOSED 50' RIGHT OF OF WAY/EASEMENT AREA

Book 8621 Page 269  
Book 6318 Page 322

N/F  
Willow Grove  
Verrier Construction Co.  
Book 7246 Page 133

**EASEMENT LINE TABLE**

LINE	BEARING	DISTANCE
L1	N85°10'19"E	20.74'
L2	N05°08'19"E	51.56'
L3	N06°28'16"W	7.45'
L4	N82°32'33"E	5.55'
L5	S04°46'50"E	16.18'
L6	S85°52'04"W	5.04'
L7	N04°02'03"W	12.47'
L8	S85°55'35"W	9.60'
L9	N06°28'16"W	37.87'
L10	S81°54'23"E	1.38'
L11	S85°29'16"E	6.78'
L12	S03°48'31"E	17.02'
L13	N85°17'03"E	3.80'
L14	S05°28'53"E	12.54'
L15	N85°01'07"E	12.79'
L16	S05°28'16"E	41.54'
L17	N84°51'54"E	0.76'
L18	N05°06'06"W	9.90'
L19	N85°08'34"E	0.98'

**UTILITY NOTE:**  
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**GRAPHIC SCALE**  
0 20' 40' 80' 160'

**PLAN REFERENCES:**  
1. "ALTA/ACSM LAND TITLE SURVEY, MCKEAN STREET, BRUNSWICK, MAINE PREPARED FOR GMH MILITARY HOUSING, LLC AND RAYMOND JAMES & ASSOCIATES, INC." BY OWEN HASKELL, INC. DATED JUNE 7, 2004, REVISED THROUGH DEC. 01, 2004.  
2. "SCHEMATIC PLAN - PHASE 1 & 2 JULY 25, 2012 BY STONEYBROOK CONSULTANTS, INC.

**ROAD INFORMATION:**  
MCKEAN STREET WAS LAID OUT BY THE SELECTMEN OF THE TOWN OF BRUNSWICK MARCH 3, 1961, AND ACCEPTED AT TOWN MEETING MARCH 7, 1961. (BRUNSWICK TOWN RECORDS VOLUME 18 PAGES 117 & 115 RESPECTIVELY). THE LAYOUT DESCRIBES THE NORTHERLY LINE OF A 66' WIDE ROAD WITH GRANITE MONUMENTS TO BE SET AT THE ANGLE POINTS. PLAN REFERENCE 8 SHOWS THE SAME GRANITE MONUMENTS TO BE SET AT THE ANGLE POINTS. IT ALSO DESCRIBES THE SOUTHERLY RIGHT OF WAY LINE OF THE MCKEAN STREET AS HOLDING THE GRANITE MONUMENTS FOUND AT THAT TIME AT EITHER END OF THE NORTHERLY BOUNDARY OF THE SUBJECT PROPERTY. WE FOUND A GRANITE MONUMENT AT THE NORTHEAST CORNER OF THE SUBJECT PROPERTY AND A REBAR AT THE NORTHWEST CORNER OF THE SUBJECT PROPERTY. WE HAVE HELD THESE MONUMENTS AS THE RIGHT OF WAY LINE OF MCKEAN STREET.

**GENERAL NOTES:**  
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3. OVERHEAD WIRE UTILITIES ARE NOT SHOWN FOR CLARITY. ALL RESIDENTIAL SERVICES WITHIN THE SUBJECT PROPERTY ORIGINATE FROM UTILITY POLES WITHIN THE PROPERTY. RESIDENTIAL SERVICES FOR HOUSES ON MCKEAN STREET ORIGINATE FROM UTILITY POLES ALONG MCKEAN STREET. NONE OF THESE SERVICES ENCRUSH ON THE ADJUTING PROPERTIES.  
4. ALL ROADS, EXCEPT MCKEAN STREET, ON THE SUBJECT PARCEL ARE CURRENTLY PRIVATE.  
5. AFFORDABLE MID COAST HOUSING, LLC SHALL RETAIN FEE TITLE TO ALL PRIVATE WAYS, BUT NOTHING HEREIN SHALL PREVENT AFFORDABLE MIDCOAST HOUSING, LLC FROM CONVEYING TITLE TO THE TOWN OF BRUNSWICK MAINE.  
6. THE SEWER EASEMENTS AND DRAINAGE EASEMENTS ARE CURRENTLY PRIVATE EASEMENTS TO THE DEVELOPER AND SAID SEWER LINES AND DRAINAGE LINES WILL BE MAINTAINED BY THE DEVELOPER. UPON ACCEPTANCE OF THE SEWER AND DRAINAGE LINES BY THE MUNICIPALITY, ANY DIVISION THEREOF, OR BY ANY OTHER GOVERNMENTAL ENTITY, THE SEWER EASEMENTS AND DRAINAGE EASEMENTS SHALL BECOME PUBLIC EASEMENTS IN FAVOR OF THE APPROPRIATE GOVERNMENTAL ENTITY, NOTWITHSTANDING ANYTHING ELSEWHERE SET FORTH HEREIN, OWNERS OF LOTS SHALL BE RESPONSIBLE FOR SEWER LINES AND DRAINAGE LINES RUNNING FROM THE FOUNDATION OF THE BUILDINGS ON THE LOT TO THEIR CONNECTION WITH THE MAIN LINE, EVEN IF THE CONNECTION IS OUTSIDE THE LIMITS OF THE LOT LINE.

**CERTIFICATE:**  
OWEN HASKELL, INC. CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' CURRENT STANDARDS OF PRACTICE.

DATE \_\_\_\_\_ JOHN W. SWAN, PLS NO. 1038

Owner:  
**Affordable MidCoast Housing LLC**  
CCR 29562/31

**PRELIMINARY**

**MASTER EASEMENT PLAN**  
**MCKEAN STREET LANDING**  
MCKEAN STREET, BRUNSWICK, MAINE  
MADE FOR  
**AFFORDABLE MIDCOAST HOUSING, LLC**  
550 CENTER STREET, AUBURN, MAINE 04210

**OWEN HASKELL, INC.**  
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424  
PROFESSIONAL LAND SURVEYORS

Drawn By	OHI	Date	Job No.
Trace By	JLW/RR/L	SEPT. 5, 2012	2012-061BK
Check By	JWS	Scale	Drwg. No.
Book No.	FILE	1" = 60'	2 OF 2

**TOWN OF BRUNSWICK, MAINE  
TOWN COUNCIL**

**A Resolution Authorizing the Acceptance of Certain Parks and Recreation Parcels from Affordable Midcoast Housing and the Establishment of a Special Revenue Fund to Maintain and Improve the Parcels as well as any Facilities Located on or Associated with the Accepted Parcels**

**WHEREAS**, Affordable Midcoast Housing, LLC (“Affordable”) has acquired certain real estate and other assets, formerly owned by the United States Navy and used to provide housing and other amenities to military families; and

**WHEREAS**, Affordable has offered certain parks and recreation lands and the facilities on them to the Town of Brunswick (“Town”) as depicted on a “Preliminary Master Easement Plan McKean Street Landing, McKean Street, Brunswick, Maine, Made For Affordable Midcoast Housing, LLC” by Owen Haskell, Inc., and dated September 5, 2012 (“McKean Street Easement Plan”); and

**WHEREAS**, Affordable has also offered to the Town the sum of approximately \$95,512 to be used to make improvements to the offered lands and facilities, as well as to fund maintenance costs the Town may incur during the fiscal year ended June 30, 2013; and

**NOW THEREFORE BE IT RESOLVED**, that the Town accepts the park and recreation lands depicted in the McKean Street Easement Plan, along with:

1. all related facilities including, but not limited to, playground equipment, fences, walkways, drainage structures and pipes, and any other items the Town Manager deems necessary and in the best interest of the Town;
2. all easements and encumbrances the Town Manager deems necessary and in the best interest of the Town.

**BE IT FURTHER RESOLVED**, that the Town accepts the sum of \$95,512 from Affordable, and any additional amounts that may be contributed or otherwise available to the Town, and placed in a special revenue fund for:

1. any upgrades or improvements to the lands and facilities being accepted by the Town as well as any other the Town Manager deems necessary and in the best interest of the Town;
2. maintenance of the lands and facilities through the period ending June 30, 2013.

**BE IT FURTHER RESOLVED**, that any unencumbered funds remaining in the special revenue fund as of June 30, 2013 be transferred to the Town’s General Fund to be used at the Town’s discretion;

**BE IT FURTHER RESOLVED**, that the Town Manager is authorized to execute any other agreements or documents, and take any other actions, the Town Manager deems necessary and in the best interest of the Town;

**BE IT FURTHER RESOLVED**, that any actions taken to date by the Town Manager in connection with this property transfer are hereby ratified, confirmed, and approved.

Proposed to Town Council – September 17, 2012

Adopted by Town Council –

**ITEM 105**

**BACK UP MATERIALS**

## BRUNSWICK BOARDS AND COMMITTEE OPENINGS

The Brunswick Town Council will be holding interviews on Wednesday, September 19, 2012, to the following Boards and/or Committees vacancies listed below. Interested citizens should complete an application form, available in the Town Clerk's Office. Please return applications to the Town Clerk's Office by 4:30 P.M. on Monday, September 17, 2012.

### Cable TV Committee

1 member – 3 year term to expire on 09/06/2015

### Fair Hearing Authority

3 members – 2 year terms to expire on 10/01/2014

### Marine Resource Committee

1 Alternative (Commercial Harvester) – 3 year term to expire on 05/01/2014

1 Alternate (no license holder) – 3 year term to expire on 05/01/2013

1 member (Commercial Harvesters) – 3 year term to expire on 05/01/2015

1 member (Recreation license holder) – 3 year term to expire on 05/01/2015

1 member (Commercial Harvesters) – balance 3 year terms to expire on 05/01/2013

### Recreation Commission

2 members -3 year terms to expire on 07/01/2015

### Recycling & Sustainability Committee

1 members – balance of 3 year term to expire on 01/12/2015

### Sewer District Trustees

1 full member – balance of 3 year term to expire on 04/01/2013

### Trust Fund Advisory Committee

1 member – 3 year term to expire on 05/10/2015

### Zoning Board of Appeals

1 associate member –3 year term to expire on 12/18/2014

1 associate member – 3 year term to expire on 07/01/2015

CONTINUED ON NEXT PAGE

To: Brunswick Town Council

From: Councilor Watson, Chair Appointments Committee

Subject: Appointment to the Sewer District

Date: 09/24/2012

On the evening of 09/19/2012, the Appointments' Committee met to interview an applicant for a vacant position on the Sewer District. There are no opponents for this position. The position is a three year term ending on 04/01/2015.

The Appointments Committee recommends that Earle F. Harvey be appointed to the vacant three year term on the Sewer District.

Town of Brunswick  
Application for  
Appointment to Board/ Committee/ Commission

For Office Use Only
9/11/12 Date App. Received
_____ Date App. Entered
_____ Appointed

Full Name: Earle F. Harvey Date 9-11-12

Street Address: 28 Jewell Street, Brunswick, ME 04011

Home Telephone #: 729-4598 E-mail Address: earlefh@yahoo.com I live in Council District #: 3

I wish to be considered for appointment to the:  
**Brunswick Sewer District Board of Trustees**

(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:

FULL MEMBERSHIP STATUS:  TERM BEGINS: \_\_\_\_\_

and/or

ASSOCIATE MEMBERSHIP STATUS: \_\_\_\_\_ TERM EXPIRES: \_\_\_\_\_

Do you currently serve on any Town Board/Committee/Commission? Yes If so, please state name of Board/Committee/Commission and the number of years of service:

Topsham Development, Inc. (TDI) Number of Years 2 Date term expires 2015

Occupation: Private Banking/Commercial Finance

Employer: Mechanics Savings Bank Work Telephone #: 207-333-4591

List any civic organizations to which you belong:

Topsham Rotary Club, Southern Mid-Coast Chamber of Commerce, TDI, USM Alumni Association Board of Directors

United Baptist Church of Topsham Board of Trustees

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

Served as Treasurer of many organizations and have worked in commercial banking for nearly 20 years.

Have you previously served on a Town board/committee/commission? \_\_\_\_\_ If so, please list the board/committee/commission and years of service:

See above - I have not served on a Brunswick committee/commission.

Earle F. Harvey  
SIGNATURE

**PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.**

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

APPLICANT – PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: Brunswick Sewer District Board of Trustees

Term Length: ?

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

Not at this time

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

Masters in Public Administration and Masters in Business Administration. I also have served on boards in a financial capacity numerous times. My professional experience has included public and private finance and I also have managerial experience acting as the former president of a community bank. (Border Trust)

3. Why would you like to be on the Board/Committee/Commission?

Public service desire and I know one of the current members who approached me a few years ago.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

None to my knowledge.

6. Do you have anything you would like to add?

I look forward to serving.

Earle F. Harvey  
28 Jewell Street  
Brunswick, Maine 04011  
[earlefh@yahoo.com](mailto:earlefh@yahoo.com)

## **Work Experience**

### **Border Trust Company (Augusta, ME)**

#### **President & Chief Executive Officer (January 2005 – August 2012)**

- Responsible for all strategic and business functions
- Communicate with all regulatory entities on a regular basis
- Responsible for loan and deposit growth at all branch locations
- Directly oversees all ALCO and investment portfolio activities
- Responsible for all community relations
- Successfully sold institution to larger competitor

#### **Chief Financial Officer & Treasurer (August 2001 to January 2005)**

- Oversaw all financial reporting functions which included regulatory reporting, budgeting, and board reporting
- Served as Chief Risk Officer
- Responsible for business development in mid-coast market
- Managed investment portfolio

#### **Assistant Treasurer (June 1998 to August 2001)**

- Responsible for creating ALCO infrastructure and creating pricing model
- Managed investment portfolio and responsible for all board financial reports
- Responsible for Year 2000 conversion of all IT systems

### **Mellon Private Asset Management (Boston, MA)**

#### **Family Office Analyst (January 1998 to May 1998)**

- Served as Family Office Analyst during last year of graduate school
- Created Disaster Recovery Manual for Boston Family Office

### **Citizen's Financial Group (Providence, RI)**

#### **ALCO Staff Analyst (May 1997 to September 1997)**

- Served as ALCO Analyst (summer intern) in dynamic office in this growing international banking company
- Managed all non-maturity deposit assumption database and created reports for ALCO meetings and participated in weekly ALCO working group sessions

## **Community & Professional Involvement**

- United Way of Mid Coast Maine – Chairman of 2011 Campaign and Board Member, Member of 2012 Campaign Cabinet
- Southern Mid Coast Chamber of Commerce (SMMC) – Past Board Member and 2009 Chairman
- Rotary Club of Topsham – Founding Member and Past President (2007 to 2008)
- United Baptist Church of Topsham – Board of Trustees and Finance Committee Member
- American Red Cross (Mid Coast Chapter) – Former Board Member
- Bankers Bank Northeast – Past Board and Loan Committee Member
- Current active coach in youth sports in Brunswick, ME (football, basketball, baseball- past)
- Treasurer of Topsham Development Inc. – Economic Development Arm of the Town of Topsham
- Pi Alpha Alpha – Member of National Public Administration Honor Society
- Beta Gamma Sigma – Member of National MBA Honor Society

## **Education**

Masters in Business Administration (MBA) – Boston College, Boston, MA, Carroll School of Management - 1998. Graduated with honors.

Masters in Public Administration (MPA) – Suffolk University, Boston, MA, Frank Sawyer School of Management - 1996. Graduated with honors.

New England School Banking at Williams College, General Banking Graduate – 1994

Bachelor of Science in Business Administration (B.S.) – University of Southern Maine, Portland, ME, School of Business – 1993

CFA Institute – passed Level 1 of Chartered Financial Analyst Exam – 2003.

## **Personal Interests**

Aviation (commercial pilot license with instrument and multi-engine privileges held), running, and golf.

Town of Brunswick  
Application for  
Appointment to Board/ Committee/ Commission

For Office Use Only
Date App. Received
JUL 23 2012
Date App. Entered
Appointed

Full Name: STEPHEN M COHEN Date 7/23/12

Street Address: 75 LONG ST

Home Telephone #: 207-975-0132 E-mail Address: 8450728@GMAIL.COM I live in Council District #: 1

I wish to be considered for appointment to the:

~~ZONING BOARD OF APPEALS~~ CONSERVATION COMMISSION  
(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:

FULL MEMBERSHIP STATUS: \_\_\_\_\_

TERM BEGINS: \_\_\_\_\_

and/or

ASSOCIATE MEMBERSHIP STATUS: X

TERM EXPIRES: 12/18/14

Do you currently serve on any Town Board/Committee/Commission? N If so, please state name of Board/Committee/Commission and the number of years of service:

Number of Years \_\_\_\_\_ Date term expires \_\_\_\_\_

Occupation: ACCOUNTANT

Employer: BIW Work Telephone #: \_\_\_\_\_

List any civic organizations to which you belong:

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

FORMER MEMBER OF THOMASTON CONSERVATION COMMISSION, ZONING BOARD OF APPEALS & BUDGET COMMITTEE - TREASURER OF ADAS YOSHLURIN SYNAGOGUE

Have you previously served on a Town board/committee/commission? YES If so, please list the board/committee/commission and years of service:

SEE ABOVE

Stephen M Cohen  
SIGNATURE

**PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.**

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment Committee

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

**PLEASE NOTE: This completion of the application allows an individual to be considered for a Town Board/Committee/Commission and does not constitute an appointment to a Board/Committee.**

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: CONSERVATION COMMISSION

Term Length: 3 YRS

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

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2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

FORMER CONSERVATION COMMISSION LEAD

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3. Why would you like to be on the Board/Committee/Commission?

PRIOR EXPERIENCE

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4. Are you aware of the time involved and would you be able to attend most of the meetings?

YES

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5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

NONE

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6. Do you have anything you would like to add?

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**THIS SPACE IS FOR THE APPLICANT'S SIGNATURE AND DATE. APPLICANT'S SIGNATURE AND DATE ARE REQUIRED.**

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# CONSENT AGENDA - A BACK UP MATERIALS

**Draft**  
**BRUNSWICK TOWN COUNCIL**  
**Minutes**  
**September 4, 2012**  
**Executive Session – 6:00 P.M.**  
**Regular Meeting - 7:00 P.M.**

**Councilors Present:** Chair Joanne T. King, W. David Watson, Benjamin J. Tucker, Suzan Wilson, John M. Perreault, Gerald E. Favreau, Margo H. Knight, Sarah E. Brayman, and E. Benet Pols

**Councilors Absent:** None

**Town Staff Present:** Gary Brown, Town Manager; Fran Smith, Town Clerk/Assistant to Town Manager; John Eldridge, Finance Director; Mark Waltz, Police Captain; Denise Clavette, Business Development Manager; and TV video crew

Chair King called the meeting to order and asked the Town Clerk for roll call.

**Executive Session –Disposition of real property §405(6)(C) and Economic Development to discuss the MRRA TIF per §405(6)(C)**

**Councilor Favreau moved, Councilor Wilson seconded, to go into executive session to discuss disposition of real property per §405(6)(C) and Economic Development regarding the MRRA TIF per §405(6)(C). The motion carried with seven (7) yeas. Councilor Watson and Councilor Pols were not present for the vote.**

Councilor Knight excused herself from the discussion of the disposition of real property since she has an involvement with the group making the request.

**Meeting resumed at 7:00 p.m.**

Chair King called for the Pledge of Allegiance.

Chair King asked for a moment of silence for David Haas, a Brunswick soldier who lost his life while on active duty in Korea.

**Public Comment:** None

**Correspondence:**

Councilor Perreault spoke about the new press box at the football field, built with donated labor and materials and funds raised by the Brunswick Football Boosters.

Councilor Brayman spoke about the new art by Susan Carlson and Amy Dionne that is currently hanging in the Council Chambers.

**Adjustments to the Agenda:**

To add item #96. The Town Council will discuss the next steps regarding the MRRA TIF districts, and take any appropriate action.

**MANAGER'S REPORT:**

**(a) Council Committee Updates**

Reports were given regarding the Master Plan committee and the Recreation Trails and Open Space Committee.

**(b) Nomination papers due by September 7, 2012**

Fran Smith spoke regarding this item.

**(c) Acceptance of Forfeited Asset (*Action Required*)**

Manager Brown spoke regarding this item.

Captain Waltz responded to a question from Councilor Perreault.

**Councilor Watson moved, Councilor Perreault seconded, to accept and expend Forfeited Assets in the form of funds in the amount of \$475.00, related to Criminal Action Docket No. CR-11-832. The motion carried with nine (9) yeas.**

*(A copy of information from the Court will be attached to the official minutes.)*

**PUBLIC HEARINGS**

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

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

**David Frye**

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

**Councilor Favreau moved, Councilor Knight seconded, to approve a Special Amusement License for Spare Time, located at 276 Bath Road. The motion carried with nine (9) yeas.**

**NEW BUSINESS**

90. **The Town Council will consider a request from the Mid Coast Hunger Prevention Program to use Town sidewalks for their “Singing for their Supper” on September 29, 2012, and to waive the event’s fee, and will take any appropriate action. (Manager)**

Manager Brown spoke regarding this item.

**Ethan Minton**, Board member of the Mid Coast Hunger Prevention Program, spoke regarding this event. He responded to questions from Councilor Knight and Councilor Brayman.

Captain Waltz responded to a question from Chair King.

**Councilor Favreau moved, Councilor Knight seconded, to approve the request from the Mid Coast Hunger Prevention Program for their “Singing for their Supper” benefit on September 29, 2012 to waive the \$500 fee, except the \$25 application fee to hold this event, as allowed under Chapter 10 Section 26(b)(14). The motion carried with nine (9) yeas.**

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

91. **The Town Council will consider a request from the Brunswick Downtown Association for use of the Lower Mall for the Taste of Brunswick Event, to be held on September 15, 2012, and will take any appropriate action. (Manager)**

Manager Brown spoke regarding this item and responded to a question from Councilor Perreault.

**Councilor Favreau moved, Councilor Knight seconded, to approve the BDA’s request for the Taste of Brunswick event to be held on September 15, 2012, and to permit the sale of alcohol at the Taste of Brunswick Event. The motion carried with nine (9) yeas.**

*(A copy of the BDA letter will be attached to the official minutes.)*

92. **The Town Council will consider negotiating the exchange of Town owned property at 28 Federal Street for Brunswick Development Corporation owned property on the corner of Pleasant and Stanwood Streets, and will take any appropriate action. (Manager)**

Manager Brown spoke regarding this item and responded to questions from Chair King, Councilor Brayman, Councilor Pols, and Councilor Perreault.

Councilor Wilson and Councilor Perreault spoke regarding this item.

**Councilor Wilson moved, Councilor Watson seconded, to authorize the Town Clerk to work with the Town Attorney to negotiate a property exchange agreement with the Brunswick Development Corporation with the stipulations presented in Manager Brown's memo dated August 28, 2012, and, if necessary, to make some adjustments to the terms provided that the overall concept is not significantly changed. The motion carried with six (6) yeas. Councilor Perreault, Councilor Brayman, and Councilor Pols were opposed.**

*(A copy of Manager Brown's memo will be attached to the official minutes.)*

93. The Town Council will consider setting a public hearing for September 17, 2012, on amendments to Chapter 15 "Traffic and Vehicles" regarding adding four flag stops for buses, and will take any appropriate action. (Councilor Knight and Councilor Brayman)

Councilor Knight spoke regarding this item.

Captain Waltz responded to a question from Councilor Favreau.

Chair King and Councilor Watson spoke regarding this item.

**Councilor Perreault moved, Councilor Tucker seconded, to set a public hearing for September 17, 2012, on amendments to Chapter 15 "Traffic and Vehicles" regarding adding four flag stops for buses. The motion carried with nine (9) yeas.**

94. The Town Council will consider setting a public hearing for September 17, 2012, on amendments to the Zoning Ordinance to increase the maximum building footprint for dwellings containing three or more units, and will take any appropriate action. (Manager)

Manager Brown spoke regarding this item and responded to a question from Councilor Pols.

**Councilor Tucker moved, Councilor Watson seconded, to set a public hearing for September 17, 2012, on amendments to the Zoning Ordinance to increase the maximum building footprint for dwellings containing three or more units to 10,000 square feet. The motion carried with nine (9) yeas.**

95. The Town Council will consider appointments to the Town's Boards and Committees, and will take any appropriate action. (Appointments Committee)

Councilor Watson made the following nominations.

Joan Viles, Dale Viles, and David Carpenter to the Cable TV Committee  
Christopher Green to the Marine Resource Committee  
Jackie Sartoris to the Sewer District Board of Trustees  
Timothy Higgins to the Village Review Board

**Town Council Minutes**

**September 4, 2012**

**Page 5**

Harold Hutchinson and Richard Moll to the Water District  
Steven Cohen to both the Conservation Commission and the Bicycle and Pedestrian Advisory Committee (*subsequently it was discovered that there was no Conservation Commission vacancy. As a result, Mr. Cohen will not serve on the Conservation Commission at this time.*)

They were all appointed with nine (9) yeas.

**96. (ADDED) The Town Council will discuss the next actions regarding the MRRA TIF districts, and take any appropriate action.**

Councilor Tucker, Councilor Wilson, Chair King, and Councilor Favreau spoke regarding this item.

Councilor Watson asked questions, to which Councilor Tucker responded.

Councilor Pols asked questions, to which Manager Brown responded.

**Councilor Tucker moved, Councilor Wilson seconded, to inform the State Department of Economic and Community Development that both MRRA TIF districts have been terminated. The motion carried with eight (8) yeas. Councilor Pols was opposed due to the fact that he missed the executive session and did not have full information.**

**CONSENT AGENDA**

- (a) Approval of the Minutes of July 23, 2012
- (b) Approval of a request from Maine Natural Gas for the application ULP 2012-06, Summer Street
- (c) Approval of a request from Maine Natural Gas for the application ULP 2012-07, Pleasant Street

**Councilor Tucker moved, Councilor Watson seconded, to approve the Consent Agenda. The motion carried with nine (9) yeas.**

*(A copy of the CA-b and CA-c permits will be attached to the official minutes.)*

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

The meeting adjourned at 7:52 p.m.

**PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING CAN BE VIEWED AT WWW.BRUNSWICKME.ORG.**

**Town Council Minutes**  
**September 4, 2012**  
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*Frances Smith*  
*Town Clerk/Assistant to the Town Manager*  
*September 24, 2012*

October 1, 2012  
*Date of Approval*

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*Council Chair*

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# CONSENT AGENDA - B BACK UP MATERIALS

**Draft**  
**BRUNSWICK TOWN COUNCIL**  
**Minutes**  
**September 17, 2012**

**Councilors Present:** Chair Joanne T. King, W. David Watson, Benjamin J. Tucker, Suzan Wilson, John M. Perreault, Gerald E. Favreau, Margo H. Knight, Sarah E. Brayman, and E. Benet Pols

**Councilors Absent:** None

**Town Staff Present:** Gary Brown, Town Manager; Fran Smith, Town Clerk/Assistant to Town Manager; John Eldridge, Finance Director; Anna Breinich, Director of Planning and Development; Mark Waltz, Police Captain; Tom Farrell, Director of Parks and Recreation; Don Koslosky, Deputy Fire Chief; Dan Devereau, Marine Resources Officer; Russ Wrede, Police Sergeant; and the TV video crew.

Chair King called the meeting to order, led the Pledge of Allegiance and asked the Town Clerk for roll call.

**Public Comment:** None

**Correspondence:**

Councilor Knight said she and Ms. Breinich accompanied a group from the American Association of State Highway and Traffic Officers, who were holding their annual meeting in Portland, on a trip to Brunswick on Amtrak.

**Adjustments to the Agenda:** None

**MANAGER'S REPORT:**

**(a) Financial Update**

Manager Brown provided this update.

**(b) Council Committee Updates**

Reports were given on the following committees: Police Station Building Committee, Recreation and Trails Open Space Committee and the Master Plan Implementation Committee.

**(c) Acceptance of donation from Midcoast Hockey Association to assist with improvements to the Lishness Hockey Rink (*Action required*)**

Manager Brown introduced this item.

Tom Farrell responded to questions from Councilor Perreault.

**Councilor Watson moved, Councilor Favreau seconded, to accept funds from Midcoast Youth Hockey Association and to expend those funds for improvements and items related to the operation of the Lishness Hockey Rink. The motion carried with nine (9) yeas.**

*(A copy of a memo from Tom Farrell, a detailed list of the proposed improvements, and drawings from Midcoast Youth Hockey Association, will be attached to the official minutes.)*

- (d) **Permission to apply for MMA safety enhancement grant for firefighting turnout gear and ergonomic office equipment for the Town Clerk's office (*Action required*)**

Manager Brown introduced this item.

**Councilor Watson moved, Councilor Tucker seconded, to allow the Town to apply for two MMA Safety Enhancement Grants to assist with costs for firefighting turnout gear and ergonomic office equipment. The motion carried with nine (9) yeas.**

*(A copy of the grant application for the Fire Department and a memo from the Human Resources Manager will be attached to the official minutes.)*

- (e) **Selection of MMA Voting Delegation for Annual meeting (*Action required*)**

**Councilor Favreau moved, Councilor Watson seconded, to nominate Gary Brown as the voting delegate and Fran Smith as the alternate to be Brunswick's voting delegation for the MMA Annual meeting. The motion carried with nine (9) yeas.**

*(A copy of information on this item will be attached to the official minutes.)*

- (f) **Permission to apply for the State Department of Conservation grant for shoreline and harbor management plan (*Action required*)**

Dan Devereau, Marine Resources Officer, spoke regarding this item and responded to questions from Councilor Favreau and Councilor Watson.

Councilor Wilson spoke regarding this information.

**Councilor Wilson moved, Councilor Watson seconded, to allow the Town to apply for the State Department of Conservation Shoreline and Harbor Management Planning Grant in the amount of \$20,000. The motion carried with nine (9) yeas.**

*(A copy of a memo from Dan Devereaux and the grant applications will be attached to the official minutes.)*

- (g) **(ADDED) Amtrak coming to Brunswick November 1**

Manager Brown spoke regarding this item.

**PUBLIC HEARINGS**

- 97. The Town Council will hear public comments on the following Automobile Graveyard/Junkyard License and Automobile Recycling applications, and will take any appropriate action. (Manager)**

**Shawn Letourneau**

**D/B/A: Brunswick Auto Recycling, LLC**  
**117 Bath Road**

**Shawn Letourneau**

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

**Councilor Favreau moved, Councilor Watson seconded, to approve applications for an Automobile Graveyard, Junkyard, and Automobile Recycling License for Brunswick Auto Recycling, LLC. The motion carried with nine (9) yeas.**

- 98. The Town Council will hear public comments on amendments to Chapter 15 “Traffic and Vehicles” regarding adding four flag stops for buses, and will take any appropriate action. (Councilor Knight and Councilor Brayman)**

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

**Lee Karker**, Executive Director of Coastal Trans, spoke regarding this item and responded to questions from Chair King, Councilor Favreau, Councilor Watson, and Councilor Perreault.

Councilor Wilson, Chair King, and Councilor Brayman spoke regarding this item.

Manager Brown spoke regarding this item.

Captain Mark Waltz spoke regarding this item and responded to questions from Councilor Knight, Chair King, and Councilor Wilson.

**Melinda Gale** from Brunswick spoke regarding this item.

Manager Brown spoke regarding a letter he received from BDA in support of this item.

Councilor Perreault, Chair King, Councilor Favreau, and Councilor Pols spoke regarding this item.

**Motion**

**Councilor Knight moved, Councilor Brayman seconded, to adopt amendments to Chapter 15 “Traffic and Vehicles” regarding adding four flag stops for buses.**

Councilor Pols moved, to amend the language to take out #4 (Federal Street/ Green Street stop) but there was no second.

**Motion**

**Councilor Tucker moved, Councilor Watson seconded, to table this item. The motion carried with six (6) yeas. Councilor Pols, Councilor Brayman, and Councilor Perreault were opposed.**

99. The Town Council will hear public comments on amendments to the Zoning Ordinance to increase the maximum building footprint for dwellings containing three or more units, and will take any appropriate action. (Manager)

Manager Brown spoke regarding this item.

Chair King opened public hearing.

Scott Howard, developer, spoke regarding this item.

Chair King closed the public hearing.

Anna Breinich, Director of Planning and Development, and, Charles Frizzle, Planning Board chair, responded to questions from Councilor Brayman and Councilor Pols.

**Councilor Watson moved, Councilor Favreau seconded, to adopt amendments to the Zoning Ordinance to increase the maximum building footprint for dwellings containing three or more units to 10,000 square feet. The motion carried with seven (7) yeas. Councilor Pols was opposed. Councilor Perreault abstained due to being a builder and developer.**

**NEW BUSINESS**

100. The Town Council will consider setting a public hearing for October 1, 2012, on amendments to the Zoning ordinance regarding rezoning the west side of Federal Street between Mason and Center Streets to Town Center 1, and will take any appropriate action. (Manager)

**Councilor Watson moved, Councilor Tucker seconded, to set a public hearing for October 1, 2012, on amendments to the Zoning ordinance regarding rezoning the west side of Federal Street between Mason and Center Street from Town Residential 2 to Town Center 1. The motion carried with nine (9) yeas.**

101. The Town Council will consider adopting “A Resolution Authorizing the Demolition of Real Property Located at 6 Industry Road and the Use of Special Revenue Funds to Complete the Demolition,” and will take any appropriate action. (Manager)

**Brunswick Town Council Minutes**  
**September 17, 2012**  
**Page 5**

Manager Brown spoke regarding this item and responded to questions from Councilor Pols Councilor Perreault and Councilor Brayman.

Councilor Wilson and Councilor Pols spoke regarding this item.

**Councilor Tucker moved, Councilor Wilson seconded, to adopt “A Resolution Authorizing the Demolition of Real Property Located at 6 Industry Road and the Use of Special Revenue Funds to Complete the Demolition.” The motion carried with nine (9) yeas.**

*(A copy of a memo from Manager Brown, a list of the proposals, and the draft resolution will be attached to the official minutes.)*

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

The meeting adjourned at 8:22 p.m.

**PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING CAN BE VIEWED AT WWW.BRUNSWICKME.ORG.**

*Frances Smith*  
*Town Clerk/Assistant to the Town Manager*  
*September 24, 2012*

October 1, 2012  
*Date of Approval*

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*Council Chair*

# CONSENT AGENDA - C BACK UP MATERIALS



## MEMORANDUM

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**TO:** Town Council  
**FROM:** Fran Smith, Town Clerk  
**SUBJECT:** Appointments for November 6<sup>th</sup> Election  
**DATE:** 09/21/2012

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I am requesting the Council appoint the following person to serve on Election Day, November 6, 2012.

Warden:  
Fran Smith

Deputy Wardens:  
Elin Gould  
Annee Tara  
Joe Zrioka

# CONSENT AGENDA - D BACK UP MATERIALS

**TOWN OF BRUNSWICK**  
**Warrant for Municipal Election**  
**November 6, 2012**

COUNTY OF CUMBERLAND, ss}  
TOWN OF BRUNSWICK }

**TO ELIN M. GOULD, RESIDENT OF THE TOWN OF BRUNSWICK, CUMBERLAND COUNTY, MAINE:**

**YOU ARE HEREBY REQUIRED**, in the name of the State of Maine, to notify and warn the voters of the Town of Brunswick, Districts 1, 2, 3, 4, 5, 6, and 7 of the following:

**YOU ARE HEREBY NOTIFIED**, that on November 6, 2012, a Municipal Election will be held in the Town of Brunswick, Districts 1, 2, 3, 4, 5, 6, and 7 at the following polling place for all voters to vote for the offices indicated herein:

**Voting Place Name** Brunswick Junior High School **Voting Place Location** 65 Columbia Ave

**Polls Open at** 7:00 A.M. **Polls Close at** 8:00 P.M.

The following offices will be determined:

- Councilor for Districts 3, 4 and At Large
- School Board for Districts 3, 4, and At Large

**Date/Time of Absentee Processing (check all that apply):**

- Day **Before** Election Day (11/05/2012) (at Recreation Center, 30 Federal Street)  
    Inspection Time(s): 9:00 a.m. to 10:00 a.m.  
    Processing Time(s): 9:00 a.m. to 5:00 p.m.
- During** Election Day (11/06/2012) Processing Time(s): 1:30 p.m., 5:00 p.m., and 8:00 p.m.  
    (At Brunswick Junior High School, 65 Columbia Ave)

**Only** after 8 p.m. on Election Day (11/2)

Dated at Brunswick this 1st day of October 2012


ATTEST: \_\_\_\_\_(Town Clerk)

**TOWN OF BRUNSWICK  
RETURN OF WARRANT**

County of Cumberland, ss }  
Town of Brunswick }

I certify that I have notified the voters of Brunswick, Districts 1, 2, 3, 4, 5, 6, and 7 of the time and place of the Municipal Election and processing of absentee ballots by posting attested copies of the within warrant at the following locations, each being a public and conspicuous place within the indicated District:

District 1	Mid Coast Hospital
District 2	Parkview Hospital
District 3	Brunswick High School
District 4	Sunshine Laundry
District 5	Libby's Market
District 6	Big Top Deli
District 7	Warming's Market

On \_\_\_\_\_, which is at least 7 days prior to Election Day.  
(Date)

Dated at Brunswick this \_\_\_\_\_ day of October, 2012.

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Elin M. Gould, Resident of the Town of Brunswick

# CONSENT AGENDA - E BACK UP MATERIALS

Public Notice  
Town of Brunswick  
Hours for Absentee Voting and Voter Registration  
for November 6, 2012 State and Municipal Election

Absentee Voting and Voter registration hours for new registrations or changes to existing registrations will be Monday – Friday 8:30 a.m. to 4:30 pm. at the Town Clerk’s Office, 28 Federal Street.

The Clerk’s Office will hold extended voter registration and absentee voting hours at the Recreation Center 30 Federal Street:

From 7:00 a.m. to 7:00. p.m.

Monday, October 29, 2012

Tuesday, October 30, 2012

Wednesday, October 31, 2012 (evening hours will be at Town Hall)

Thursday, November 1, 2012

From 8:30 a.m. to 1:00 p.m.

Saturday, October 27, 2012

Absentee ballots will also be available at the times listed above. Beginning Monday, October 22<sup>nd</sup> to Thursday, November 1<sup>st</sup>, absentee voting will be at the Recreation Center, 30 Federal Street (next to Town Hall)

Any questions, please call 725-6658 or go to [www.brunswickme.org](http://www.brunswickme.org) for more information

Times Record: October 3, 2012