

BRUNSWICK TOWN COUNCIL

Agenda

March 16, 2020

Meeting – 6:30 P.M.

Council Chambers

Town Hall

85 Union Street

Roll Call of Members/Acknowledgement Notice

Pledge of Allegiance

Adjustments to Agenda

Public Comments/Announcements (for items not on the agenda)

TOWN MANAGER’S REPORT

- a) Financial update
- b) Cedar Street Parking
- c) Mere Creek Golf Club
- d) 2020-21 Budget

PUBLIC HEARING

- 37. The Town Council will hear comments regarding a proposed Impact Fee ordinance, and will take any appropriate action. (Town Manager Eldridge)

HEARING/ACTION

NEW BUSINESS

- 38. The Town Council will consider setting a public hearing for April 6, 2020 regarding establishing a 4-way stop at the intersection of Weymouth and Armory Streets, in Chapter 15 – Traffic and Vehicles, Article III, Sec. 15-49 – Four-way stop signs, and will take any appropriate action. (Councilor Toby McGrath)

ACTION

- 39. The Town Council is asked to approve the Trust Fund Advisory Committee’s recommendation for a current fiscal year disbursement of 4% of the 20-quarter average balance of each trust, and will take any appropriate action. (Town Manager Eldridge)

ACTION

- 40. The Town Council will consider setting a public hearing for April 6, 2020 for a proposed Shoreland Protection Overlay map amendment regarding a change in the mapped wetland boundary, and will take any appropriate action. (Planning Board)

ACTION

41. The Town Council will consider sending to the Planning Board for its consideration and recommendation, proposed options for zoning ordinance amendments that would accommodate construction of a fire station exceeding the maximum building footprint, and will take any appropriate action. (Town Manager Eldridge)

ACTION

42. The Town Council will consider an amendment to Chapter 11 – Marine Activities, Structures and Ways relative to student licensing definitions, to be enacted on a regular and emergency basis, and will take any appropriate action. (Town Clerk)

ACTION

43. The Town Council will discuss the Town’s contingency plans for operations due to the coronavirus pandemic, and will take any appropriate action. (Chair Perreault)

DISCUSSION

CORRESPONDENCE/COMMITTEE REPORTS

Councilors will provide brief updates of recent committee meetings.

CONSENT AGENDA

- a) Approval of the minutes of March 2, 2020
- b) Approval of Roth IRA option for employees

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

To email Town Council: towncouncil@brunswickme.org

**Brunswick Town
Council Agenda
March 16, 2020
Council Notes and Suggested Motions**

TOWN MANAGER’S REPORT

A memo from the Town Manager providing information on items (a) through (d) is included in the packet.

- a) **Financial update:** Copies of the reports are included in the packet.
- b) **Cedar Street Parking:** Town Manager Eldridge will give this update.
- c) **Mere Creek Golf Club:** Town Manager Eldridge will give this update.
- d) **2020-21 Budget:** Town Manager Eldridge will give this update on the budget process.

PUBLIC HEARING

37. **Notes:** This is the public hearing for a proposed updated impact fee ordinance. The Town of Brunswick has levied impact fees on projects subject to site development or subdivision review since the 1980’s, but has long recognized the need to have a more comprehensive and cohesive approach to the calculation and imposition of these fees. The draft proposal establishes a uniform framework for the calculation, assessment and use of impact fees going forward. Ultimately, all impact fees would be placed in the impact fee ordinance. A new fee related to development in the Cook’s Corner area is also proposed with this ordinance. It would be used to finance infrastructure and other improvements. If the Council deems it appropriate, we would ask them to set a public hearing regarding the ordinance for a future date. A copy of a memo from Town Manager Eldridge, and the draft ordinance are included in the packet.

Option for the Council if they choose to vote this evening - suggested motion:
Motion to suspend the Council Rules to allow the Council to vote on this item at this meeting.

Suggested motion:
Motion to adopt the proposed Impact Fee Ordinance.

NEW BUSINESS

38. **Notes:** The Council is asked to consider establishing a 4-way stop at the intersection of Weymouth and Armory Streets, and to set a public hearing for April 6, 2020. This change is requested by residents of Weymouth Street as a traffic-calming measure. A copy of a memo from Commander Waltz, the pertinent section of the ordinance, and traffic statistics for Weymouth Street are included in the packet.

Suggested motion:

Motion to set a public hearing for April 6, 2020 regarding the establishment of a 4-way stop at the intersection of Weymouth and Armory Streets.

39. **Notes:** The Trust Fund Advisory Committee, which is charged with overseeing the investment of the Town of Brunswick Trust Funds, recently met to consider the annual disbursement from Trust Funds. They have established an Investment Policy Statement, which includes determination of an annual disbursement of funds for the intended purposes of the Trusts. The Trust Fund Advisory Committee recommends that the Council approve a current fiscal year disbursement of 4% of the 20-quarter average balance of each Trust. A copy of a memo from Julia Henze, Finance Director, as well as a list of Trusts and their recommended disbursements, are included in the packet. Ms. Henze will be available at the meeting to answer questions.

Suggested motion:

Motion to approve the Trust Fund Advisory Committee's recommended disbursement of Town of Brunswick Trusts.

40. **Notes:** The Planning Board held a public hearing on February 25, 2020 and unanimously recommended the Town Council amend the Shoreland Protection Overlay (SPO) map with a 75-foot shoreland area associated with streams and remove the 250-foot non-forested freshwater wetland boundary at the subject parcel, Map 17, Lot 1 and Map U34 Lots 15 and 19. It is not understood why the Forested Wetlands are included in the boundaries when, according to the Town of Brunswick Ordinances, a 125-foot setback is only needed around Freshwater Wetlands. Staff has concurred that the wetlands and associated Shoreland Overlay area are not consistent with the ordinances, and a site visit by Atlantic Environmental indicates that the subject parcel contains a small stream. This wetland boundary has restricted growth in a Growth Area outside of Brunswick Landing. A copy of a letter from Sitelines, along with an evaluation and report done in 2018 by Atlantic Environmental, with maps, are included in the packet.

Suggested Motion:

Motion to set a public hearing for April 6, 2020 for an amendment to the Shoreland Protection Overlay (SPO) regarding a change in mapped wetland boundary to reflect verified field conditions.

41. **Notes:** A preliminary review of a site plan to be submitted to the Planning Board for review pursuant to the Brunswick Zoning Ordinance revealed that a zoning ordinance amendment is required in order to site the project at the selected location, which currently limits the building footprint to 20,000 square feet. Modifications were sought from the architect to limit the footprint to 20,000 square feet, but the addition of a second story would add almost \$1,000,000 to the project cost. Matt Panfil, Director of Planning and Development, has developed five options for potential zoning ordinance amendments, should the Council be amenable to changing the zoning ordinance, and staff would recommend these options be forwarded to the Planning Board for its consideration and recommendation. A copy of a memo from Town Manager Eldridge, a copy of a memo from Director of Planning and Development Matt Panfil with his options for zoning ordinance amendments, and an email from the architects, WBRC, with a one story vs.

two story cost comparison, are included in the packet.

Suggested Motion:

Motion to forward options to develop potential zoning ordinance amendments that would allow construction of a fire station exceeding 20,000 square feet within the Growth Mixed-Use 5 (GM5) Zoning District to the Planning Board for consideration and recommendation.

42. **Notes:** In the fall of 2018, the Town Council passed an amended proposal to the shellfish ordinance that would expand the student licensing program to the age of 22 to allow those in college to continue to qualify for student licenses. It was recently found that, in order to allow students in college to apply for a student license for the 2020-21 licensing year, additional amendments to add a student resident definition for those attending school outside of Brunswick and to add “post-secondary” to the applicant qualifications need to be in place on an emergency basis. Staff is also requesting that the Town Council set a public hearing for April 6, 2020 to consider this amendment on a regular basis. A copy of a memo from Town Clerk Fran Smith and the draft language for the amendments are included in the packet.

Suggested motion 1:

Motion to enact the proposed amendment to Chapter 11 – Marine Activities, Structures and Ways regarding student licenses on an emergency basis.

Suggested motion 2:

Motion to set a public hearing for April 6, 2020 regarding a proposed amendment to Chapter 11 – Marine Activities, Structures and Ways regarding student licenses.

43. **Notes:** Town staff held a meeting on Friday, March 13, 2020 to discuss preparations and contingency plans due to the coronavirus pandemic. Town Manager Eldridge will discuss the meeting.

Suggested motion:

There is no suggested motion as this is a discussion item.

CONSENT AGENDA

- a) **Approval of the minutes of March 2, 2020:** A copy of the minutes is included in the packet.
- b) **Approval of Roth IRA option for employees:** This supplemental agreement with ICMA-RC would allow town employees to join a Roth IRA. The Town would not contribute, and would only be responsible for payroll deduction. A copy of a memo from Human Resource Manager Jody Durisko and the proposed agreement are included in the packet.

The Council has the option to remove any item from the Consent Agenda to be considered separately.

Suggested motion:

Motion to approve the Consent Agenda.

Suggested Motion:

Motion to adjourn the meeting.

MANAGER'S REPORT MEMO

Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Town Council

FROM: John Eldridge
Town Manager

DATE: March 12, 2020

SUBJECT: Town Manager's Report
March 16, 2020 - Town Council Meeting

Financial Update (a)

Revenue and expenditure reports for the fiscal year through February 29th are included in your packet. Both revenues and expenditures continue to trend as expected with the exception of General Assistance. We are hoping that the mild weather continues as that will minimize expenditures related to winter operations.

Regarding revenues, it appears that excise tax year over year will be somewhat flat, after several years of increases. It remains to be seen what impact the pandemic will have on revenues, however, typically excise tax and state revenue sharing are negatively impacted by any economic slowdowns.

Finance Director Julia Henze and I will be happy to answer any questions.

Cedar Street Parking (b)

As mentioned in the last report, the preliminary design report (PDR) has been submitted to Maine Department of Transportation (MDOT) for Phase I of the project. On March 5th, we met with representatives from the neighborhood to review any outstanding concerns, primarily landscaping and traffic. We agreed to make another public presentation of the project at the Budget workshop scheduled for March 26th.

Mere Creek Golf Club (c)

We have reached an agreement with Harris Golf to allow use of the golf course parking lot in the winter season. Of course, it looks like there will be little opportunity for skiing and snowshoeing for the remainder of this season. However, the agreement will allow the public to use the lot in the 2020-21 winter season.

2020-21 Budget (d)

School and town officials continue to work on a budget to be proposed to the Town Council at its April 6th meeting. Please see the website and budget calendar for the dates of upcoming workshops.

MANAGER'S REPORT - A BACK UP MATERIALS

FOR 2020 08

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<hr/>							
00 Fill							
19000 General Fund Transfers Out	2,193,000	3,100,000	3,100,000.00	.00	.00	.00	100.0%
TOTAL Fill	2,193,000	3,100,000	3,100,000.00	.00	.00	.00	100.0%
<hr/>							
10 General Government							
11000 Administration	595,913	595,913	425,710.58	51,109.51	691.90	169,510.52	71.6%
11100 Finance Department	774,536	774,536	495,993.63	60,424.63	.00	278,542.37	64.0%
11150 Technology Services Dept	355,386	372,248	250,681.49	26,385.01	9,376.79	112,190.18	69.9%
11200 Municipal Officers	237,915	237,915	112,483.74	21,211.48	.00	125,431.26	47.3%
11210 Munic Bldg - 85 Union	177,899	177,899	119,681.97	10,548.36	3,209.01	55,008.02	69.1%
11230 Risk Management	505,005	505,005	416,892.81	-5.19	.00	88,112.19	82.6%
11240 Employee benefits	0	0	-250,151.32	-20,597.74	.00	250,151.32	100.0%
11250 Cable TV	92,001	92,001	53,727.97	6,943.09	.02	38,273.01	58.4%
11300 Assessing	299,905	300,453	162,309.76	14,349.24	200.00	137,943.24	54.1%
11600 Town Clerk & Elections	401,760	401,760	224,351.59	29,357.91	7,836.00	169,572.41	57.8%
11800 Engineering	256,566	256,566	150,082.73	17,840.46	499.00	105,984.27	58.7%
11900 Planning Department	627,392	654,592	396,403.08	59,105.51	55,254.00	202,934.92	69.0%
11950 Economic Development Dept	129,906	129,906	69,606.51	9,286.15	.00	60,299.49	53.6%
TOTAL General Government	4,454,184	4,498,794	2,627,774.54	285,958.42	77,066.72	1,793,953.20	60.1%
<hr/>							
20 Public Safety							
12100 Fire Department	3,837,278	3,837,278	2,550,971.98	331,861.08	63,590.63	1,222,715.39	68.1%
12150 Central Fire Station	46,600	46,600	21,622.36	4,596.74	1,190.30	23,787.34	49.0%
12160 Emerson Fire Station	61,675	61,675	39,924.22	2,105.28	2,849.47	18,901.31	69.4%
12200 Police Department	4,397,148	4,397,148	2,828,383.46	317,360.58	2,471.00	1,566,293.54	64.4%
12210 Police Special Detail	0	0	22,699.14	3,943.51	.00	-22,699.14	100.0%
12220 Emergency Services Dispatch	927,827	927,827	572,511.40	74,863.97	1,019.85	354,295.75	61.8%
12250 Police Station Building	114,619	114,619	73,113.50	7,116.86	5,356.44	36,149.06	68.5%
12280 Marine Resources	120,082	120,082	62,966.73	6,993.77	.00	57,115.27	52.4%
12310 Streetlights	216,000	216,000	133,556.48	17,603.48	.00	82,443.52	61.8%
12320 Traffic Signals	32,500	32,500	16,431.83	1,081.78	.00	16,068.17	50.6%
12330 Hydrants	550,000	550,000	273,558.92	.00	.00	276,441.08	49.7%
12340 Civil Emergency Preparedness	2,000	2,000	1,070.00	.00	.00	930.00	53.5%

FOR 2020 08

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL Public Safety	10,305,729	10,305,729	6,596,810.02	767,527.05	76,477.69	3,632,441.29	64.8%
<hr/> 30 Public Works							
13100 Public Works Administration	361,004	386,408	251,178.22	27,874.24	625.00	134,604.78	65.2%
13110 PW General Maintenance	1,882,842	1,882,842	1,130,254.94	195,129.67	98,414.89	654,172.17	65.3%
13130 Refuse Collection	654,554	654,554	336,463.71	43,525.43	.00	318,090.29	51.4%
13140 Recycling	479,491	479,491	254,029.31	28,782.76	.00	225,461.69	53.0%
13150 PW Central Garage	742,785	742,785	334,644.42	55,338.77	9,741.84	398,398.74	46.4%
TOTAL Public Works	4,120,676	4,146,080	2,306,570.60	350,650.87	108,781.73	1,730,727.67	58.3%
<hr/> 40 Human Services							
14100 General Assistance	195,411	195,411	172,549.29	19,295.10	22,558.35	303.36	99.8%
14120 Health & Social Services	2,836	2,836	2,140.53	.00	.00	695.47	75.5%
TOTAL Human Services	198,247	198,247	174,689.82	19,295.10	22,558.35	998.83	99.5%
<hr/> 45 Education							
14500 School Department	40,153,709	40,153,709	22,458,164.97	2,720,577.56	.00	17,695,544.03	55.9%
TOTAL Education	40,153,709	40,153,709	22,458,164.97	2,720,577.56	.00	17,695,544.03	55.9%
<hr/> 50 Recreation and Culture							
15000 Recreation Administration	471,504	471,504	285,349.35	41,638.73	.00	186,154.65	60.5%
15050 Rec Buildings and Grounds	984,929	1,014,109	492,616.59	66,008.17	33,630.73	487,861.68	51.9%
15250 Rec Building 211	248,877	293,270	121,621.00	6,986.40	47,036.73	124,612.70	57.5%
15300 Teen Center	18,051	18,051	18,051.00	.00	.00	.00	100.0%
15310 People Plus	136,553	136,553	136,387.54	836.13	435.00	-269.54	100.2%
15400 Curtis Memorial Library	1,533,441	1,533,441	1,016,687.09	126,120.08	2,310.00	514,443.91	66.5%
TOTAL Recreation and Culture	3,393,355	3,466,928	2,070,712.57	241,589.51	83,412.46	1,312,803.40	62.1%
<hr/> 60 Intergovernmental							

FOR 2020 08

60	Intergovernmental	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
16000	County tax	1,590,123	1,590,123	1,590,123.00	.00	.00	.00	100.0%
	TOTAL Intergovernmental	1,590,123	1,590,123	1,590,123.00	.00	.00	.00	100.0%
70	Unclassified							
17000	Promotion and Development	282,840	278,340	261,579.00	30.66	.00	16,761.00	94.0%
17010	Additional School Assistance	10,000	10,000	.00	.00	.00	10,000.00	.0%
17020	Cemetery Care	3,200	3,200	500.00	.00	.00	2,700.00	15.6%
17030	Wage Adjustment Account	254,000	254,000	.00	.00	.00	254,000.00	.0%
	TOTAL Unclassified	550,040	545,540	262,079.00	30.66	.00	283,461.00	48.0%
80	Debt Service							
18020	2006 CIP G/O Bonds	212,000	212,000	208,000.00	.00	.00	4,000.00	98.1%
18030	2011 GO CIP Bonds	210,045	210,045	205,995.00	.00	.00	4,050.00	98.1%
18040	Police Station Bond	378,125	378,125	327,937.51	.00	.00	50,187.49	86.7%
18070	2017 CIP GO Bonds	170,373	170,373	158,158.75	.00	.00	12,214.25	92.8%
	TOTAL Debt Service	970,543	970,543	900,091.26	.00	.00	70,451.74	92.7%
	GRAND TOTAL	67,929,606	68,975,694	42,087,015.78	4,385,629.17	368,296.95	26,520,381.16	61.6%

** END OF REPORT - Generated by Branden Perreault **

FOR 2020 08

			ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
10 Taxes								
111190	41101	Property Taxes	43,099,741	43,099,741	43,557,245.33	.00	-457,504.33	101.1%*
111190	41103	Deferred Property Tax	-200,000	-200,000	.00	.00	-200,000.00	.0%
111190	41104	Tax Abatements	-75,000	-75,000	-20,326.31	.00	-54,673.69	27.1%
111190	41105	Interest on Taxes	65,000	65,000	46,230.25	10,356.22	18,769.75	71.1%*
111190	41106	Tax Lien Costs Revenu	14,000	14,000	13,150.80	6.80	849.20	93.9%*
111190	41107	Tax Lien Interest Rev	17,000	17,000	17,437.41	.00	-437.41	102.6%*
111190	41109	Payment in Lieu of Ta	380,000	380,000	45,655.34	.00	334,344.66	12.0%*
111190	41197	BETE reimbursement	778,816	778,816	778,816.00	.00	.00	100.0%*
111190	41198	Homestead exemption r	1,112,441	1,112,441	846,719.00	.00	265,722.00	76.1%*
111190	41199	Miscellaneous tax adj	11,229	11,229	.00	.00	11,229.00	.0%*
111191	41110	Excise Tax - Auto	3,490,000	3,490,000	2,480,376.62	295,397.00	1,009,623.38	71.1%*
111191	41111	Excise Tax Boat/ATV/S	24,000	24,000	9,843.85	621.80	14,156.15	41.0%*
111191	41112	Excise Tax - Airplane	3,000	3,000	21,332.91	.00	-18,332.91	711.1%*
TOTAL Taxes			48,720,227	48,720,227	47,796,481.20	306,381.82	923,745.80	98.1%
TOTAL REVENUES			48,720,227	48,720,227	47,796,481.20	306,381.82	923,745.80	
20 Licenses & Fees								
121111	42207	Passport Fees	18,000	18,000	16,485.00	2,240.00	1,515.00	91.6%*
121111	42209	Passport Picture Reve	6,000	6,000	4,605.00	660.00	1,395.00	76.8%*
121411	42100	Building Permits	236,000	236,000	132,898.46	34,338.91	103,101.54	56.3%*
121411	42101	Electrical Permits	46,500	46,500	28,052.60	3,010.49	18,447.40	60.3%*
121411	42102	Plumbing Permits	35,000	35,000	32,339.20	3,312.50	2,660.80	92.4%*
121611	42200	Hunting & Fishing Lic	600	600	458.25	22.20	141.75	76.4%*
121611	42201	Dog License Fee	2,750	2,750	2,596.00	93.00	154.00	94.4%*
121611	42202	Vital Statistics	47,500	47,500	31,537.40	3,783.20	15,962.60	66.4%*
121611	42203	General Licenses	32,875	32,875	20,785.50	5,750.00	12,089.50	63.2%*
121611	42204	Victulars/Innkeepers	22,685	22,685	7,215.00	150.00	15,470.00	31.8%*
121611	42205	Shellfish Licenses	36,675	36,675	650.00	.00	36,025.00	1.8%*
121611	42206	Neutered/Spayed Dog L	4,840	4,840	4,740.00	172.00	100.00	97.9%*
121611	42210	Mooring fees	16,200	16,200	2,058.00	1,458.00	14,142.00	12.7%*
121611	42215	Marijuana Licenses	1,400	1,400	6,700.00	.00	-5,300.00	478.6%*
121911	42300	Planning Board Appl F	44,493	44,493	23,897.35	1,505.00	20,595.65	53.7%*
122121	42400	Fire Permits	2,000	2,000	1,080.00	.00	920.00	54.0%*
122221	42500	Conc Weapons Permits	400	400	260.00	20.00	140.00	65.0%*
122221	42501	Parking Permit fee	300	300	125.00	.00	175.00	41.7%*
123131	42600	Public Works Opening	30,000	30,000	9,500.00	.00	20,500.00	31.7%*

FOR 2020 08

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
TOTAL Licenses & Fees	584,218	584,218	325,982.76	56,515.30	258,235.24	55.8%
TOTAL REVENUES	584,218	584,218	325,982.76	56,515.30	258,235.24	
<u>30 Intergovernmental</u>						
131132 43103 Highway Grant Fund	200,000	200,000	209,110.00	.00	-9,110.00	104.6%*
131142 43104 State General Assista	35,000	35,000	37,041.03	.00	-2,041.03	105.8%*
131152 43108 IFW-MerePoint Boat La	9,999	9,999	9,999.99	.00	-.99	100.0%*
131190 43102 State Tax Exemption R	50,000	50,000	29,607.58	.00	20,392.42	59.2%*
131192 43101 State Revenue Sharing	1,800,000	1,800,000	1,336,091.98	203,351.97	463,908.02	74.2%*
131192 43106 Snowmobile Receipts	1,400	1,400	1,588.80	.00	-188.80	113.5%*
134546 43120 State Education Subsi	11,058,375	11,058,375	7,648,099.81	806,412.70	3,410,275.19	69.2%*
TOTAL Intergovernmental	13,154,774	13,154,774	9,271,539.19	1,009,764.67	3,883,234.81	70.5%
TOTAL REVENUES	13,154,774	13,154,774	9,271,539.19	1,009,764.67	3,883,234.81	
<u>40 Charges for services</u>						
141111 44110 Agent Fee Auto Reg	50,000	50,000	45,372.78	5,742.00	4,627.22	90.7%*
141111 44111 Agent Fee Boat/ATV/Sn	1,500	1,500	777.00	80.00	723.00	51.8%*
141211 44121 Rental of Property	1,200	1,200	1,783.70	591.85	-583.70	148.6%*
141611 44131 Advertising Fees	0	0	1,785.36	100.33	-1,785.36	100.0%*
142121 44155 Ambulance Service Fee	1,000,000	1,000,000	775,374.79	94,879.83	224,625.21	77.5%*
142121 44166 Special Detail - Fire	1,500	1,500	5,037.12	.00	-3,537.12	335.8%*
142221 44161 Witness Fees	2,000	2,000	224.30	.00	1,775.70	11.2%*
142221 44162 Police Reports	3,500	3,500	4,781.77	476.41	-1,281.77	136.6%*
142221 44163 School Resource Offic	92,700	92,700	92,700.00	.00	.00	100.0%*
142221 44165 Special Detail - Poli	3,000	3,000	24,415.50	6,426.00	-21,415.50	813.9%*
142221 44167 Dispatch Services fee	157,195	157,195	100,528.00	12,566.00	56,667.00	64.0%*
142221 44168 ACO Services fees	0	0	17,903.74	9,500.00	-17,903.74	100.0%*
143131 44174 PW Labor & Materials	0	0	1,665.58	197.00	-1,665.58	100.0%*
143431 44175 Recycling Revenue	15,000	15,000	13,882.00	513.00	1,118.00	92.5%*
144545 44100 School Tuition, etc	128,349	128,349	119,744.40	101,057.36	8,604.60	93.3%*
145051 44121 Rental of Property	2,000	2,000	.00	.00	2,000.00	.0%*
TOTAL Charges for services	1,457,944	1,457,944	1,205,976.04	232,129.78	251,967.96	82.7%
TOTAL REVENUES	1,457,944	1,457,944	1,205,976.04	232,129.78	251,967.96	
<u>50 Fines & Penalties</u>						
151611 45108 Gen License Late Pena	225	225	390.00	.00	-165.00	173.3%*

FOR 2020 08

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
151611 45109 Mooring Fee Late Pena	500	500	350.00	.00	150.00	70.0%*
151611 45110 Victualers Lic Late P	270	270	1,050.00	.00	-780.00	388.9%*
151621 45103 Unlicensed Dog Fines	6,000	6,000	1,875.00	1,225.00	4,125.00	31.3%*
152121 45104 False Alarm Fire	1,000	1,000	.00	.00	1,000.00	.0%*
152221 45100 Ordinance Fines	200	200	954.00	300.00	-754.00	477.0%*
152221 45101 Parking Tickets	30,000	30,000	30,520.00	4,070.00	-520.00	101.7%*
152221 45102 Leash Law Fines	100	100	300.00	.00	-200.00	300.0%*
152221 45105 False Alarm Police	100	100	40.00	.00	60.00	40.0%*
TOTAL Fines & Penalties	38,395	38,395	35,479.00	5,595.00	2,916.00	92.4%
TOTAL REVENUES	38,395	38,395	35,479.00	5,595.00	2,916.00	
60 Interest earned						
161193 46100 Interest Earned	220,000	220,000	237,698.24	33,904.91	-17,698.24	108.0%*
TOTAL Interest earned	220,000	220,000	237,698.24	33,904.91	-17,698.24	108.0%
TOTAL REVENUES	220,000	220,000	237,698.24	33,904.91	-17,698.24	
70 Donations						
171012 47000 Contrib from Portland	0	0	35,000.00	35,000.00	-35,000.00	100.0%*
171952 47000 BDC Contrib to Econ D	25,000	25,000	.00	.00	25,000.00	.0%*
TOTAL Donations	25,000	25,000	35,000.00	35,000.00	-10,000.00	140.0%
TOTAL REVENUES	25,000	25,000	35,000.00	35,000.00	-10,000.00	
80 Use of fund balance						
181100 48000 Unapprop General Fund	500,000	1,402,500	.00	.00	1,402,500.00	.0%*
181100 48001 Bal of State Revenue	112,000	112,000	.00	.00	112,000.00	.0%*
184500 48004 School Balance Forwar	2,111,364	2,111,364	.00	.00	2,111,364.00	.0%*
TOTAL Use of fund balance	2,723,364	3,625,864	.00	.00	3,625,864.00	.0%
TOTAL REVENUES	2,723,364	3,625,864	.00	.00	3,625,864.00	
90 Other						
191011 49000 Administration Miscel	0	0	836.00	.00	-836.00	100.0%*

FOR 2020 08

			ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
191111	49000	Finance Miscellaneous	3,000	3,000	5,817.99	4,673.81	-2,817.99	193.9%*
191111	49106	W/C Proceeds	0	0	8,410.00	4,752.63	-8,410.00	100.0%*
191111	49210	Insurance Proceeds	0	0	10,950.64	10,950.64	-10,950.64	100.0%*
191192	49100	Cable Television	275,000	275,000	142,676.41	70,776.69	132,323.59	51.9%*
191194	49150	Gen Govt Asset Sales	0	0	41.28	.00	-41.28	100.0%*
191611	49000	Town Clerk Miscellane	2,200	2,200	1,366.50	220.50	833.50	62.1%*
191911	49000	Planning Miscellaneou	384	384	104.81	.00	279.19	27.3%*
192121	49000	Fire Miscellaneous	1,000	1,000	630.00	.00	370.00	63.0%*
192221	49000	Police Miscellaneous	0	0	25,709.32	.00	-25,709.32	100.0%*
193131	49000	Public Works Miscella	1,500	1,500	156.52	.00	1,343.48	10.4%*
194545	49000	School Miscellaneous	83,000	83,000	64,913.04	6,023.30	18,086.96	78.2%*
195051	49000	Recreation Miscellane	1,000	1,000	.00	.00	1,000.00	.0%*
199980	48100	General Fund Transfer	638,600	638,600	638,600.00	.00	.00	100.0%*
TOTAL Other			1,005,684	1,005,684	900,212.51	97,397.57	105,471.49	89.5%
TOTAL REVENUES			1,005,684	1,005,684	900,212.51	97,397.57	105,471.49	
GRAND TOTAL			67,929,606	68,832,106	59,808,368.94	1,776,689.05	9,023,737.06	86.9%

** END OF REPORT - Generated by Branden Perreault **

MANAGER'S REPORT
NO BACKUP
FOR B, C and D

ITEM 37
BACKUP

Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Town Council

FROM: John Eldridge
Town Manager

DATE: February 12, 2020

SUBJECT: Impact Fee Ordinance

The Town of Brunswick has levied impact fees on projects subject to site development or subdivision review since the 1980s. The Town has long recognized the need to have a more comprehensive and cohesive approach to the calculation and imposition of these fees. However, with the Zoning Ordinance Re-write Committee (ZORC) process that culminated in 2017, only recreation impact fees were addressed in a substantive way in the new ordinance.

Attached is a draft impact fee ordinance that establishes a uniform framework for the calculation, assessment, and use of impact fees going forward. This draft specifies general conditions that would apply to all impact fees. When new fees are deemed necessary, those fees would be added as separate articles in an impact fee ordinance. Ultimately, this ordinance would include all impact fees levied by the Town, meaning that the recreation impact fee would be removed from the Zoning Ordinance and inserted in the new ordinance. We think this modular approach to the ordinance will offer the Town Council the opportunity to assess the policy and budgetary implications of projects funded with impact fees.

The draft ordinance leaves the recreation impact fee in the Zoning Ordinance for now and incorporates it by reference. It also calls for the establishment of a new fee related to traffic impacts associated with development in the Cook's Corner area. Our hope is that infrastructure improvements can be accomplished by a combination of impact fees, tax increment financing (TIF) funds, grants and other sources. The fee ultimately assessed could be determined once a capital improvement project and the appropriate shares are identified. With funding the Town Council approved last year, we have already begun some initial planning in coordination with the Maine Department of Transportation (MDOT). The proposed fee would be derived from those efforts.

We would like to discuss this concept with the Town Council, and if the Council deems it appropriate, would recommend that a future public hearing be set to consider the ordinance.

Attachment

Impact Fee Ordinance (DRAFT)

Town of Brunswick, Maine

Impact Fee Ordinance

Chapter 20 – IMPACT FEES

ARTICLE I – GENERAL PROVISIONS

Sec. 20-101. Title.

This chapter shall be known and cited as the Impact Fee Ordinance of the Town of Brunswick, Maine (“Impact Fee Ordinance”).

Sec. 20-102. Authority.

The Town adopts this ordinance pursuant to the Charter of the Town of Brunswick, Maine and the authority granted in 30-A M.R.S.A §3001 and §4354.

Sec. 20-103. Purpose.

- a. The purpose of this ordinance is to ensure that new development or activities in the Town of Brunswick will bear a proportional or reasonably related share of the cost of new, expanded, or modified improvements necessary to service the needs resulting from the new development or activity. New development or activities may be required to contribute to the cost of improvements through either:
 1. the payment of impact fees, or
 2. the construction or acquisition of the improvements.
- b. Nothing in this ordinance may be construed to prohibit the Town, acting pursuant to the appropriate authority and finding that a proposed development or activity results in the need for a capital improvement(s), from requiring an applicant or property owner to construct or acquire the capital improvement(s).

Sec. 20-104. Definitions.

Unless otherwise defined herein, the terms used in this ordinance shall have the same meaning as defined in the Zoning Ordinance of the Town of Brunswick (“Zoning Ordinance”).

- a. Capital Improvement - is a developed, constructed, or acquired capital asset having a useful life greater than one year and a cost exceeding \$5,000. It includes items that are part of a larger network or system that when purchased individually may have a cost of less than \$5,000. The term shall be broadly interpreted but shall not include costs of routine maintenance or operational activities. The following costs may be included in the cost of the capital improvement:
 1. Acquisition of the capital improvement or any portion thereof,
 2. Acquisition of land, easements, or buildings,

3. The cost of developing and constructing the improvement including, without limitation, demolition costs, clearing and grading, mitigation costs, property assembly costs, relocation costs, and the cost of any required infrastructure, equipment, and fixtures.
 4. Engineering, surveying, and environmental assessment services directly related to the design, construction, and oversight of the construction of the improvement,
 5. Legal and administrative costs associated with the development, construction, or acquisition of the improvement,
 6. Other costs determined by the licensing or permitting authority, the town manager or the town's finance director to be directly related to the capital improvement or portion thereof,
 7. Debt service costs, to include principal, construction period interest, short-term interest, and long-term interest.
- b. Debt Service – is the repayment of principal and interest on funds borrowed to finance the capital improvement or portions thereof. It shall also include the cost of repaying the principal and interest of any advances, or internal borrowing or financing.
- c. Licensing or Permitting Authority – is the person, board, commission, or agency authorized by law, policy, or other authority, to issue a license or permit related to any activity that requires a license or permit. It includes, but is not limited to, the town council, planning board, and codes enforcement officer(s).

Sec. 20-105. Applicability.

- a. Any activity, development, construction, or change of use shall be subject to one or more of the fees as further described in this Impact Fee Ordinance.
- b. The impact fee levied shall be based on the fee in effect at the time an application is deemed complete by licensing or permitting authority.

Sec. 20-106. Calculation of Impact Fees.

- a. Impact fees shall be calculated in accordance with the formula(s) prescribed in this ordinance.
- b. Credit for Existing Use – In fee on an expansion of an existing activity or use, shall be calculated only on the expansion.
- c. Credits for Change of Use - In calculating the fee for changes of use, credit shall be given for the fee that would have been charged had the existing use been charged a fee. If the credit is greater than the calculated fee for the new use, no impact fee will be levied. Credits are not transferable to other properties in the same ownership as the applicant for the change of use. No credit shall be given for uses which have been discontinued for longer than one (1) year.
- d. Other Credits – Impact fees are levied to provide the capacity to serve new developments or activities. Credits may be given when the applicant demonstrates that the applicant has independently provided for the capacity associated with the fee, but only when the applicant demonstrates, to the satisfaction of the licensing or permitting authority, that the

applicant has a binding and non-revocable agreement for the capacity equal to the service capacity and life expectancy of the improvement that would be financed by the impact fee.

Sec. 20-107. Assessment of Fees.

- a. Applicant or Owner. Impact fees, as required by this ordinance, shall be assessed to the license or permit applicant or to the owner of the property at the time a license or permit application is deemed complete by the licensing or permitting authority.

Sec. 20-108. Payment of Impact Fees.

The required impact fee(s) shall be paid to the Town of Brunswick at the office of the treasurer. The impact fee shall be paid prior to the issuance of any building, plumbing, or any other license or permit required for the activity subject to the fee.

Sec. 20-109. Impact Fee Accounts

All impact fees collected under the provisions of this ordinance shall be segregated and accounted for in separate impact fee accounts designated for the particular capital improvements.

Sec. 20-110. Use of Impact Fees

Impact fees collected under this ordinance shall only be used to pay for the capital improvement, or the debt service related to those improvements, specifically associated with the fee as further described in this chapter. No portion of the fee shall be used for routine maintenance or operational activities.

Sec. 20-111. Refund of Impact Fees

Impact fees collected in accordance with this ordinance shall be refunded in the following cases:

- a. If the license, building, or other permit, is surrendered or lapses without commencement of construction, the permit holder or developer shall be entitled to a refund, without interest, of any impact fee paid in conjunction with that project. A request for a refund shall be made in writing to the Town within ninety (90) days of the lapse or the expiration of the permit.
- b. Any fees collected that are not spent or obligated by contract for the specified acquisitions or improvements within ten (10) years from the date the fee was paid shall be returned to the current owner of the property for which the fee was paid.

Sec. 20-112. Modification of Impact Fees

The licensing or permitting authority may waive the payment of a required impact fee, in whole or in part, if it finds that:

- a. The developer or property owner who would otherwise be responsible for the payment of the impact fee voluntarily agrees to construct the improvement for which the impact fee would be collected, or an equivalent improvement duly approved by the Town and for which a performance guarantee equal to 125 % of the estimated cost, as determined by the Town, is provided in a form satisfactory to the Town. The performance guarantee shall be

adjusted annually to account for construction inflation and to reflect portions of the project that are completed, and to reflect a new estimate of the cost remaining to complete the improvement. Unless an extension is approved by the Town Manager, all improvements must be completed within ten (10) years.

- b. The developer or property owner is required, as part of a development approval by the Town, or a state or federal agency, to make or to pay for infrastructure improvements that are of the same nature as the improvements to be funded by the impact fee.

Sec. 20-113. Review and Revision of Impact Fees

The Town shall periodically review each impact fee established under this ordinance. If the Town finds that the anticipated cost of the improvement has changed or that the identification of developments subject to the fee is no longer appropriate, the Town may consider changes in the impact fee. Any changes adopted by the Town as a result of such review shall apply to all future development, but shall not be applied retroactively to projects that have already paid an impact fee.

Sec. 20-114. Severability

Should any section or provision of this ordinance be determined in court to be unconstitutional, invalid, or unenforceable, such determination shall not affect the validity of any other portion of the ordinance or the remainder of the ordinance as a whole.

ARTICLE II - RECREATION IMPACT FEES

Sec. 20-201. General Standard

As required by the Zoning Ordinance of the Town of Brunswick, new dwelling units shall pay a recreation facilities impact fee or reserve land for recreational use to avoid the creation of additional burdens on the Town's ability to provide recreational services.

ARTICLE III – SOLID WASTE IMPACT FEES

Sec. 20-301. General Standard

The Town of Brunswick is currently collecting a solid waste impact fee from applicants to be used for capital improvements already constructed at the Graham Road Landfill. The Landfill is currently scheduled to be closed beginning in May of 2021 and as a result, the assessment of the Solid Waste Impact Fee shall end on May 1, 2020.

ARTICLE IV – COOK'S CORNER TRANSPORTATION CORRIDOR ROADWAY IMPACT FEE

Sec. 20-401. General Standard

This ordinance shall apply to all new development seeking subdivision or site plan approval, the expansion of previously approved subdivisions or site plans, all new extractive industry operations, and to any change in use requiring site plan approval when the proposed development, whether located within or outside the Cook's Corner Transportation Corridor, generates additional traffic to the Cook's Corner District. For the purposes of this ordinance the Cook's Corner Transportation Corridor shall be defined as:

- Bath Road from Merrymeeting Plaza to Medical Center Drive
- Gurnet Road from Bath Road to Landing Drive

Sec. 20-402. Specific Standards

Any person who seeks a permit or approval for any development, activity or use described in Section 20-401 of this Ordinance is hereby required to pay a road impact fee in the manner and amount set forth in this ordinance.

The following development and construction shall be exempt from this ordinance:

- a. Alterations or expansions of an existing building which do not result in the generation of additional vehicle trips.
- b. Construction of accessory buildings or structures which do not generate additional vehicle trips.
- c. The replacement of a building or structure destroyed or damaged by fire, flood or natural disaster, with a new building or structure of the same size or use which does not generate additional vehicle trips.

Preliminary determinations regarding whether a proposed development will generate traffic within Cook's Corner shall be made by the town engineer. Actual traffic generation, impacts, and the corresponding fee shall be determined through a traffic analysis (in accordance with Section 20-

403 of this ordinance), which may accompany a more comprehensive traffic impact study depending on the scope of the development, prepared by a Licensed Professional Engineer with significant experience in traffic engineering and to be paid for by the developer. This traffic analysis shall be reviewed and approved by the town engineer and shall be incorporated into the review and approval of a development project by the Planning Board, or the Planning Department when applicable.

Sec. 20-403. Impact Fee Calculations

An impact fee shall be applied to development projects located in whole or in part within the Town of Brunswick that generate additional traffic within the Cook's Corner Transportation Corridor. This impact fee is structured to be in proportion to the development project's share of infrastructure costs necessitated by the development. The process for this impact fee calculation is as follows:

- a. As per Section 20-402 above, a traffic analysis shall be conducted by a Licensed Professional Engineer with significant experience in traffic engineering in order to determine the traffic impact, and requisite impact fee total, as measured by additional vehicle trips to be generated by a development project that passes through the Cook's Corner Transportation Corridor in the P.M. peak commuter hour.
- b. The impact fee calculation for individual development projects shall use generally accepted standards, such as the most current Institute of Transportation Engineers "Trip Generation" Handbook of traffic generation data or estimates from field measurements or data collected at similar development types, and shall be based on the P.M. peak commuter hour of traffic (between 3:00 and 6:00 PM on a weekday).
- c. The costs assigned to trips shall be based upon a fee per new trip (a.k.a. primary trip) to be generated by a development project that passes through the Cook's Corner Transportation Corridor within the P.M. peak commuter hour. All new trips that pass through the Corridor, regardless of whether they pass through the Cook's Corner Transportation Corridor, shall be counted as new trips. Other types of traffic associated with a development project, such as the capture of trips passing a site (a.k.a. pass-by trips) or trips in the area that are rerouted (a.k.a. diverted trips) shall not be utilized in the assessment.
- d. The fee determination shall be based on the following:
 1. For any development requiring subdivision review, site plan review or other Planning Board review, the Town engineer shall determine the total impact fee for the development calculated pursuant this Article, and then shall establish a payment schedule which apportions the impact fee to component parts of the development based on the estimated trip generation for each component part. Depending on the nature of the development, a component part may be a lot, a building, a dwelling unit (as defined in the Brunswick Zoning Ordinance), a unit of occupancy (as defined in the Brunswick Zoning Ordinance), or some combination thereof. The payment schedule shall specify the portion of the impact fee attributable to each component part and the point during the construction of the development at which the impact fee for each component part must be paid. The payment schedule shall be incorporated into the Planning Board's written approval document and endorsed on any final plan for the development.

2. For any development not requiring Planning Board review but requiring the payment of an impact fee under this ordinance, the Town Engineer shall determine the impact fee and payment schedule.
3. If, after a development has been approved, changes are proposed which would change the trip generation for the development or a component part of the development, then, on the initiative of the Town or the developer, the impact fee and payment schedule may be recalculated, and such recalculated impact fee and payment schedule shall apply to all subsequent permits issued within the development.

DRAFT

ITEM 38
BACKUP

Memorandum

To: TM Eldridge

From: Cmdr. Waltz

Re: Explanation of Proposed 4-Way Stop at Weymouth Street and Armory Street

Date: March 6, 2020

Attached please find a proposed ordinance change which will create a 4-way stop at the Weymouth Street/Armory Street intersection. Currently, Weymouth Street traffic does not stop at the Armory Street intersection. It is my understanding that this change was requested by residents of Weymouth Street as a traffic calming measure.

Chapter 15 - TRAFFIC AND VEHICLES

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ARTICLE III. - SPECIFIC STREET REGULATIONS

...

Sec. 15-49. - Four-way stop signs.

Stop signs must be placed near the intersection on the right-hand side of the street at all four (4) corners of the following intersections:

Columbia Avenue and Baribeau Drive.

Columbia Avenue and Barrows Street.

Elm and Middle Streets.

Hemlock Road and Sparwell Lane.

Pleasant Hill, Church and Casco Roads.

Spring Street and Columbia Avenue.

Spring and McKeen Streets.

Union Street and Cumberland Street.

Weymouth Street and Armory Street

(Ord. of 5-2-88, § 14; Ord. of 11-7-94; Ord. of 7-19-06)

Statistics Summary Report

Technician Name: administrator



Location: Weymouth St, WB, #38

Address: 38 Weymouth St, Brunswick, ME, USA, 04011

Report Period: 11/13/2017 to 11/19/2017

Speed Limit: 25

Total Vehicle Count: 12,574

Hour	Total Vehicles	Average Vehicles	Total Violations	% Violations	Min. Speed	Max. Speed	Avg. Speed	85% Speed
00-01	89	13	9	10 %	3	32	14	5
01-02	32	5	5	16 %	3	29	15	5
02-03	23	3	3	13 %	3	27	13	5
03-04	16	2	2	13 %	3	30	12	5
04-05	11	2	1	9 %	3	27	16	5
05-06	62	9	2	3 %	3	28	13	4
06-07	149	21	10	7 %	3	32	12	5
07-08	252	36	38	15 %	3	32	14	5
08-09	527	75	69	13 %	3	63	15	5
09-10	697	100	82	12 %	3	68	15	5
10-11	781	112	105	13 %	3	35	15	5
11-12	836	119	106	13 %	3	55	15	5
12-13	894	128	108	12 %	3	36	15	5
13-14	950	136	112	12 %	3	34	16	5
14-15	991	142	120	12 %	3	51	16	5
15-16	1,006	144	109	11 %	3	57	15	5
16-17	1,184	169	142	12 %	3	56	16	5
17-18	1,257	180	121	10 %	3	52	15	5
18-19	1,006	144	68	7 %	3	34	15	5
19-20	611	87	45	7 %	3	61	15	5
20-21	428	61	24	6 %	3	54	15	5
21-22	334	48	22	7 %	3	35	15	5
22-23	265	38	17	6 %	3	59	14	5
23-24	173	25	18	10 %	3	32	14	5
Total:	12,574	1,799	1,338	10 %	3	42	15	5

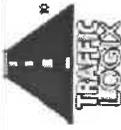
Speed	Count
0...5	1,531
5...10	2,642
10...15	2,310
15...20	2,116
20...25	2,637
25...30	1,173
30...35	145
35...40	7
40...45	1
45...50	0
50...55	5
55...60	4
60...65	2
65...70	1
Total:	12,574

Statistics Summary Report

Technician Name: administrator

Location: 44 Weymouth ST
 Address: 44 Weymouth ST, Brunswick, ME, USA, 04011
 Speed Limit: 25

Report Period: 11/11/2019 to 11/19/2019
 Total Vehicle Count: 13,406



Hour	Total Vehicles	Average Vehicles	Total Violations	% Violations	Min. Speed	Max. Speed	Avg. Speed	85% Speed
00-01	64	9	7	11 %	3	31	15	5
01-02	41	6	14	34 %	3	33	21	6
02-03	15	2	1	7 %	3	31	18	5
03-04	7	1	2	29 %	8	29	21	6
04-05	30	4	0	0 %	3	24	16	5
05-06	15	2	2	13 %	3	30	12	5
06-07	103	15	9	9 %	3	80	14	5
07-08	224	32	23	10 %	3	68	14	5
08-09	635	91	93	15 %	3	75	16	5
09-10	924	132	112	12 %	3	86	16	5
10-11	859	123	128	15 %	3	76	16	5
11-12	955	136	141	15 %	3	56	16	5
12-13	960	137	123	13 %	3	82	16	5
13-14	1,070	153	176	16 %	3	76	16	6
14-15	1,037	148	152	15 %	3	73	16	5
15-16	1,142	163	164	14 %	3	78	16	5
16-17	1,251	179	201	16 %	3	78	17	6
17-18	1,292	185	161	12 %	3	75	16	5
18-19	1,196	171	130	11 %	3	75	16	5
19-20	639	91	77	12 %	3	80	16	5
20-21	364	52	42	12 %	3	71	16	5
21-22	307	44	36	12 %	3	34	15	5
22-23	166	24	26	16 %	3	79	17	6
23-24	110	16	15	14 %	3	72	15	5
	13,406	1,916	1,835	14 %	3	62	16	5

Speed	Count
0...5	2,721
5...10	1,919
10...15	1,523
15...20	1,902
20...25	3,506
25...30	1,544
30...35	208
35...40	9
40...45	1
45...50	1
50...55	5
55...60	4
60...65	9
65...70	19
70...75	23
75...80	9
80...85	2
85...90	1
Total:	13,406

ITEM 39
BACKUP

Town of Brunswick, Maine

OFFICE OF THE FINANCE DIRECTOR

MEMORANDUM

TO: John Eldridge
Town Manager

FROM: Julia Henze, Finance Director
For the Trust Fund Advisory Committee

DATE: March 2, 2020

SUBJECT: Committee recommendation of 2020 Distributions from the Trust Funds

The Trust Fund Advisory Committee met on Friday, February 28, 2020 to consider the annual disbursement from the Trust Funds. The Committee is charged with overseeing the investment of the Town of Brunswick Trust Funds, including regular review and evaluation of investment performance, and is responsible to make investment and management recommendations to the Town Council.

The Committee established an Investment Policy Statement, which includes provision for the prudent determination of an annual disbursement of funds for the intended purposes of the Trusts:

“Disbursements from the Town of Brunswick Trust Funds will occur annually. The timing of the disbursement will be determined by the Town Finance staff. Disbursements will be used in a manner consistent with the stated purpose of the specific underlying fund. The Annual withdrawal rate for each fund will target 4% of the average market value as of the last day of the past 20 calendar quarters (March 31, June 30, September 30, December 31). For any given year the Trust Advisory Committee may recommend distributions that are less than or greater than the long term 4% target. However, distributions in any single fiscal year should not exceed 5% of the moving average.”

The Trust Fund Advisory Committee recommends that the Council approve a current fiscal year disbursement of 4% of the 20-quarter average balance of each Trust. Attached is a list of the Trusts, and the recommended disbursements.

I will attend the Council meeting when this item is considered, and will be happy to answer any questions.

**Town of Brunswick
Trust Fund Annual Disbursement
2020 TFAC recommendation**

		20 Quarter Rolling Average	4%
BRUNSWICK SCHOOL FUND	The origin of this fund is unclear. Previously it was stated that the 'annual income' of this fund was turned over to the school dept for their use, though no distributions were made for many years. Beginning in 2018, the approved distribution has been sent to the Brunswick Community Education Foundation.	\$ 14,864.82	\$ 594.59
BRUNSWICK HIGH - CLASS OF 1920	The income only from the fund shall be used for the purpose of purchasing books for the high school library to be chosen by a committee consisting of the Superintendent, the Principal, and the School Librarian. Annual distribution amounts accumulate until needed.	\$ 4,497.16	\$ 179.89
JOSHUA CHAMBERLAIN FUND	The income only from this fund is to be used to fund the annual maintenance of the Joshua Chamberlain memorial. Annual distribution amounts accumulate until needed.	\$ 46,784.07	\$ 1,871.36
NATHANIEL DAVIS RECREATION FUND	Income to be used each year for the pleasure of the Inhabitants of Brunswick as the government of Brunswick that year shall decide. The Nathaniel Davis Committee administers the award process.	\$ 463,869.69	\$ 18,554.79
GEORGE H & JOSEPHINE RUNNELS FUND	The income of this fund is to be used for the benefit of underprivileged children of the Town of Brunswick. Beginning in 2018, the distribution has been sent to the Midcoast Hunger Prevention Program for the Backpack Program.	\$ 51,061.37	\$ 2,042.45
SAMUEL G DAVIS SCHOOL PRIZE FUND	To be expended as prizes for one boy and one girl of each class in the public high school, and to one boy and one girl in the highest class of each grammar school in Brunswick for kind good manners. Awards are made by the Brunswick School Department.	\$ 43,080.85	\$ 1,723.23
ELIZABETH NICKERSON SCHOLARSHIP FUND	The income of this fund is to be used for the purpose of providing financial assistance to qualifying female students of Brunswick High School. Scholarship awards are determined by Lorna Kaufman, and sent to designated schools.	\$ 82,361.89	\$ 3,294.48
LESTER ROGERS MEMORIAL TRUST FUND	The income only from the fund shall be, at the discretion of the Award Committee, awarded to an eighth grade male technology student and and eighth grade female technology student who best exemplify the qualities and work ethic possessed by Lester Rogers. Awards are made by the Brunswick School Department.	\$ 5,437.49	\$ 217.50
BJHS PERSONAL GROWTH AWARD TRUST FUND	The income only from the fund shall be, at the discretion of the guidance department in collaboration with the teachers of the sixth, seventh and eighth grades, awarded to one or more students from each grade level who have overcome adversity and shown dramatic growth in one or more areas of school and personal life. Awards are made by the Brunswick School Department.	\$ 2,477.64	\$ 99.11
L. AUGUSTA CURTIS LIBRARY FUND		\$ 43,329.68	\$ 1,733.19
W.J. CURTIS LIBRARY FUND	The annual distribution of these three funds is sent to the Brunswick Public Library according to the terms of the trust.	\$ 35,861.64	\$ 1,434.47
LETITIA A. CURTIS LIBRARY FUND		\$ 9,630.17	\$ 385.21
EH PENNEL VILLAGE IMPROVEMENT FUND	The annual distribution is sent to the Village Improvement Association for their use.	\$ 27,771.37	\$ 1,110.85
		\$ 831,027.84	\$ 33,241.11

ITEM 40
BACKUP

Town of Brunswick, Maine

DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Town Council

FROM: Jared Woolston, AICP

DATE: March 10, 2020

SUBJECT: Planning Board Recommendation
SPO Zoning Map Amendment

I. PLANNING BOARD RECOMMENDATION

On February 25, 2020, the Planning Board held a Public Hearing and voted unanimously to recommend the Town Council amend the Official Shoreland Protection Overlay (SPO) map with a 75-foot shoreland area associated with streams as delineated on plans prepared by Atlantic Environmental and described in a memorandum from Tim Forrester to Ann Huffsmith dated June 14, 2019 and revised on December 11, 2019.

The proposed zoning map amendment was requested by the owner of the parcel of land containing the SPO area to be amended. The subject parcel is referenced as Map 17, Lot 1 and Map U34, Lots 15 and 19 and is located between Old Portland Road and Route 1.

II. ZONING MAP REQUEST SUMMARY

Staff review and guidance for the Planning Board is based on material provided in the Town of Brunswick Zoning Amendment Request for Russell and Janet Douglas Survivor's Trust (c/o Paul Douglas) by Sitelines PA (Attn: Curtis Neufeld, PE) and a site visit with the applicant's wetland scientist, Tim Forrester in the fall of 2019. The wetland delineation by Atlantic Environmental indicates the subject parcel contains a small stream as defined in the Brunswick Zoning Ordinance.

While field adjustments may be considered by the local review authority, amending the Official Zoning map to reflect the true field conditions is advised for consistency with the text of the zoning ordinance (i.e. the subject parcel contains streams but not a 10-acre non-forested wetland).

Staff concur with the mapped wetland boundary on the subject parcel and advise adjusting Brunswick's Official Shoreland Protection Overlay (SPO) Map to depict a 75-foot Shoreland Protection Overlay Stream Protection Subdistrict (SPO-SP) for stream(s) and remove the 250-foot non-forested freshwater wetland boundary at the subject parcel.

III. MANDATORY SHORELAND ZONING ACT & BRUNSWICK ZONING CONTEXT

The stream definition and the tributary stream¹ definition require a field evaluation within the SPO

¹ Tributary Stream: For purposes of the Shoreland Protection Overlays (SPO), a channel between defined banks created by the action of surface water, which is characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil, parent material or bedrock; and which is connected hydrologically with other water bodies. "Tributary stream" does not include rills or gullies forming because of accelerated erosion in disturbed soils where the natural vegetation cover has been removed by human activity (amended 8/6/18).

to determine jurisdictional areas. In some cases, Brunswick's mapped SPO contains freshwater wetlands, streams, and tributary streams. Such field evaluations could result in the identification of no freshwater wetlands within the SPO. Some of the wide SPO buffers (i.e. shoreland areas with 250-foot buffers or more) within the Shoreland Protection Overlay - Stream Protection Subdistrict (SPO-SP) indicate the presence of either non-forested freshwater wetlands over 10 acres (and streams or tributary streams) or a vast network of braided streams (and tributary streams). Without a field determination, staff must rely on the mapped SPO for jurisdictional determinations.

From town records, the Official Shoreland Zoning Map was created with the best available Geographic Information System (GIS) data and field reports from staff and citizen scientists at the time of adoption. However, the mapped SPO is occasionally determined to be land areas that are upland area or otherwise not protected by the Brunswick Zoning Ordinance pursuant to the applicable text of the SPO (i.e. definitions and standards). Staff evaluate such land areas within the mapped SPO on a case-by-case basis and are usually able to continue reviewing development proposals for customers based on field reports despite map discrepancies. However, caution is advised from staff discussions with Maine DEP that the Maine Attorney General's office is less likely to provide technical support for a Shoreland Zoning map that contains an extensive discrepancy between mapped and actual SPO conditions (i.e. the presence, absence, or true location of shoreland areas).

Maine Department of Environmental Protection (DEP) Rule Chapter 1000 notes,

"Municipalities are encouraged to incorporate specific written descriptions of district boundaries into the Ordinance so that disputes over district boundaries are minimized. The Maine Supreme Judicial Court has held that the Official Shoreland Zoning Map is the primary tool to which to refer in determining district boundaries under ordinances that are not more explicit in their district descriptions than the language of the Guidelines, and that where there is inconsistency between the Map and these general text descriptions of the shoreland districts as provided in the minimum guidelines, the Map prevails."

Brunswick's **stream**² definition is as follows:

Stream: *For purposes of the Stream Protection Sub-district (SPO-SP) within the Shoreland Protection Overlay (SPO) District, a stream shall include a channel between defined banks. A channel is created by the action of surface water and has two (2) or more of the following characteristics.*

- (A) It contains or is known to contain flowing water continuously for a period of at least six (6) months of the year under normal seasonal rainfall conditions.*
- (B) The channel bed is primarily composed of mineral material such as sand, scoured silt, gravel, clay, or other parent material that has been deposited or scoured by water.*
- (C) The channel contains aquatic animals such as fish, aquatic insects, or mollusks in the water or, if no surface water is present, within the stream bed.*
- (D) The channel contains aquatic vegetation and is essentially devoid of upland vegetation.*

This definition does not include the term "stream" as defined elsewhere in this Ordinance, and only applies to that portion of the tributary stream located within the SPO of the receiving water body or wetland.

² Brunswick Zoning Ordinance, p. 1-35

Bordering freshwater wetlands that are not separated from the stream channel by a distinct change in elevation (such as hillside groundwater seeps) or barrier, and wetlands that are subject to periodic flooding or soil saturation as a result of high stream flows are considered part of the stream. Where these wetlands are present, the normal high water line of the stream is measured from the upland/wetland transition of bordering wetlands subject to periodic stream water flooding or saturation, or where changes in wetland vegetation, soil characteristics, or topography clearly demonstrate wetland hydrology not associated with periodic flood flows.

Natural and artificial impoundments at the source and along the course of the stream are considered to be part of the stream.

A stream does not mean a ditch or other drainageway constructed, or constructed and maintained, solely for the purpose of draining storm water or a grassy swale.

Within the Rural Protection Stormwater Management Overlay (RPSMO) District, the edge of the stream is at the bankfull stage of the upper level high water flows. The bankfull stage shall be identified at the break in slope of the stream bank at which water starts to flow over the depositional surface of the floodplain. (Amended 10/7/19)

This definition is based on physical characteristics that require field verification.

Brunswick's **freshwater wetland**³ definition is as follows:

Wetland, Freshwater: *A freshwater swamp, marsh, bog, or similar area other than a forested wetland which is:*

(1) Of ten (10) or more contiguous acres; or of less than ten (10) contiguous acres and adjacent to a surface water body, excluding any river or stream, such that in a natural state, the combined surface area is in excess of ten (10) acres; and

(2) Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and that under normal circumstances does support, a prevalence of wetland vegetation typically adapted for life in saturated soils. Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

IV. **RECOMMENDATION**

Staff have consulted with Maine Department of Environmental Protection (DEP) staff and understand the proposed SPO map amendment will require DEP approval to be effective. On the advice of the Planning Board, staff advise setting a public hearing to approve the requested Shoreland Zoning Map amendment. Should the Town Council approve the requested SPO Map Amendment, staff will submit the amended map to DEP for approval.

³ Brunswick Zoning Ordinance, p. 1-39



November 19, 2019

3914

Mr. Jared Woolston
Town Planner
Town of Brunswick
85 Union Street
Brunswick, ME 04011
<via email>

**RE: Request for Shoreland Protection Overlay Change
Old Portland Road
Tax Map 17, Lot 1 and Tax Map U34, Lots 15 and 19**

Dear Jared:

On behalf of Paul Douglas and Ann Huffsmith, trustees for the Russell and Janet Douglas Survivor's Trust, Sitelines is requesting the Town of Brunswick revise the Shoreland Protection Overlay (SPO) boundaries on Tax Map 17, Lot1 and Tax Map U34 Lots 15 and 19. Almost the entirety of the two parcels is mapped as being within a the SPO. The SPO is based on a wetland delineation from several years ago that did not consider large areas of uplands with the overall perimeter. A new wetland delineation was completed by Atlantic Environmental (Tim Forrester) that identified the upland areas and other differences in the shape and extent of the wetland areas. A comparison of the previous and recent delineations is enclosed for reference.

In addition to the refined wetland boundaries, the wetlands have been identified as 'forested' wetlands. Section 2.3.3 of the Zoning Ordinance states a SPO district consists of:

All land areas within 250 feet, horizontal distance, of the normal high-water line of any river; within 250 feet, horizontal distance, of the upland edge of a coastal wetland, including all areas affected by tidal action; within 250 feet of the upland edge of a freshwater wetland; and all land areas within 75 feet, horizontal distance of the edge of a tributary stream (*amended 8/6/18*).

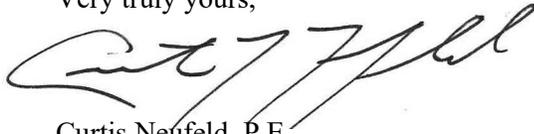
The wetland areas identified on the applicant's parcels do not meet the above definition and the SPO is not appropriate. There is stream traversing the parcel, and the SPO Stream Protection Sub-District (SPO-SP), including all areas within 75-feet from the edge of the stream is applicable and should be identified on the Zoning Map where appropriate.

This information was submitted for review by staff and it is our understanding that staff concur the wetlands and associated SPO are not consistent with section 2.3.3. The potential for significant vernal pools within the parcels was also evaluated and none were found.

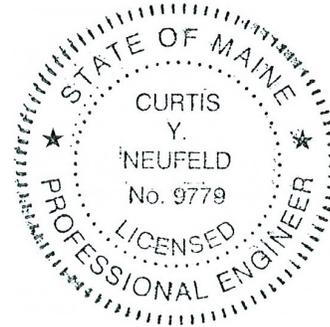
We request this matter be brought to the Town of Brunswick Planning Board for consideration and recommendation to the Town Council to amend the SPO as depicted on the Zoning Map and GIS database to reflect the field verified conditions. This amendment will allow areas ranging from 0.5 acres to three (3) or more acres of land to be available for appropriate development within the zone.

We look forward to meeting with the Town Planning Board at their December 10, 2019 meeting to discuss this request as a workshop item. Should you have any questions regarding this proposal, please contact me.

Very truly yours,



Curtis Neufeld, P.E.
Vice President



Enclosure

cc: Paul Douglas, The Russell and Janet Douglas Survivor's Trust
Matt Panfil, Director of Planning and Development
Tim Forrester, Atlantic Environmental

Request for Shoreland Overlay Amendment
Tax Map 17, Lot 1 and Tax Map U34. Lot 19

Attachment A
2019 Wetland Delineation and Vernal Pool Survey

A copy of the vernal pool survey and wetland mapping are enclosed.

A

Wetland Delineation



135 River Road • Woolwich, ME 04579
tim@atlanticenviromaine.com 207-837-2199
www.atlanticenviromaine.com

~~June 14, 2019~~
(Revised) December 11, 2019

Ms. Ann Huffsmith
Old Portland Road
Brunswick, ME 04011

Re: Wetland Delineation, 0 Portland Road, Brunswick, Maine and follow up site with the Town of Brunswick.

Dear Ms. Huffsmith,

At your request, Atlantic Environmental, LLC. (AE) completed a wetland delineation of three (3) parcels that total 30.4 acres and are identified as Lot #1 on Tax Map #17, and Lot #15 and Lot #19 on Tax Map #U34 in the Town of Brunswick, Maine. The wetland delineation was done in accordance with the U.S. Army Corps of Engineers, Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Regions (Version 2.0). The wetland delineation was performed on May 22, 2019 and May 31, 2019 and all wetlands were flagged with pink, numbered flagging and located with a Global Positioning System (GPS) Trimble® GEO 7X unit by AE staff. A subsequent site visit with Town of Brunswick was held on November 20, 2019.

SITE DESCRIPTION

The entire area is approximately thirty (30) acres in size and is located off Portland Road in the Town of Brunswick. The site is undeveloped and includes forested uplands, forested wetlands and a stream. According to the U.S. Department of Agriculture, *Soil Survey of Cumberland and Part of Oxford County, Maine*, there are several soil types mapped within the project areas. They include Belgrade very fine sandy loam – 0 – 8% slopes (BgB), a moderately well-drained soil, Biddeford mucky peat – 0 – 3% slopes, a very poorly drained soil, Lamoine silt loam – 3 – 8% slopes (BuB), a somewhat poorly drained soil, Lyman-Abram complex – 8 – 15% slopes, very rocky (HsC), a somewhat excessively drained soil, and Scantic silt loam – 0 – 3% slopes (Sn), a poorly drained soil.

SITE VIST WITH JARED WOOLSTON, TOWN PLANNER, TOWN OF BRUNSWICK

At the request of Jared Woolston, Town Planner for the Town of Brunswick, a site visit was conducted on Wednesday November 20, 2019. The focus of the site visit was to review the location of the stream channel as depicted on the Town's shoreland zoning map in comparison to the stream channel shown on AE's wetland delineation map. The subject parcels, as well as, the area between the

I-295 on/off ramps and the area north of the I-295 on ramp were walked. The Town's map indicated a stream channel extends from Old Portland Road northwest off the parcel. AE's map indicated a stream channel begins at Old Portland Road (in the same location as the Town's map) and extends north/northeast to the I-295 off ramp. As a result of that site visit, AE has revised its map to include an additional short channel that extends to the west off of the main channel that runs north. Additionally, the main stem of the channel does not extend all the way to the I-295 off ramp and has been shortened. This discrepancy is an over estimation of the length of the stream channel based on a review of aerial imagery. The wetland to the north of the stream channel is dominated by red maple, speckled alder, winterberry and sensitive fern (see Photograph Nine).

DESCRIPTION OF WETLANDS

AE identified five (5) wetlands and the canopy and shrub layers in each of these wetlands are dominated by Red Maple (*Acer rubrum*) and Speckled Alder (*Alnus incana*). The herbaceous layer includes Sensitive Fern (*Onoclea sensibilis*), High Bush Blueberry (*Vaccinium corymbosum*), Interrupted Fern (*Osmunda claytoniana*), Japanese Honeysuckle (*Lonicera japonica*), Jewelweed (*Impatiens capensis*), and Horsetail (*Equisetum arvense*). The adjacent uplands are dominated by White Pine (*Pinus strobus*), Red Oak (*Quercus rubra*), and Bracken Fern (*Pteridium aquilinum*). The primary hydrology indicators are Saturation (A3) and Water Stained Leaves (B10). Soils within the wetland were identified as hydric within the upper ten (10) inches of the soil profile with a value or three (3) or less and a chroma of two (2) or less. Wetland One (W1) contains a stream channel.

Potential Vernal Pools

AE looked for potentially significant vernal pools that are regulated under Chapter 335 of the Natural Resources Protection Act (NRPA) on April 22, May 22, and May 31, 2019. Based on our assessment, there was an area located off Portland Road in W1 that contained twenty-nine (29) spotted salamander egg masses and twelve (12) wood frog egg masses. However, this area was part of a manmade ditch/wetland area and does not meet the definition of a significant vernal pool as defined in Chapter 335 of the NRPA. Data sheets have been submitted to the Maine Department of Inland Fisheries and Wildlife (MDIFW). If MDIFW agrees with our assessment, the pool location will be recorded as non-significant.

MDIFW and the DEP have signed off that the pool is anthropogenic (manmade) and will not be subject to Significant Vernal Pool regulations.

STATE AND FEDERAL REGULATORY REVIEW -

All wetlands are regulated by the Maine Department of Environmental Protection (DEP) under the Natural Resources Protection Act (NRPA) and by the U.S. Army Corps of Engineers (Corps) under the Programmatic General Permit (PGP). The DEP also defines specific types of wetlands as Wetlands of Special Significance (WOSS) if they meet the specific criteria of Section 4 of Chapter 310 of the NRPA. Based on AE's assessment of the wetlands, the wetlands that are adjacent to the stream meet the definition of a WOSS. There were no WOSS identified in W2 – W5. Under the NRPA, Section 480-Q, a one-time wetland impact less than 4,300 sq. ft. do not require a permit from the DEP. If the proposed project alters more than this amount, AE suggests that impacts to these wetlands and/or the associated

buffers should be reviewed by the U.S. Army Corps of Engineers and the Maine Department of Environmental Protection before any soil disturbance onsite.

TOWN OF BRUNSWICK -

Based on the Town of Brunswick’s Zoning Map, The area is mapped as Growth Mixed-Use (GM3). In addition, the majority of the parcels are mapped in the Stream Protection Subdistrict of the Shoreland Protection Overlay Zone – see Figure One. All new principal and accessory structures shall be setback seventy-five (75) feet from the edge of a stream or tributary stream and one hundred and twenty-five (125) feet from the upland edge of a freshwater wetland. AE highly recommends that you contact the Town of Brunswick Planning Department to discuss any proposed development of these parcels.

In addition to the zoning requirements, the Town of Brunswick regulates Freshwater Wetlands as, “a freshwater swamp, marsh, bog, or similar area other than a forested wetland which is:

A. Of ten or more contiguous acres; or of less than ten contiguous acres and adjacent to a surface water body, excluding any river or stream, such that in a natural state, the combined surface area is in excess of ten acres; and

B. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and that under normal circumstances does support, a prevalence of wetland vegetation typically adapted for life in saturated soils. Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

All five wetlands are forested wetlands less the 10 acres in size and therefore do not meet the Town’s definition as a freshwater wetlands.

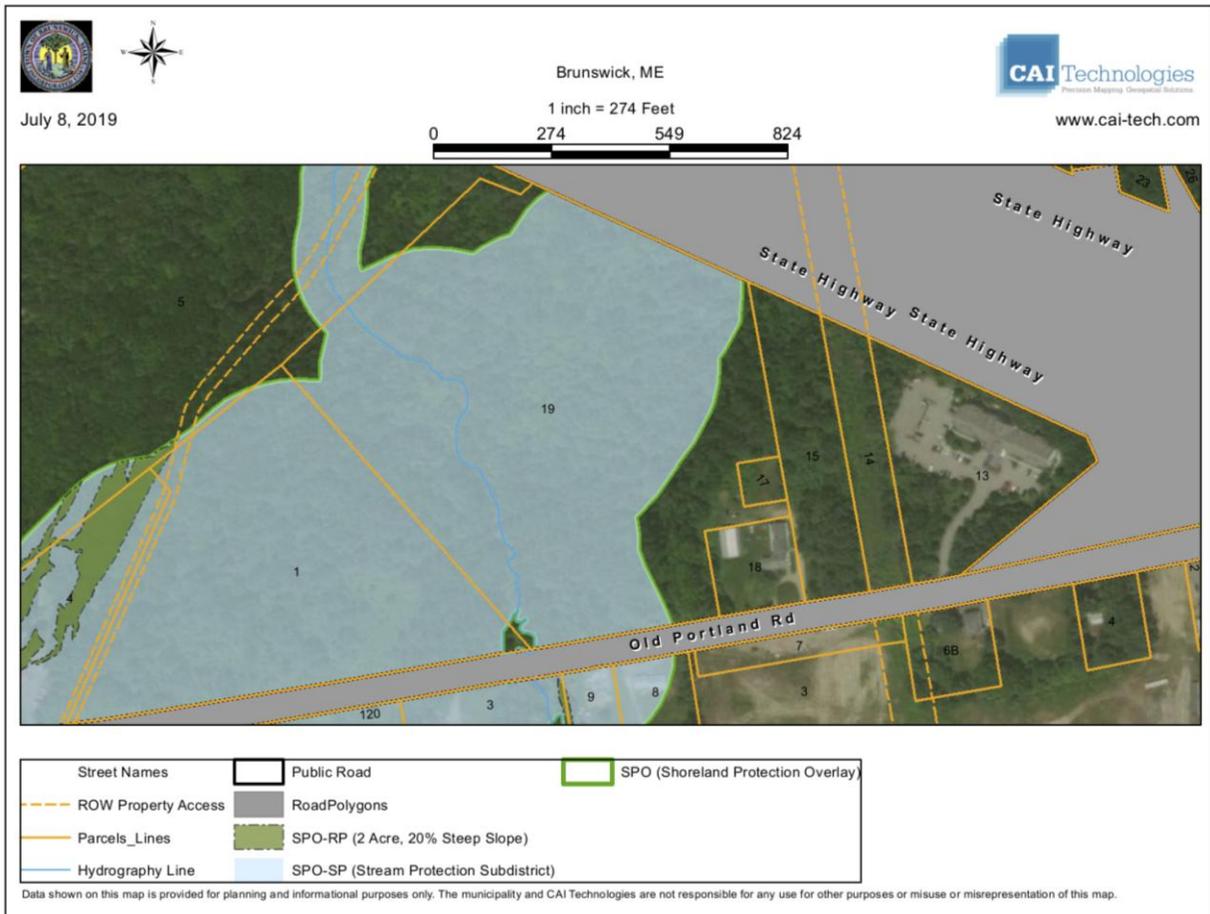


Figure One. Town of Brunswick Zoning Map for subject parcels. Note blue area delineating Stream Protection Subdistrict of the Shoreland Zoning Overlay Zone.

The Town also regulates streams and associated wetlands as-

Stream: A channel between defined banks created by the action of surface water and has two (2) or more of the following characteristics.

A. It contains or is known to contain flowing water continuously for a period of at least 6 months of the year under normal seasonal rainfall conditions.

B. The channel bed is primarily composed of mineral material such as sand, scoured silt, gravel, clay, or other parent material that has been deposited or scoured by water.

C. The channel contains aquatic animals such as fish, aquatic insects or mollusks in the water or, if no surface water is present, within the stream bed.

D. The channel contains aquatic vegetation and is essentially devoid of upland vegetation.

Bordering freshwater wetlands that are not separated from the stream channel by a distinct change in elevation (such as hillside groundwater seeps) or barrier, and wetlands that are subject to periodic flooding or soil saturation as a result of high stream flows are considered part of the stream. Where these wetlands are present, the normal high water line of the stream is measured from the upland / wetland transition of bordering wetlands subject to periodic stream water flooding or saturation, or where changes in wetland vegetation, soil characteristics, or topography clearly demonstrate wetland hydrology not associated with associated with periodic flood flows.

Natural and artificial impoundments at the source and along the course of the stream are considered to be part of the stream. Stream does not mean a ditch or other drainage way constructed, or constructed and maintained, solely for the purpose of draining storm water or a grassy swale.

Based on our field assessment, portions of the area mapped in W1 contain a stream as defined by the DEP and the Town. The Town does require a setback from the edge of the associated wetland of that stream. AE suggests you contact the Town of Brunswick Planning Department prior to any soil disturbance onsite.

Thank you for the opportunity to work with you on this project. Should you have any additional questions, please do not hesitate to contact me at 207-837-2199 or via email at tim@atlanticenviromaine.com.

Sincerely,
Atlantic Environmental LLC.



Timothy A. Forrester, Owner
PWS #1933



Photograph One. View of Wetland One showing portion of delineated wetland. Photographer: Lisa Vickers, Atlantic Environmental, LLC. Date: May 22, 2019.



Photograph Two. Additional View of Wetland One. Photographer: Lisa Vickers, Atlantic Environmental, LLC. Date: May 22, 2019.



Photograph Three. Partial View of Area containing egg masses – note Portland Road in background. Photographer: Lisa Vickers, Atlantic Environmental, LLC. Date: May 22, 2019.



Photograph Four. Wetland Area showing egg masses. Photographer: Lisa Vickers, Atlantic Environmental, LLC. Date: May 22, 2019.



Photograph Five. View of Wetland Two. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: June 13, 2019.



Photograph Six. View of Wetland Three. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: June 13, 2019.



Photograph Seven. View of Wetland Four. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: June 13, 2019.

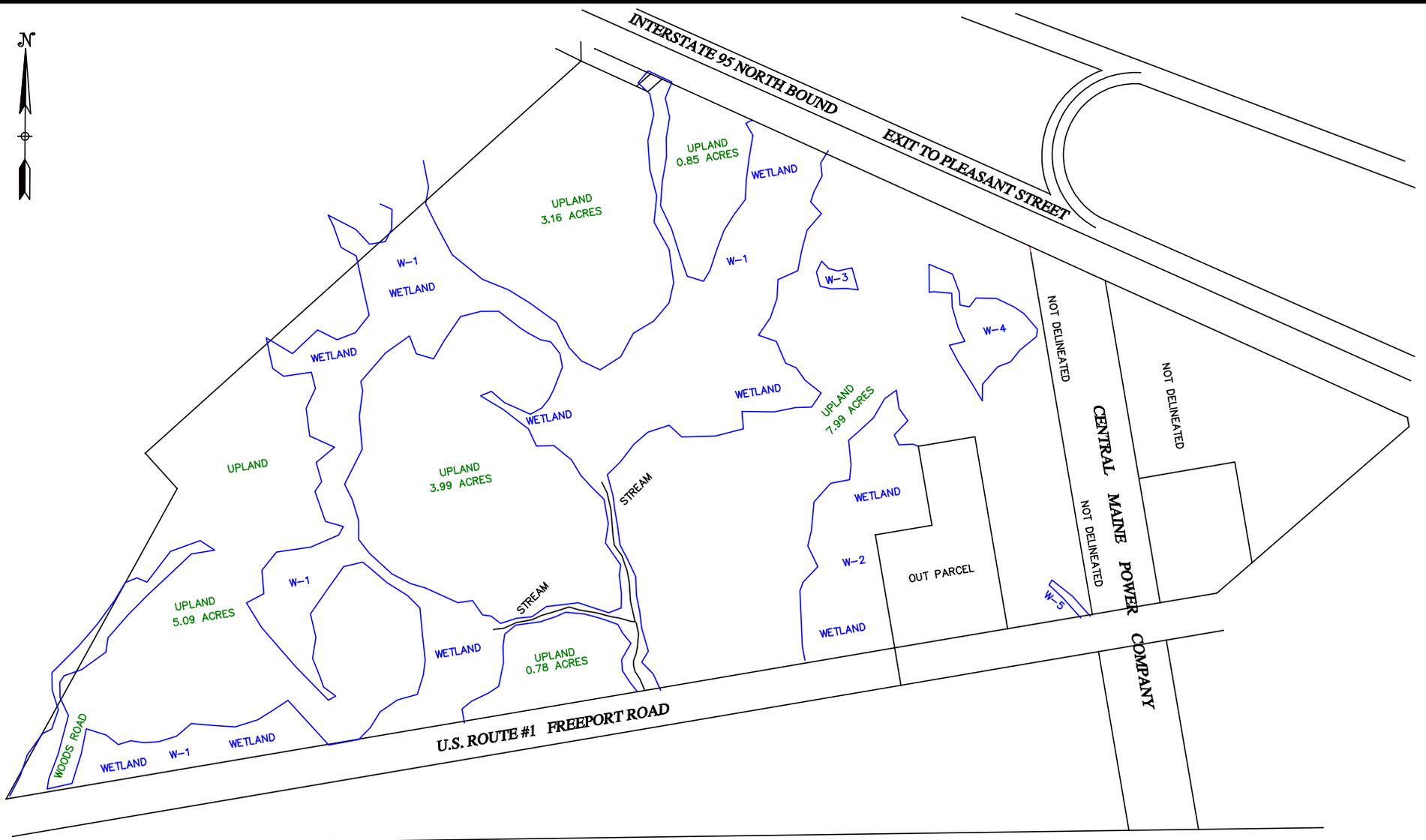


Photograph Eight. View of Wetland Five. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: June 13, 2019.



Photograph Nine. View of Wetland One from the end of the stream channel.
Photographer: Tim Forrester, Atlantic Environmental, LLC.

Date: November 20, 2019.



SCALE IN FEET
-125 0 125 250 375 500
1 INCH = 250 FEET

 ATLANTIC ENVIRONMENTAL LLC.
Environmental Consultants
135 River Road, Woolwich, ME 04579
(207) 837-2199
tim@atlanticenviromaine.com

Date: 6/22/2019
Revised: 12/6/2019
Project: Ann Huffsmith
Drafted By: TAF

Wetland Map for 0 Old Brunswick Road, in Brunswick, Maine. Prepared for Ann Huffsmith.
Base Plan provided by Sitelines, PA. This is not a boundary survey and should be used for planning purposes only. Wetland features were GPS located in the field. Property lines are assumed. No delineations were performed east of the CMP line.

Sheet
One
of
One



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR

GERALD D. REID
COMMISSIONER

July 26, 2019

Tim Forrester
Atlantic Environmental, LLC
135 River Road
Woolwich, ME 04579

Re: Vernal Pool Significance Determination, Pool ID # 3738–Brunswick

Dear Tim Forrester:

Vernal pools are temporary to semi-permanent wetlands occurring in shallow depressions that typically fill during the spring and dry during the summer or in drought years. They provide important breeding and foraging habitat for a wide variety of specialized wildlife species including several rare, threatened, and endangered species.

Based on your field survey, it has been determined that the vernal pool identified above on the property of Anne Huffsmith is NOT SIGNIFICANT because either: 1. the feature does not meet the definition of a vernal pool under the Significant Wildlife Habitat rules, 06-096 CMR 335(9) or 2. the vernal pool does not meet the biological standards for exceptional wildlife use of the Significant Wildlife Habitat rules, 06-096 CMR 335(9)(B). Therefore, activities within 250 feet of the pool are not regulated under the Natural Resources Protection Act (NRPA) unless there are other protected natural resources nearby such as streams or freshwater wetlands. I have attached a copy of the database printout that verifies the State's findings with respect to your survey.

I want to also advise you that the pool area on the property can be considered a freshwater wetland and therefore direct pool alterations may require permitting under the NRPA.

The Department will notify the landowner of the pool status under separate cover. If you have any questions or need further clarification, please contact me at (207) 530-0965 or email at:

Nick.Livesay@maine.gov

Sincerely,

Nick Livesay, Director
Bureau of Land Resources

cc. town file

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

IFW Recommendations for Significant Vernal Pool Determinations

The following is a list of pools and IFW's recommendations for whether or not they qualify as Significant Vernal Pools, one of Maine's Significant Wildlife Habitats.

Data current as of: Friday, July 26, 2019

IFW's Pool ID: 3738	Twp: Brunswick	UTM Coordinates of Pool Center: 418754 E, 4862458 N
Observer's ID: Portland Road - Brunswick		ProjectType: Portland Road Wetland Delineation - Brunswick
Landowner: Anne Huffsmith	Contact: Tim Forrester - Atlantic Environmental, LLC	
2899 Blackhawk Court	135 River Road	
Steamboat Springs, CO 80487	Woolwich, ME 04579	
(407) 865-1332	(207) 837-2199 tim@atlanticenvironmain	

Survey Date: 4/22/2019 Additional Survey Dates: 05/22/2019, 06/27/2019

IFW's Recommendation: RED: NOT SIGNIFICANT, does not meet the vernal pool definition

IFW Comments: Pool provides habitat for wood frogs and significant habitat for spotted salamanders, but does not meet MDEP criteria (unnatural -ditch)

Attachment B
Wetland Comparison

A comparison of the old and 2019 wetland limits is included for reference.

B

Wetland comparison

X:\LAND PROJECTS\3914 DOUGLAS OLD PORTLAND RD BRUNSWICK\DWG\3914 EXHIBIT.DWG, EX COND-DEMO, 10/2/2018 8:00 PM, CURTIS NEUFELD 2018, THIS DRAWING IS THE PROPERTY AND INSTRUMENT OF SITELINES PA. NO MODIFICATIONS OR CHANGES MAY BE MADE TO THIS DRAWING WITHOUT THE EXPRESS WRITTEN PERMISSION OF SITELINES PA. ANY MODIFICATION, CHANGE OR USE OF THIS DRAWING WITHOUT THE EXPRESS WRITTEN PERMISSION OF SITELINES PA IS VOIDFUL AND IS AT THE USER'S RISK.



 2019 WETLAND DELINEATION

 OLD WETLAND DELINEATION

TITLE:	WETLANDS EXHIBIT
PROJECT:	SHORELAND MAPPING CHANGE
PREPARED FOR:	PAUL DOUGLAS 2899 Blackhawk Ct, Steamboat Springs, CO 80487

CALL DIG SAFE UTILITY LOCATION
1-888-344-7233

STATE LAW REQUIRES ADVANCE NOTICE OF AT LEAST 3 BUSINESS DAYS BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND UTILITIES

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

ISSUED FOR:
PERMITTING REVIEW

PROGRESS PRINT
THIS PLAN IS ISSUED FOR REVIEW AND INFORMATION PURPOSES ONLY. THIS PLAN IS SUBJECT TO CHANGE AND IS NOT FOR PRICING OR CONSTRUCTION. PRICING BASED ON THIS PLAN IS NOT BINDING UNLESS SIGNED BY BOTH CONTRACTOR AND OWNER.



SITELINES
119 PURINTON ROAD, SUITE A
BRUNSWICK, MAINE 04011
207.725.1200
CIVIL ENGINEERS • PLANNERS • LAND SURVEYORS

FIELD WK:	SCALE: 1"=100'	SHEET:
DRN BY: CYN	JOB #: 3914	
CH'D BY: CYN	MAP/LOT: 17/1 & U4	
DATE: 09-15-19	FILE:	

Attachment C
Supporting Graphics

C

A copy of the Shoreland Overlay from the Town GIS and tax maps are included for reference.

Supporting Graphics



SHORELAND OVERLAY

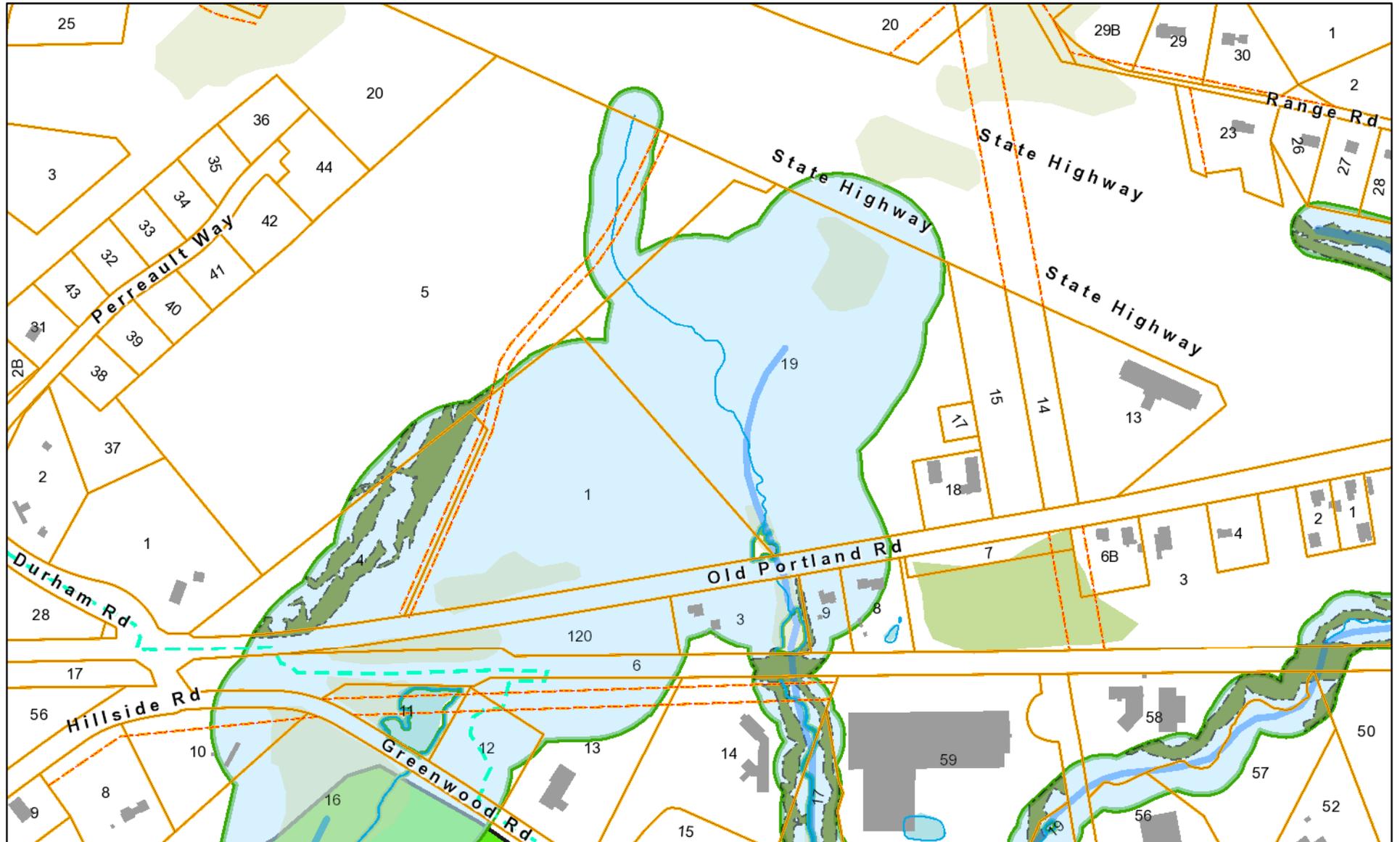
DOUGLAS PARCEL



October 3, 2019

1 inch = 400 Feet

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Town of
BRUNSWICK
Maine



Legend

- Lines_Other
- Other Road
- Hydrography Line
- - - - - ROW Property Access
- - - - - Town Boundary
- - - - - Other Lot Boundary
- Parcels_Lines
- Public Road
- Private Road
- ROW
- Water

Disclaimer:
The information is provided as a reasonably accurate point of reference, but is not guaranteed and is not to be used for conveyances. The Town of Brunswick shall not be held responsible for the accuracy or misuse of this data.
Copyright Town of Brunswick.



1 inch = 300 feet

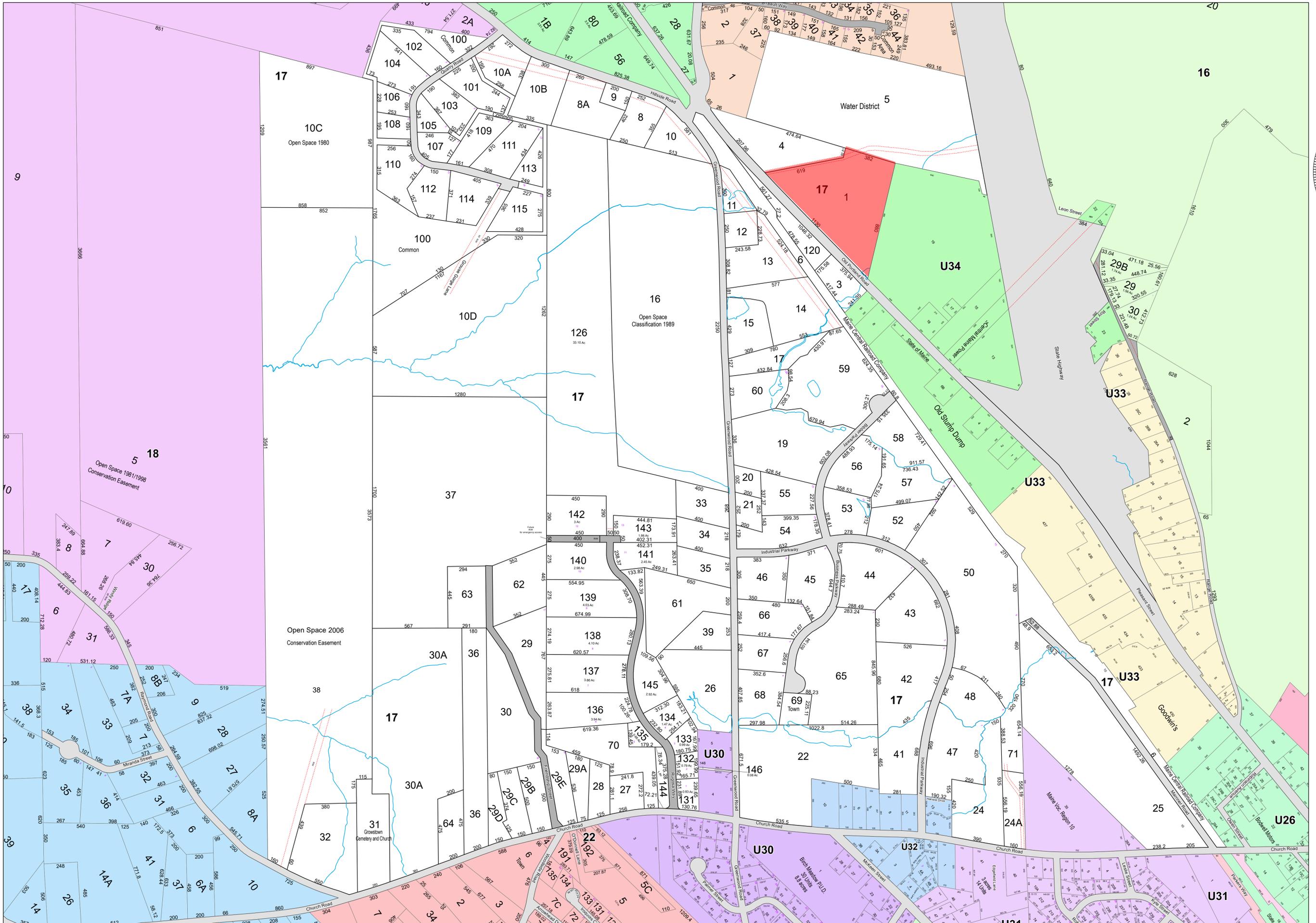
Revised To: April 1, 2019

Maps Prepared by:
Town of Brunswick

Revised and Reprinted By:



MAP
17



ITEM 41
BACKUP

Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Town Council

FROM: John Eldridge
Town Manager

DATE: March 11, 2020

SUBJECT: Fire Station Project

The Town has acquired five of the eight lots and has options to purchase the remaining three lots. We expect to close on one of the lots within the month, with closings on two other lots to occur by the first of May.

The architect continues to prepare the design plans and specifications suitable for soliciting competitive construction bids. Part of that work includes the preparation of a site plan to be submitted to the Planning Board for review pursuant to the Brunswick Zoning Ordinance. We have conducted a preliminary review of that plan and have determined that a Zoning Ordinance amendment is required in order to site the project at the selected location. The current ordinance limits the building footprint to 20,000 square feet. Depending on alternative selected, the project as presented to the Council, excluding the add alternatives, has a footprint of at least 23,542 square feet.

We have reviewed the zoning ordinance requirement with the architect to determine whether the design could be modified to limit the footprint to 20,000 square feet. While the building design could be modified to incorporate a second floor, such a configuration was considered by the Fire Station Task Force. It was determined that a second floor would cost more to accommodate the desired level of programming. Further, most likely the sleeping quarters would be located on the second floor. While that has been a traditional fire station design, it is now thought to be less desirable because it presents more injury risk to the firefighters and it may result in slower response times.

The architect was asked, and has provided, an explanation of the cost differential between a one and two story station. That summary is attached.

I also asked Matt Panfil, Director of Planning and Development, to develop potential Zoning Ordinance amendments that would allow the construction of the fire station exceeding 20,000 square feet. He has developed five options. Should the Council be amenable to changing the ordinance, we would recommend that these options be forwarded to the Planning Board for its consideration and recommendation, as any zoning amendment requires a recommendation from the Planning Board.

We are prepared to answer your questions on March 16th.

attachments

Town of Brunswick, Maine

DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: John Eldridge, Town Manager
FROM: Matt Panfil, AICP CUD, Director of Planning & Development
DATE: March 16, 2020
SUBJECT: Zoning Ordinance Update – Municipal Facilities

I. PROPOSED ZONING ORDINANCE AMENDMENTS:

Option 1: Basic Exemption of Municipal Facilities from Development Standards

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0 Property Development Standards
Section 4.1 - Applicability of Property Development Standards

4.1 Applicability of Property Development Standards

4.1.1 Generally

All developments, **except for municipal facilities as defined in Section 1.7.2 of this Ordinance**, shall comply with standards set forth in this Chapter, unless more restrictive standards apply based on the applicability of an overlay district as set forth in Chapter 2. Single and two-family dwellings constructed on a lot not part of an approved subdivision or site plan are exempt, unless stated to be applicable in Subsection 4.1.2 below. Review criteria as stated within Title 30-A M.R.S. §4404, as amended, are contained in General Standards for each Subsection.

----- OR -----

Option 2: Detailed Exemption of “Essential Services” from Development Standards

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~~Deleted Text in Strikethrough~~

0 Property Development Standards
Section 4.1 - Applicability of Property Development Standards

4.1 Applicability of Property Development Standards

4.1.1 Generally

All developments shall comply with standards set forth in this Chapter, unless more restrictive standards apply based on the applicability of an overlay district as set forth in Chapter 2. Single and two-family dwellings constructed on a lot not part of an approved subdivision or site plan are exempt, unless stated to be applicable in Subsection 4.1.2 below. Review criteria as stated within Title 30-A M.R.S. §4404, as amended, are contained in General Standards for each Subsection.

4.1.2 Single and Two Family Dwellings Constructed on Lots Separate From an Approved Subdivision or Site Plan

Single and two family residential dwellings constructed on lots separate from an approved Subdivision or Site Plan shall comply with the standards in Subsections 4.2.2, 4.2.3 and 4.2.4 (Dimensional and Density Standards), 4.2.5 (Supplemental Dimensional and Density Standards and Exceptions), 4.5.1 (Sewer), 4.5.2 (Water), 4.5.3 (Solid Waste), 4.7 (Residential Recreation Areas), 4.8.2 (Curb Cuts), 4.13 (Signs) and 4.14.1 (Operation of Uses and Development) only. developments shall comply with standards set forth in this Chapter, unless more restrictive standards

4.1.3 Exemption of Essential Services

Certain public and private activities intended and used to promote the public health, safety, and welfare shall be exempt from the regulations of this Chapter. Provided, however, the equipment erected or installed for such uses shall conform to Federal Communications Commission and Federal Aviation Agency rules and regulations, and to those of other authorities having jurisdiction. Exempted activities are as follows:

- (A) **Municipal uses and facilities. All municipal uses and facilities, as defined in Section 1.7.2 of this Ordinance, reasonably necessary for the furnishing of adequate municipal services for the public health, safety, and welfare including sewer and water transmission lines and facilities, fire stations, and governmental buildings.**

--- IN THIS SCENARIO, FUTURE EXEMPT SERVICES CAN BE ADDED EASILY. FOR EXAMPLE, SOME COMMUNITIES MAY EXEMPT PRIVATE UTILITIES, UTILITY CABINETS, ETC. ---

----- OR -----

Option 3: Exemption of Municipal Facilities within the Growth Mixed-Use 5 (GM5) Zoning District from the Maximum Building Footprint per Structure Standard in Table 4.2.3. Development Standards

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0 Property Development Standards
Section 4.2 - Dimensional and Density Standards

4.2.3 Growth Area Dimensional and Density Standards

Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]

Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 1, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	, R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2, I3 & R-B&TI	R-R&OS	BCN
Lot area, min. ^[22]	n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses								
Density, max. (dwelling units per acre of net site area <i>see definition</i>)	8	4	6 ^[3]	6	7	10	5	6	6	6	10	10	15	6	n/a	24	6	12	24 ^[4]	5 ^[5]	24	10	n/a	n/a	n/a	n/a	
Lot width, min. (feet)	40	65	75	75	65	65	65	65	65	60	65	75	60	75	n/a ^[12]	n/a	75	65	65	65	40	65	50	50	n/a	n/a	
Building frontage, min. (% of lot width)															75 ^[6]											n/a	
Building frontage, max. (% of lot width)															100 ^[7]											n/a	
Front setback, min. (feet) ^[8]	0	15	20	20	15	15	20	20	20	20	15	30	0	15	0 ^[12]	0	20	15 ^[19]	15	15	10	15 ^[19]	0	10	0	n/a	
Build-to Zone (feet) ^[8]													^[9]		0-5 ^[10]											n/a	
Rear setback, min. (feet)	0	20	20	20	20	15	20	20	20	20	20	30	15	15	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	20	20	20	n/a	
Side setback, min. (feet)	0	15	15	15	15	15	15	15	15	15	15	15	0	20	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	15	15	10	n/a	
Impervious surface coverage, max. (% of lot area)	45	35	35	35	35	50	35	35	35	75	50	60	80 ^[11]	70	100 ^[12]	100	50	60	50	50	50	50	80	80	10	^[2]	
Building height, min. (feet)	24														24 ^[13]	24										n/a	
Building height, max. feet ^[14]	50	35	35	35	35	35	35	35	35	40	35	60	60	45	40 ^[15]	50	40	70 ^[20]	45	35	70	55	100	60	35	n/a	
Building footprint per structure, max. (1,000 square feet)	20 ^[3]	5	5	5 ^{[16],^[19]}	5 ^[19]	7.5	5	5	5	20	5	30 ^[21]	50 ^[18]	20 ^[23]	n/a ^[12]	n/a	25% of lot size	n/a	8.5	5 ^[17]	n/a	n/a	n/a	n/a	n/a	n/a	

Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]

Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 1, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	, R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2, I3 & R-B&TI	R-R&OS	BCN

NOTES:

- [1] All new, enlarged, or redeveloped buildings and additions in the GM4 District subject to Development Review shall also be consistent with the Cook's Corner Design Standards, unless such design standards are waived in accordance with Subsection 5.2.9.0 (**Error! Reference source not found.**).
- [2] Area of new disturbance per parcel shall not exceed 1% of total acreage, measured as of the effective date of this Ordinance.
- [3] 1 du per 20,000 sf of net site area for developments using subsurface wastewater disposal systems.
- [4] Except that lands north of Bath Road shall be limited to 8 du/ac.
- [5] Except that parcel between South Street and Longfellow Avenue shall be limited to 10 du/ac.
- [6] Applicable only to the first floor of buildings along Maine Street. Does not apply to buildings on Park Row.
- [7] Does not apply to buildings on Park Row.
- [8] Front setback averaging applies; See Subsection 4.2.5.B(4)
- [9] See Cook's Corner Design Standards for maximum front setbacks applicable along Bath Rd., Gurnet Rd., proposed Perimeter Rd, Thomas Point Rd., and all public and private connector roads.
- [10] Applicable only to the first floor of buildings along Maine Street. For all other buildings in the GM6 District, the build-to zone is determined by the range of front setback of principal buildings on the nearest occupied lots on either side on the same block face. Does not apply to buildings on Park Row.
- [11] Limited to 50% impervious coverage and maximum building footprint of 20,000 sq. ft. north of Route 1.
- [12] Except that parcels fronting onto Park Row front setbacks shall be consistent with the established average front setback (see subsection 4.2.5.B (4)), shall have minimum side and rear setbacks of 15 feet in width; a minimum lot width of 60 feet; a maximum footprint of 7, 500 square feet and a maximum impervious coverage of 45%;
- [13] Minimum height is triggered if floor area is being increased by 50%, and must be met at front lot line.
- [14] Unless restricted to a lower height by Flight Path Overlay (FO) District regulations (see Subsection **Error! Reference source not found.**).
- [15] Except that lands north of U.S. Highway 1 shall have a maximum building height of 60 ft.
- [16] May be increased to up to 30,000 square feet for a community living facility as defined by 30-A M.R.S. § 4357-A, , as amended, with a Conditional Use Permit approved in accordance with Subsection 5.2.2 (Conditional Permits).
- [17] 10,000 square feet for multifamily dwellings, and 20,000 square feet for the Bowdoin College Edwards Center for Art and Dance building.
- [18] 300,000 square feet if the structure meets one of the conditions listed in Subection **Error! Reference source not found.**
- [19] See Subsection 4.2.5.B(4) for additional setback requirements.
- [20] See Subsection 4.2.5.B.(7) for additional height requirements..
- [21] No building footprint restriction shall apply for properties located south of Route 1, along Cressey Road and Columbia Drive.
- [22] See Subsection 4.2.5.F for minimum dimensional requirements for lots located within the Shoreland Protection Overlay.
- [23] Except that municipal facilities shall have no maximum building footprint per structure.**

----- OR -----

Option 4: Amend Table 4.2.3. Development Standards, to Allow Corner Lots within the Growth Mixed-Use 5 (GM5) Zoning District a Maximum Building Footprint per Structure Standard of up to 30,000 feet

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0 Property Development Standards
Section 4.2 - Dimensional and Density Standards

4.2.3 Growth Area Dimensional and Density Standards

Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts [Unless separate standards approved in Common Development Plan]																											
Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 1, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2, I3 & R-B&TI	R-R&OS	BCN
Lot area, min. ^[22]	n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses								
Density, max. (dwelling units per acre of net site area <i>see definition</i>)	8	4	6 ^[3]	6	7	10	5	6	6	6	10	10	15	6	n/a	24	6	12	24 ^[4]	5 ^[5]	24	10	n/a	n/a	n/a	n/a	n/a
Lot width, min. (feet)	40	65	75	75	65	65	65	65	65	60	65	75	60	75	n/a ^[12]	n/a	75	65	65	65	40	65	50	50	n/a	n/a	n/a
Building frontage, min. (% of lot width)															75 ^[6]												n/a
Building frontage, max. (% of lot width)															100 ^[7]												n/a
Front setback, min. (feet) ^[8]	0	15	20	20	15	15	20	20	20	20	15	30	0	15	0 ^[12]	0	20	15 ^[19]	15	15	10	15 ^[19]	0	10	0	n/a	
Build-to Zone (feet) ^[8]													^[9]	0-5 ^[10]													n/a
Rear setback, min. (feet)	0	20	20	20	20	15	20	20	20	20	20	30	15	15	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	20	20	20	n/a	
Side setback, min. (feet)	0	15	15	15	15	15	15	15	15	15	15	15	0	20	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	15	15	10	n/a	
Impervious surface coverage, max. (% of lot area)	45	35	35	35	35	50	35	35	35	75	50	60	80 ^[11]	70	100 ^[12]	100	50	60	50	50	50	50	80	80	10	^[2]	
Building height, min. (feet)	24														24 ^[13]	24											n/a
Building height, max. feet ^[14]	50	35	35	35	35	35	35	35	35	40	35	60	60	45	40 ^[15]	50	40	70 ^[20]	45	35	70	55	100	60	35	n/a	

Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]

Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
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Building footprint per structure, max. (1,000 square feet)	20 ^[3]	5	5	5 ^[16] 5 ^[19]	5 ^[19]	7.5	5	5	5	5	20	5	30 ^[21]	50 ^[18]	20 ^[23]	n/a ^[12]	n/a	25% of lot size	n/a	8.5	5 ^[17]	n/a	n/a	n/a	n/a	n/a	n/a

NOTES:

- [1] All new, enlarged, or redeveloped buildings and additions in the GM4 District subject to Development Review shall also be consistent with the Cook's Corner Design Standards, unless such design standards are waived in accordance with Subsection 5.2.9.0 (**Error! Reference source not found.**).
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- [11] Limited to 50% impervious coverage and maximum building footprint of 20,000 sq. ft. north of Route 1.
- [12] Except that parcels fronting onto Park Row front setbacks shall be consistent with the established average front setback (see subsection 4.2.5.B (4)), shall have minimum side and rear setbacks of 15 feet in width; a minimum lot width of 60 feet; a maximum footprint of 7, 500 square feet and a maximum impervious coverage of 45%;
- [13] Minimum height is triggered if floor area is being increased by 50%, and must be met at front lot line.
- [14] Unless restricted to a lower height by Flight Path Overlay (FO) District regulations (see Subsection **Error! Reference source not found.**).
- [15] Except that lands north of U.S. Highway 1 shall have a maximum building height of 60 ft.
- [16] May be increased to up to 30,000 square feet for a community living facility as defined by 30-A M.R.S. § 4357-A, , as amended, with a Conditional Use Permit approved in accordance with Subsection 5.2.2 (Conditional Permits).
- [17] 10,000 square feet for multifamily dwellings, and 20,000 square feet for the Bowdoin College Edwards Center for Art and Dance building.
- [18] 300,000 square feet if the structure meets one of the conditions listed in Subection **Error! Reference source not found.**
- [19] See Subsection 4.2.5.B(4) for additional setback requirements.
- [20] See Subsection 4.2.5.B.(7) for additional height requirements..
- [21] No building footprint restriction shall apply for properties located south of Route 1, along Cressey Road and Columbia Drive.
- [22] See Subsection 4.2.5.F for minimum dimensional requirements for lots located within the Shoreland Protection Overlay.
- [23] Except for lots that have more than one (1) public frontage may be increased to up to 30,000 square feet maximum building footprint per structure.**

----- OR -----

Option 5: Amend Table 4.2.3. Development Standards, to Allow All Lots within the Growth Mixed-Use 5 (GM5) Zoning District a Maximum Building Footprint per Structure Standard up to 30,000 feet.

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0 Property Development Standards
Section 4.2 - Dimensional and Density Standards

4.2.3 Growth Area Dimensional and Density Standards

**Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]**

Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 11, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	,R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2, I3 & R-B&TI	R-R&OS	BCN
Lot area, min. ^[22]	n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses								
Density, max. (dwelling units per acre of net site area <i>see definition</i>)	8	4	6 ^[3]	6	7	10	5	6	6	6	10	10	15	6	n/a	24	6	12	24 ^[4]	5 ^[5]	24	10	n/a	n/a	n/a	n/a	n/a
Lot width, min. (feet)	40	65	75	75	65	65	65	65	65	60	65	75	60	75	n/a ^[12]	n/a	75	65	65	65	40	65	50	50	n/a	n/a	
Building frontage, min. (% of lot width)															75 ^[6]											n/a	
Building frontage, max. (% of lot width)															100 ^[7]											n/a	
Front setback, min. (feet) ^[8]	0	15	20	20	15	15	20	20	20	20	15	30	0	15	0 ^[12]	0	20	15 ^[19]	15	15	10	15 ^[19]	0	10	0	n/a	
Build-to Zone (feet) ^[8]															0-5 ^[10]											n/a	
Rear setback, min. (feet)	0	20	20	20	20	15	20	20	20	20	20	30	15	15	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	20	20	20	n/a	
Side setback, min. (feet)	0	15	15	15	15	15	15	15	15	15	15	15	0	20	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	15	15	10	n/a	
Impervious surface coverage, max. (% of lot area)	45	35	35	35	35	50	35	35	35	75	50	60	80 ^[11]	70	100 ^[12]	100	50	60	50	50	50	50	80	80	10	^[2]	

Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]

Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 1, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	,R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2,I3 & R-B&TI	R-R&OS	BCN
Building height, min. (feet)	24														24 [13]	24											n/a
Building height, max. feet ^[14]	50	35	35	35	35	35	35	35	35	35	40	35	60	60	45	40 [15]	50	40	70 [20]	45	35	70	55	100	60	35	n/a
Building footprint per structure, max. (1,000 square feet)	20 [3]	5	5	5 ^[16, 19]	5 ^[19]	7.5	5	5	5	5	20	5	30 [21]	50 [18]	20 30	n/a [12]	n/a	25% of lot size	n/a	8.5	5 ^[17]	n/a	n/a	n/a	n/a	n/a	n/a

NOTES:

- [1] All new, enlarged, or redeveloped buildings and additions in the GM4 District subject to Development Review shall also be consistent with the Cook's Corner Design Standards, unless such design standards are waived in accordance with Subsection 5.2.9.0 (**Error! Reference source not found.**).
- [2] Area of new disturbance per parcel shall not exceed 1% of total acreage, measured as of the effective date of this Ordinance.
- [3] 1 du per 20,000 sf of net site area for developments using subsurface wastewater disposal systems.
- [4] Except that lands north of Bath Road shall be limited to 8 du/ac.
- [5] Except that parcel between South Street and Longfellow Avenue shall be limited to 10 du/ac.
- [6] Applicable only to the first floor of buildings along Maine Street. Does not apply to buildings on Park Row.
- [7] Does not apply to buildings on Park Row.
- [8] Front setback averaging applies; See Subsection 4.2.5.B(4)
- [9] See Cook's Corner Design Standards for maximum front setbacks applicable along Bath Rd., Gurnet Rd., proposed Perimeter Rd, Thomas Point Rd., and all public and private connector roads.
- [10] Applicable only to the first floor of buildings along Maine Street. For all other buildings in the GM6 District, the build-to zone is determined by the range of front setback of principal buildings on the nearest occupied lots on either side on the same block face. Does not apply to buildings on Park Row.
- [11] Limited to 50% impervious coverage and maximum building footprint of 20,000 sq. ft. north of Route 1.
- [12] Except that parcels fronting onto Park Row front setbacks shall be consistent with the established average front setback (see subsection 4.2.5.B (4)), shall have minimum side and rear setbacks of 15 feet in width; a minimum lot width of 60 feet; a maximum footprint of 7, 500 square feet and a maximum impervious coverage of 45%;
- [13] Minimum height is triggered if floor area is being increased by 50%, and must be met at front lot line.
- [14] Unless restricted to a lower height by Flight Path Overlay (FO) District regulations (see Subsection **Error! Reference source not found.**).
- [15] Except that lands north of U.S. Highway 1 shall have a maximum building height of 60 ft.
- [16] May be increased to up to 30,000 square feet for a community living facility as defined by 30-A M.R.S. § 4357-A, , as amended, with a Conditional Use Permit approved in accordance with Subsection 5.2.2 (Conditional Permits).
- [17] 10,000 square feet for multifamily dwellings, and 20,000 square feet for the Bowdoin College Edwards Center for Art and Dance building.
- [18] 300,000 square feet if the structure meets one of the conditions listed in Subection **Error! Reference source not found.**
- [19] See Subsection 4.2.5.B(4) for additional setback requirements.
- [20] See Subsection 4.2.5.B.(7) for additional height requirements..
- [21] No building footprint restriction shall apply for properties located south of Route 1, along Cressey Road and Columbia Drive.
- [22] See Subsection 4.2.5.F for minimum dimensional requirements for lots located within the Shoreland Protection Overlay.

--- IN THIS SCENARIO, EXISTING NONCONFORMING STRUCTURES ON PLEASANT ST. IN THE GM5 DISTRICT COULD BE MADE CONFORMING (SEE BELOW) ---

193 Pleasant from the tax card is 24919+11798 = 36,717 square feet

BUILDING SUB-AREA SUMMARY SECTION						
<i>Code</i>	<i>Description</i>	<i>Living Area</i>	<i>Gross Area</i>	<i>Eff. Area</i>	<i>Unit Cost</i>	<i>Undeprec. Value</i>
BAS	First Floor	24,919	24,919	24,919	89.05	2,218,912
FGR	Garage, Attached	0	11,798	5,899	44.52	525,276
FUS	Upper Story, Finished	6,958	6,958	6,958	89.05	619,575
Ttl. Gross Liv/Lease Area:		31,877	43,675	37,776		3,363,764

157 Pleasant from the tax card is 23984 + 36 = 24,020 square feet

BUILDING SUB-AREA SUMMARY SECTION						
<i>Code</i>	<i>Description</i>	<i>Living Area</i>	<i>Gross Area</i>	<i>Eff. Area</i>	<i>Unit Cost</i>	<i>Undeprec. Value</i>
BAS	First Floor	23,984	23,984	23,984	92.33	2,214,539
CAN	Canopy	0	36	7	17.95	646
Ttl. Gross Liv/Lease Area:		23,984	24,020	23,991		2,215,185

II. MAINE EXAMPLES:

Brewer – Footnote in Land Use Table

The essential services building can be located at the discretion of the Planning Board; Notwithstanding the requirements of this ordinance, Essential Services Buildings as defined, shall be exempt from the lot area, coverage, width and frontage requirements of the district in which they are located, provided such structures shall be screened from a public or private street and from any residential district. Additional screening from abutting property owners may be required. Such a buildings or structures must be architecturally similar to the surrounding buildings or structures and kept in good repair.

Town of Brunswick, Maine

DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: John Eldridge, Town Manager
FROM: Matt Panfil, AICP CUD, Director of Planning & Development
DATE: March 16, 2020
SUBJECT: Zoning Ordinance Update – Municipal Facilities

I. PROPOSED ZONING ORDINANCE AMENDMENTS:

Option 1: Basic Exemption of Municipal Facilities from Development Standards

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0 Property Development Standards
Section 4.1 - Applicability of Property Development Standards

4.1 Applicability of Property Development Standards

4.1.1 Generally

All developments, **except for municipal facilities as defined in Section 1.7.2 of this Ordinance**, shall comply with standards set forth in this Chapter, unless more restrictive standards apply based on the applicability of an overlay district as set forth in Chapter 2. Single and two-family dwellings constructed on a lot not part of an approved subdivision or site plan are exempt, unless stated to be applicable in Subsection 4.1.2 below. Review criteria as stated within Title 30-A M.R.S. §4404, as amended, are contained in General Standards for each Subsection.

----- OR -----

Option 2: Detailed Exemption of “Essential Services” from Development Standards

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0 Property Development Standards
Section 4.1 - Applicability of Property Development Standards

4.1 Applicability of Property Development Standards

4.1.1 Generally

All developments shall comply with standards set forth in this Chapter, unless more restrictive standards apply based on the applicability of an overlay district as set forth in Chapter 2. Single and two-family dwellings constructed on a lot not part of an approved subdivision or site plan are exempt, unless stated to be applicable in Subsection 4.1.2 below. Review criteria as stated within Title 30-A M.R.S. §4404, as amended, are contained in General Standards for each Subsection.

4.1.2 Single and Two Family Dwellings Constructed on Lots Separate From an Approved Subdivision or Site Plan

Single and two family residential dwellings constructed on lots separate from an approved Subdivision or Site Plan shall comply with the standards in Subsections 4.2.2, 4.2.3 and 4.2.4 (Dimensional and Density Standards), 4.2.5 (Supplemental Dimensional and Density Standards and Exceptions), 4.5.1 (Sewer), 4.5.2 (Water), 4.5.3 (Solid Waste), 4.7 (Residential Recreation Areas), 4.8.2 (Curb Cuts), 4.13 (Signs) and 4.14.1 (Operation of Uses and Development) only. developments shall comply with standards set forth in this Chapter, unless more restrictive standards

4.1.3 Exemption of Essential Services

Certain public and private activities intended and used to promote the public health, safety, and welfare shall be exempt from the regulations of this Chapter. Provided, however, the equipment erected or installed for such uses shall conform to Federal Communications Commission and Federal Aviation Agency rules and regulations, and to those of other authorities having jurisdiction. Exempted activities are as follows:

- (A) **Municipal uses and facilities. All municipal uses and facilities, as defined in Section 1.7.2 of this Ordinance, reasonably necessary for the furnishing of adequate municipal services for the public health, safety, and welfare including sewer and water transmission lines and facilities, fire stations, and governmental buildings.**

--- IN THIS SCENARIO, FUTURE EXEMPT SERVICES CAN BE ADDED EASILY. FOR EXAMPLE, SOME COMMUNITIES MAY EXEMPT PRIVATE UTILITIES, UTILITY CABINETS, ETC. ---

----- OR -----

Option 3: Exemption of Municipal Facilities within the Growth Mixed-Use 5 (GM5) Zoning District from the Maximum Building Footprint per Structure Standard in Table 4.2.3. Development Standards

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0 Property Development Standards
Section 4.2 - Dimensional and Density Standards

4.2.3 Growth Area Dimensional and Density Standards

Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]

Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 1, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	, R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2, I3 & R-B&TI	R-R&OS	BCN
Lot area, min. ^[22]	n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses								
Density, max. (dwelling units per acre of net site area <i>see definition</i>)	8	4	6 ^[3]	6	7	10	5	6	6	6	10	10	15	6	n/a	24	6	12	24 ^[4]	5 ^[5]	24	10	n/a	n/a	n/a	n/a	
Lot width, min. (feet)	40	65	75	75	65	65	65	65	65	60	65	75	60	75	n/a ^[12]	n/a	75	65	65	65	40	65	50	50	n/a	n/a	
Building frontage, min. (% of lot width)															75 ^[6]											n/a	
Building frontage, max. (% of lot width)															100 ^[7]											n/a	
Front setback, min. (feet) ^[8]	0	15	20	20	15	15	20	20	20	20	15	30	0	15	0 ^[12]	0	20	15 ^[19]	15	15	10	15 ^[19]	0	10	0	n/a	
Build-to Zone (feet) ^[8]													^[9]		0-5 ^[10]											n/a	
Rear setback, min. (feet)	0	20	20	20	20	15	20	20	20	20	20	30	15	15	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	20	20	20	n/a	
Side setback, min. (feet)	0	15	15	15	15	15	15	15	15	15	15	15	0	20	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	15	15	10	n/a	
Impervious surface coverage, max. (% of lot area)	45	35	35	35	35	50	35	35	35	75	50	60	80 ^[11]	70	100 ^[12]	100	50	60	50	50	50	50	80	80	10	^[2]	
Building height, min. (feet)	24														24 ^[13]	24										n/a	
Building height, max. feet ^[14]	50	35	35	35	35	35	35	35	35	40	35	60	60	45	40 ^[15]	50	40	70 ^[20]	45	35	70	55	100	60	35	n/a	
Building footprint per structure, max. (1,000 square feet)	20 ^[3]	5	5	5 ^{[16],^[19]}	5 ^[19]	7.5	5	5	5	20	5	30 ^[21]	50 ^[18]	20 ^[23]	n/a ^[12]	n/a	25% of lot size	n/a	8.5	5 ^[17]	n/a	n/a	n/a	n/a	n/a	n/a	

Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]

Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 1, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	, R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2, I3 & R-B&TI	R-R&OS	BCN

NOTES:

- [1] All new, enlarged, or redeveloped buildings and additions in the GM4 District subject to Development Review shall also be consistent with the Cook's Corner Design Standards, unless such design standards are waived in accordance with Subsection 5.2.9.0 (**Error! Reference source not found.**).
- [2] Area of new disturbance per parcel shall not exceed 1% of total acreage, measured as of the effective date of this Ordinance.
- [3] 1 du per 20,000 sf of net site area for developments using subsurface wastewater disposal systems.
- [4] Except that lands north of Bath Road shall be limited to 8 du/ac.
- [5] Except that parcel between South Street and Longfellow Avenue shall be limited to 10 du/ac.
- [6] Applicable only to the first floor of buildings along Maine Street. Does not apply to buildings on Park Row.
- [7] Does not apply to buildings on Park Row.
- [8] Front setback averaging applies; See Subsection 4.2.5.B(4)
- [9] See Cook's Corner Design Standards for maximum front setbacks applicable along Bath Rd., Gurnet Rd., proposed Perimeter Rd, Thomas Point Rd., and all public and private connector roads.
- [10] Applicable only to the first floor of buildings along Maine Street. For all other buildings in the GM6 District, the build-to zone is determined by the range of front setback of principal buildings on the nearest occupied lots on either side on the same block face. Does not apply to buildings on Park Row.
- [11] Limited to 50% impervious coverage and maximum building footprint of 20,000 sq. ft. north of Route 1.
- [12] Except that parcels fronting onto Park Row front setbacks shall be consistent with the established average front setback (see subsection 4.2.5.B (4)), shall have minimum side and rear setbacks of 15 feet in width; a minimum lot width of 60 feet; a maximum footprint of 7, 500 square feet and a maximum impervious coverage of 45%;
- [13] Minimum height is triggered if floor area is being increased by 50%, and must be met at front lot line.
- [14] Unless restricted to a lower height by Flight Path Overlay (FO) District regulations (see Subsection **Error! Reference source not found.**).
- [15] Except that lands north of U.S. Highway 1 shall have a maximum building height of 60 ft.
- [16] May be increased to up to 30,000 square feet for a community living facility as defined by 30-A M.R.S. § 4357-A, , as amended, with a Conditional Use Permit approved in accordance with Subsection 5.2.2 (Conditional Permits).
- [17] 10,000 square feet for multifamily dwellings, and 20,000 square feet for the Bowdoin College Edwards Center for Art and Dance building.
- [18] 300,000 square feet if the structure meets one of the conditions listed in Subection **Error! Reference source not found.**
- [19] See Subsection 4.2.5.B(4) for additional setback requirements.
- [20] See Subsection 4.2.5.B.(7) for additional height requirements..
- [21] No building footprint restriction shall apply for properties located south of Route 1, along Cressey Road and Columbia Drive.
- [22] See Subsection 4.2.5.F for minimum dimensional requirements for lots located within the Shoreland Protection Overlay.
- [23] Except that municipal facilities shall have no maximum building footprint per structure.**

----- OR -----

Option 4: Amend Table 4.2.3. Development Standards, to Allow Corner Lots within the Growth Mixed-Use 5 (GM5) Zoning District a Maximum Building Footprint per Structure Standard of up to 30,000 feet

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0 Property Development Standards
Section 4.2 - Dimensional and Density Standards

4.2.3 Growth Area Dimensional and Density Standards

Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts [Unless separate standards approved in Common Development Plan]																											
Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 1, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2, I3 & R-B&TI	R-R&OS	BCN
Lot area, min. ^[22]	n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses								
Density, max. (dwelling units per acre of net site area <i>see definition</i>)	8	4	6 ^[3]	6	7	10	5	6	6	6	10	10	15	6	n/a	24	6	12	24 ^[4]	5 ^[5]	24	10	n/a	n/a	n/a	n/a	n/a
Lot width, min. (feet)	40	65	75	75	65	65	65	65	65	60	65	75	60	75	n/a ^[12]	n/a	75	65	65	65	40	65	50	50	n/a	n/a	n/a
Building frontage, min. (% of lot width)															75 ^[6]												n/a
Building frontage, max. (% of lot width)															100 ^[7]												n/a
Front setback, min. (feet) ^[8]	0	15	20	20	15	15	20	20	20	20	15	30	0	15	0 ^[12]	0	20	15 ^[19]	15	15	10	15 ^[19]	0	10	0	n/a	
Build-to Zone (feet) ^[8]													^[9]	0-5 ^[10]													n/a
Rear setback, min. (feet)	0	20	20	20	20	15	20	20	20	20	20	30	15	15	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	20	20	20	n/a	
Side setback, min. (feet)	0	15	15	15	15	15	15	15	15	15	15	15	0	20	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	15	15	10	n/a	
Impervious surface coverage, max. (% of lot area)	45	35	35	35	35	50	35	35	35	75	50	60	80 ^[11]	70	100 ^[12]	100	50	60	50	50	50	50	80	80	10	^[2]	
Building height, min. (feet)	24														24 ^[13]	24											n/a
Building height, max. feet ^[14]	50	35	35	35	35	35	35	35	35	40	35	60	60	45	40 ^[15]	50	40	70 ^[20]	45	35	70	55	100	60	35	n/a	

Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]

Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 1, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	, R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2,I3 & R-B&TI	R-R&OS	BCN
Building footprint per structure, max. (1,000 square feet)	20 ^[3]	5	5	5 ^[16] 5 ^[19]	5 ^[19]	7.5	5	5	5	5	20	5	30 ^[21]	50 ^[18]	20 ^[23]	n/a ^[12]	n/a	25% of lot size	n/a	8.5	5 ^[17]	n/a	n/a	n/a	n/a	n/a	n/a

NOTES:

- [1] All new, enlarged, or redeveloped buildings and additions in the GM4 District subject to Development Review shall also be consistent with the Cook's Corner Design Standards, unless such design standards are waived in accordance with Subsection 5.2.9.0 (**Error! Reference source not found.**).
- [2] Area of new disturbance per parcel shall not exceed 1% of total acreage, measured as of the effective date of this Ordinance.
- [3] 1 du per 20,000 sf of net site area for developments using subsurface wastewater disposal systems.
- [4] Except that lands north of Bath Road shall be limited to 8 du/ac.
- [5] Except that parcel between South Street and Longfellow Avenue shall be limited to 10 du/ac.
- [6] Applicable only to the first floor of buildings along Maine Street. Does not apply to buildings on Park Row.
- [7] Does not apply to buildings on Park Row.
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- [9] See Cook's Corner Design Standards for maximum front setbacks applicable along Bath Rd., Gurnet Rd., proposed Perimeter Rd, Thomas Point Rd., and all public and private connector roads.
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- [11] Limited to 50% impervious coverage and maximum building footprint of 20,000 sq. ft. north of Route 1.
- [12] Except that parcels fronting onto Park Row front setbacks shall be consistent with the established average front setback (see subsection 4.2.5.B (4)), shall have minimum side and rear setbacks of 15 feet in width; a minimum lot width of 60 feet; a maximum footprint of 7, 500 square feet and a maximum impervious coverage of 45%;
- [13] Minimum height is triggered if floor area is being increased by 50%, and must be met at front lot line.
- [14] Unless restricted to a lower height by Flight Path Overlay (FO) District regulations (see Subsection **Error! Reference source not found.**).
- [15] Except that lands north of U.S. Highway 1 shall have a maximum building height of 60 ft.
- [16] May be increased to up to 30,000 square feet for a community living facility as defined by 30-A M.R.S. § 4357-A, , as amended, with a Conditional Use Permit approved in accordance with Subsection 5.2.2 (Conditional Permits).
- [17] 10,000 square feet for multifamily dwellings, and 20,000 square feet for the Bowdoin College Edwards Center for Art and Dance building.
- [18] 300,000 square feet if the structure meets one of the conditions listed in Subection **Error! Reference source not found.**
- [19] See Subsection 4.2.5.B(4) for additional setback requirements.
- [20] See Subsection 4.2.5.B.(7) for additional height requirements..
- [21] No building footprint restriction shall apply for properties located south of Route 1, along Cressey Road and Columbia Drive.
- [22] See Subsection 4.2.5.F for minimum dimensional requirements for lots located within the Shoreland Protection Overlay.
- [23] Except for lots that have more than one (1) public frontage may be increased to up to 30,000 square feet maximum building footprint per structure.**

----- OR -----

Option 5: Amend Table 4.2.3. Development Standards, to Allow All Lots within the Growth Mixed-Use 5 (GM5) Zoning District a Maximum Building Footprint per Structure Standard up to 30,000 feet.

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0 Property Development Standards
Section 4.2 - Dimensional and Density Standards

4.2.3 Growth Area Dimensional and Density Standards

**Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]**

Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 11, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	,R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2, I3 & R-B&TI	R-R&OS	BCN
Lot area, min. ^[22]	n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses									n/a for residential uses; 7,000 sq. ft. for non-residential uses								
Density, max. (dwelling units per acre of net site area <i>see definition</i>)	8	4	6 ^[3]	6	7	10	5	6	6	6	10	10	15	6	n/a	24	6	12	24 ^[4]	5 ^[5]	24	10	n/a	n/a	n/a	n/a	n/a
Lot width, min. (feet)	40	65	75	75	65	65	65	65	65	60	65	75	60	75	n/a ^[12]	n/a	75	65	65	65	40	65	50	50	n/a	n/a	
Building frontage, min. (% of lot width)															75 ^[6]											n/a	
Building frontage, max. (% of lot width)															100 ^[7]											n/a	
Front setback, min. (feet) ^[8]	0	15	20	20	15	15	20	20	20	20	15	30	0	15	0 ^[12]	0	20	15 ^[19]	15	15	10	15 ^[19]	0	10	0	n/a	
Build-to Zone (feet) ^[8]															0-5 ^[10]											n/a	
Rear setback, min. (feet)	0	20	20	20	20	15	20	20	20	20	20	30	15	15	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	20	20	20	n/a	
Side setback, min. (feet)	0	15	15	15	15	15	15	15	15	15	15	15	0	20	0 ^[12]	0	30	15 ^[19]	15 ^[19]	15	10	15 ^[19]	15	15	10	n/a	
Impervious surface coverage, max. (% of lot area)	45	35	35	35	35	50	35	35	35	75	50	60	80 ^[11]	70	100 ^[12]	100	50	60	50	50	50	50	80	80	10	^[2]	

Table Error! Reference source not found.: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]

Standard	Current Zone	GR1	GR2 & 10	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GM1	GM2	GM3	GM4 ^[1]	GM5	GM6	GM7	GM8	GC1	GC2	GC3	GC4	GC5	GA	GI	GO	GN ^[2]	
	1997 Zoning District	R-R	R1 & 8	R2	R3, 4, 5, 6	R7	TR1	TR2	TR3 & 4	TR5	MU2	MU3 & 6	MU4 1, 1-4	MU1, CC	HC1 & 2	TC1, 2, 3	,R-CMU	MUOZ	CU1 & 3	CU5 & 6	CU4 & 7	CU/TC	CU2	R-AR	I2,I3 & R-B&TI	R-R&OS	BCN	
Building height, min. (feet)	24														24 [13]	24												n/a
Building height, max. feet ^[14]	50	35	35	35	35	35	35	35	35	35	40	35	60	60	45	40 [15]	50	40	70 [20]	45	35	70	55	100	60	35	n/a	
Building footprint per structure, max. (1,000 square feet)	20 [3]	5	5	5 ^[16, 19]	5 ^[19]	7.5	5	5	5	5	20	5	30 [21]	50 [18]	20 30	n/a [12]	n/a	25% of lot size	n/a	8.5	5 ^[17]	n/a	n/a	n/a	n/a	n/a	n/a	

NOTES:

- [1] All new, enlarged, or redeveloped buildings and additions in the GM4 District subject to Development Review shall also be consistent with the Cook's Corner Design Standards, unless such design standards are waived in accordance with Subsection 5.2.9.0 (**Error! Reference source not found.**).
- [2] Area of new disturbance per parcel shall not exceed 1% of total acreage, measured as of the effective date of this Ordinance.
- [3] 1 du per 20,000 sf of net site area for developments using subsurface wastewater disposal systems.
- [4] Except that lands north of Bath Road shall be limited to 8 du/ac.
- [5] Except that parcel between South Street and Longfellow Avenue shall be limited to 10 du/ac.
- [6] Applicable only to the first floor of buildings along Maine Street. Does not apply to buildings on Park Row.
- [7] Does not apply to buildings on Park Row.
- [8] Front setback averaging applies; See Subsection 4.2.5.B(4)
- [9] See Cook's Corner Design Standards for maximum front setbacks applicable along Bath Rd., Gurnet Rd., proposed Perimeter Rd, Thomas Point Rd., and all public and private connector roads.
- [10] Applicable only to the first floor of buildings along Maine Street. For all other buildings in the GM6 District, the build-to zone is determined by the range of front setback of principal buildings on the nearest occupied lots on either side on the same block face. Does not apply to buildings on Park Row.
- [11] Limited to 50% impervious coverage and maximum building footprint of 20,000 sq. ft. north of Route 1.
- [12] Except that parcels fronting onto Park Row front setbacks shall be consistent with the established average front setback (see subsection 4.2.5.B (4)), shall have minimum side and rear setbacks of 15 feet in width; a minimum lot width of 60 feet; a maximum footprint of 7, 500 square feet and a maximum impervious coverage of 45%;
- [13] Minimum height is triggered if floor area is being increased by 50%, and must be met at front lot line.
- [14] Unless restricted to a lower height by Flight Path Overlay (FO) District regulations (see Subsection **Error! Reference source not found.**).
- [15] Except that lands north of U.S. Highway 1 shall have a maximum building height of 60 ft.
- [16] May be increased to up to 30,000 square feet for a community living facility as defined by 30-A M.R.S. § 4357-A, , as amended, with a Conditional Use Permit approved in accordance with Subsection 5.2.2 (Conditional Permits).
- [17] 10,000 square feet for multifamily dwellings, and 20,000 square feet for the Bowdoin College Edwards Center for Art and Dance building.
- [18] 300,000 square feet if the structure meets one of the conditions listed in Subection **Error! Reference source not found.**
- [19] See Subsection 4.2.5.B(4) for additional setback requirements.
- [20] See Subsection 4.2.5.B.(7) for additional height requirements..
- [21] No building footprint restriction shall apply for properties located south of Route 1, along Cressey Road and Columbia Drive.
- [22] See Subsection 4.2.5.F for minimum dimensional requirements for lots located within the Shoreland Protection Overlay.

--- IN THIS SCENARIO, EXISTING NONCONFORMING STRUCTURES ON PLEASANT ST. IN THE GM5 DISTRICT COULD BE MADE CONFORMING (SEE BELOW) ---

193 Pleasant from the tax card is 24919+11798 = 36,717 square feet

BUILDING SUB-AREA SUMMARY SECTION						
<i>Code</i>	<i>Description</i>	<i>Living Area</i>	<i>Gross Area</i>	<i>Eff. Area</i>	<i>Unit Cost</i>	<i>Undeprec. Value</i>
BAS	First Floor	24,919	24,919	24,919	89.05	2,218,912
FGR	Garage, Attached	0	11,798	5,899	44.52	525,276
FUS	Upper Story, Finished	6,958	6,958	6,958	89.05	619,575
Ttl. Gross Liv/Lease Area:		31,877	43,675	37,776		3,363,764

157 Pleasant from the tax card is 23984 + 36 = 24,020 square feet

BUILDING SUB-AREA SUMMARY SECTION						
<i>Code</i>	<i>Description</i>	<i>Living Area</i>	<i>Gross Area</i>	<i>Eff. Area</i>	<i>Unit Cost</i>	<i>Undeprec. Value</i>
BAS	First Floor	23,984	23,984	23,984	92.33	2,214,539
CAN	Canopy	0	36	7	17.95	646
Ttl. Gross Liv/Lease Area:		23,984	24,020	23,991		2,215,185

II. MAINE EXAMPLES:

Brewer – Footnote in Land Use Table

The essential services building can be located at the discretion of the Planning Board; Notwithstanding the requirements of this ordinance, Essential Services Buildings as defined, shall be exempt from the lot area, coverage, width and frontage requirements of the district in which they are located, provided such structures shall be screened from a public or private street and from any residential district. Additional screening from abutting property owners may be required. Such a buildings or structures must be architecturally similar to the surrounding buildings or structures and kept in good repair.

John Eldridge

From: Rob Frank (WBRC AE) <rob.frank@wbrcae.com>
Sent: Friday, February 28, 2020 4:18 PM
To: John Eldridge
Cc: Ken Brilliant; Bob@Mitchell-Architects.com; Mat Ward (WBRC AE)
Subject: 4219.01 - Brunswick Fire Station - 1 vs 2 Story Synopsis
Attachments: 1v2 story analysis.pdf

Importance: High

Good afternoon:

Per your request, please consider this response and the attached SOP cost impact a response to converting the Station from 1-story to 2-story to remain below a 20,000 SF footprint.

We have identified the three following issues related to safety, cost, and functionality for a 2 vs 1 story building.

Item No. 1 – Safety concerns: In addition to the risks inherent with fighting fires, firefighters face dangers that include exposure to carcinogenic byproducts of combustion and accidents that occur in the fire station. From the beginning of this project, the design of the Brunswick fire station has been focused on providing the safest workplace and workflow for the firefighters. Fundamental to this is having the path of movement from living space to fire apparatus as safe as possible. This is especially the case when alarms occur at night where a sleeping firefighter would be required to navigate stairs or a pole immediately upon waking, regardless of the stage of sleep the firefighter is in. The best solution is having the living quarters on the first floor, and avoiding vertical movement by stairs or pole altogether.

Item No. 2 – Cost Impacts: Designing a station that contains between 24 and 30 KSF of program area to the desired budget identified during the conceptual study phase required selections of room size, circulation, and positioning that was most cost-effective, including provisions for alternate bid items. Per the attached cost impact breakdown, we anticipate that 1,971 SF of additional space would be required for horizontal and vertical circulation (stair towers, elevator, elevator machine room, etc.), not including potential space for janitor, laundry, or storage conveniently located to support a fully functional second floor. In addition, costs associated with structural fireproofing and elevator equipment are identified. We did not carry increased costs to upgrade foundations and structural systems per IBC for a 2-story critical use facility, noting that we would realize some cost savings for reduced foundations and roof area in exchange. The rough estimate of this impact to budget is \$815,900 +/- 10%.

Item no. 3 – Fully functional program and future expansion exceeding 20 ksf: If we relocate the residential/exercise spaces to the second floor to allow first floor functions to remain as-is, we anticipate a ground floor footprint of 19,404 SF. If we include the alternate bid bunk rooms on the second floor, that does not change footprint. However, if we add either alternate space for the additional apparatus bay or museum-lobby we will exceed 20,000 sf of footprint. While museum-Lobby and additional bunk rooms could be added after completion of the base bid construction, adding the apparatus bay requires acceptance and construction at the same time of the base bid construction due to positioning (between) other program areas. This would suggest that if favorable bids are received and the apparatus bay is chosen to advance as part of the upcoming construction effort, we would again be faced with requesting a footprint exceeding 20,000 SF during a 45 day-window when competitive bids are held open for acceptance.

Please call if questions.

Best regards,

Robert M. Frank, III, P.E., LEED AP

COMMERCIAL/CIVIC STUDIO DIRECTOR, PRINCIPAL

Maine Licensed Professional Engineer, also licensed in NV, NY and N.B.



207.947.4511 x248

207.745.2852 cell

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Brunswick Fire Station 1 Story vs 2 Story Comparison
2/28/2020

Area	1 Story Base Bid	2 Story Option Base Bid	1 Story Alternate Bid	2 Story Option Alternate Bid
First Floor	23,542 SF	19,404 SF	26,258 SF	19,404 SF
Office Admin/Assembly	5,835 SF	5,835 SF	6,574 SF	5,835 SF
Apparatus Bay	8,315 SF	8,315 SF	9,608 SF	8,315 SF
Residential/Exercise	4,725 SF	SF	5,409 SF	SF
Storage/Mechanical	4,667 SF	4,624 SF	4,667 SF	4,624 SF
Stair 1	0 SF	225 SF	0 SF	225 SF
Stair 2	0 SF	225 SF	0 SF	225 SF
Elevator/Machine Room	0 SF	180 SF	0 SF	180 SF
Mezzanine	1,810 SF	1,810 SF	1,810 SF	1,810 SF
Second Floor	0 SF	6,109 SF	0 SF	6,793 SF
Residential/Exercise	0 SF	4,768 SF	0 SF	5,452 SF
Stair 1	0 SF	200 SF	0 SF	200 SF
Stair 2	0 SF	200 SF	0 SF	200 SF
Elevator	0 SF	100 SF	0 SF	100 SF
Circulation	0 SF	841 SF	0 SF	841 SF

Total Bldg Area	25,352	27,323	28,068	28,007
Total Bldg Foot Print	23,542	19,404	26,258	19,404
ABI 1 Apparatus Bay 1,293SF	NIC	NIC	Included	NIC
ABI 2 Bunkrooms 684SF	NIC	NIC	Included	Included
ABI 3 Musuem 739SF	NIC	NIC	Included	NIC

Base Bid 2 Story Additional SF	1,971 SF
Construction Est. Cost/SF	\$348
Add SF cost	\$685,908
Fire proof 2nd floor structure \$9/SF	\$54,981
Elevator	\$75,000

2 Story Option Estimated Total Cost Increase **\$815,889** +/- 10%

19,404 Plus
ABI-1 = 20,697 footprint
ABI-3 = 20,143 SF
Both 1&3 = 21,436 SF footprint
Acceptance of EITHER ABI #1 or #3 exceeds 20,000 SF



ITEM 42
BACKUP

Town of Brunswick, Maine

OFFICE OF THE TOWN CLERK

MEMORANDUM

TO: Town Council

FROM: Fran Smith, Town Clerk

DATE: March 12, 2020

SUBJECT: Emergency Amendments to the Shellfish ordinance

We are proposing that the Council consider the following emergency amendment to the Shellfish ordinance in order to have language in place in time for the student licensing process which starts on April 3rd.

In the fall of 2018 the Council considered a proposal to the shellfish ordinance that would restrict student licenses to those through 20 years of age and with other restriction. After public comment, the Council amended the proposal to exclude the other restrictions and to expand the student program to the age of 22, with the intention to allow those in college to continue to qualify for student licenses.

It has been discovered that additional amendments need to be in place in order to do this, including adding a resident definition for students attending school outside of Brunswick and adding "postsecondary" to the applicant qualifications. In order to allow students who are in college to apply for a student license for the 2020-21 licensing year, the Council will need to enact these amendments on an emergency basis to ensure that the ordinance is in place by April 3, 2020, when student intents become available.

We are also requesting that the Council set a public hearing for April 6th to enact this ordinance on a regular basis since the emergency language is only good for 50 days.

**Chapter 11 Marine Activities, Structures and Ways
Student Licensing Definitions
Proposed 03/12/2020**

Requested to be enacted on an emergency basis and set public hearing for regular enactment

WHEREAS, the Brunswick Town Council adopted language on December 3, 2018, to expand the age of student harvesters to the age of 22; and,

WHEREAS, the intent of the Council was to allow college students to be able to harvest through college as students; and,

WHEREAS, it has been discovered that additional amendments need to be in place in order for this to happen, including adding a resident definition for students attending school outside of Brunswick and adding “postsecondary” to the applicant qualifications; and,

WHEREAS, in order to allow students who are in college to apply for a student license for the 2020-21 license year, the Council will need to enact these amendments on an emergency basis to ensure that the ordinance is in place by April 3, 2020, when students intents become available; and,

WHEREAS, the Council will also set a public hearing to enact these changes on a regular basis;

NOW, THEREFORE, the Town Council of the Town of Brunswick, Maine adopts the following Ordinance:

Article III - Shellfishing

Amendment to Section 11-71:

Resident means a person who has physically resided at a fixed, permanent, and principal home in the town for at least three (3) months next prior to the time his claim of residence is made. For the purposes of Resident Student licenses only, this term shall include a person who is attending a postsecondary educational institution outside of Brunswick but who maintains a residence in Brunswick to which he or she returns when school is not in session.

Amendment to Section 11- 133(a)(6):

(6) An applicant for a resident student shellfish license shall be a resident of the town who is actively enrolled in a primary, ~~or~~ secondary or postsecondary school or who is receiving approved home instruction, who is at least ten (10) years of age but less than twenty-two (22) years of age as of the date of license application, or when no longer a student, whichever comes first.

(7) An applicant for a nonresident student shellfish license shall be a nonresident of the town who is actively enrolled in a primary, ~~or~~ secondary school or postsecondary or who is receiving approved home instruction, who is at least ten (10) years of age but less than twenty-two (22) years of age as of the date of license application, or when no longer a student, whichever comes first.

ITEM 43
NO BACKUP

CONSENT AGENDA - A BACK UP MATERIALS

Draft
BRUNSWICK TOWN COUNCIL
Minutes
March 2, 2020
Executive Session – 6:15 P.M.
Regular Meeting - 6:30 P.M.
Council Chamber
Town Hall
85 Union Street

Councilors Present: W. David Watson, Stephen S. Walker, Dan Jenkins, John M. Perreault, Christopher Watkinson, Toby McGrath, James Mason, Kathy Wilson, and Dan Ankeles

Councilors Absent: None

Town Staff Present: John S. Eldridge, III, Town Manager; Debra Blum, Administrative Assistant; Ryan Leighton, Assistant Town Manager; Matt Panfil, Director of Planning and Development; Tom Farrell, Director of Parks and Recreation; Jay Astle, Public Works Director; Ryan Barnes, Town Engineer; Dan Devereaux, Coastal Resources Manager; Dan Sylvain, Harbormaster; Tom Garrepy, Police Commander, and TV video crew

Chair John Perreault called the meeting to order and asked for roll call.

Executive session to discuss acquisition of real property per 1 M.R.S.A. §405(6)(C)

Councilor Wilson moved, Councilor Mason seconded, to go into executive session to discuss acquisition of real property per 1 M.R.S.A. §405(6)(C). The motion carried with seven (7) yeas. Councilor Jenkins and Councilor Watkinson arrived after the vote.

Meeting resumed at 6:35 p.m.

Chair John Perreault led the Pledge of Allegiance.

Adjustments to Agenda: The Council had no objection to tabling item 32 to March 16, 2020.

Public Comments/Announcements (for items not on the agenda) *(discussed at 6:38 p.m.)*

Richard Fisco, 2 Lincoln Street, asked that the Council limit the budget increase to 3% and exercise common sense.

Lucy Derbyshire, 121 Bowery Street, Bath, reminded Councilors of the many homeless people.

Cody Gillis, Thomas Point Road, commercial harvester and on the Marine Resources Committee, felt that the student harvesters were impacting commercial activity.

Councilor Kathy Wilson and Councilor Chris Watkinson asked questions, to which Mr. Gillis responded.

Town Council Minutes

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Greg Hastings, Falmouth, owner of 3 Business Parkway, believed a retail marijuana store with an 85 car parking lot coming to 4 Business Parkway was an inappropriate use for the Industrial Park, and would like to see more restrictive covenants there.

MANAGER'S REPORT *(discussed at 6:55 p.m.)*

a) Special Referendum Election and Presidential Primary

Manager Eldridge provided information on this item.

b) Police Chief Recruitment

Chief Rizzo will retire on June 30th after a 46 year law enforcement career. Manager Eldridge thanked Chief Rizzo and stated the process for choosing a new Chief is beginning.

c) Codes Enforcement Officer

Jeff Hutchinson recently retired after a 22 year career in Brunswick, and the Town is accepting applications for this position.

d) Assessor

This position has been filled with Taylor Burns, who recently worked in Wells.

e) Police and Communications

Negotiations will begin soon, as these union contracts are up in June. The Town will need a Councilor to serve on the negotiating committee for each union.

f) Cedar Street Parking

The preliminary design has been submitted to the Maine Department of Transportation (MDOT). Staff has had a pre-meeting and a public hearing with neighbors. The Town will be responsible for 20% of the cost (around \$161,000).

g) Maine Street Sidewalks and Streetscape

There was an Open House on February 13, 2020, and the preliminary design is now being worked on. There will be another public session in April.

h) Spring Road Paving

The area around the new Kate Furbish Elementary School, which was not paved last year, will be done in the first round of spring paving.

i) 2021 Budget

There will be a budget workshop Thursday, March 5, 2020, with an overview of the budget.

j) Shellfish Licenses

Town Manager Eldridge informed the Council of the Special Marine Resources Committee meeting to allocate licenses.

PUBLIC HEARING

- 27. The Town Council will hear public comments regarding an initial liquor license application, and will take any appropriate action. (Town Manager Eldridge) (discussed at 7:08 p.m.)**

Full-Time Spirituous, Vinous & Malt

**El Tequila Mexican Restaurant of Brunswick, Inc.
D/B/A: El Tequila Mexican Restaurant
32 Bath Road**

Felipe Cruz Diaz

Manager Eldridge introduced this item.

Chair Perreault opened the public hearing.

Felipe Cruz Diaz, owner of El Tequila, said he hopes be open next week.

Councilor Dan Jenkins and Councilor Chris Watkinson commented.

Chair Perreault closed the public hearing.

Councilor Jenkins moved, Councilor Watkinson seconded, to approve a liquor license for El Tequila, 32 Bath Road. The motion carried with nine (9) yeas.

- 28. The Town Council will hear public comments regarding proposed text amendments relative to street standards to Chapters 14 and 15 of the Municipal Ordinance, and will take any appropriate action. (Town Manager Eldridge) (discussed at 7:11 p.m.)**

Town Manager Eldridge introduced Ryan Barnes, Town Engineer, to speak about this item.

Chair Perreault opened the public hearing. There were no comments from the public or the Council.

Chair Perreault closed the public hearing.

There were no objections to voting tonight.

Councilor Watkinson moved, Councilor Ankeles seconded, to adopt proposed Municipal

Ordinance text amendments that include changes to Chapter 14 – Article IV – Excavation, Chapter 14 – Article VI – Street Acceptance and Standards, and Chapter 15 – Traffic and Vehicles. The motion carried with nine (9) yeas.

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

29. **The Town Council will hear public comments regarding proposed zoning ordinance text amendments to define and allow Environmental Resource Center as a conditional use in the Growth Outdoor (GO) Zoning District, and will take any appropriate action. (Planning Board) (discussed at 7:14 p.m.)**

Matt Panfil, Director of Planning and Development, presented this item.

Chair Perreault opened the public hearing.

Hearing no questions from the Council or the public, Chair Perreault closed the public hearing.

There was no objection to voting tonight.

Councilor Ankeles moved, Councilor Watkinson seconded, to adopt proposed zoning ordinance text amendments allowing for a new conditional use in the Growth Outdoor (GO) district. The motion carried with nine (9) yeas.

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

NEW BUSINESS

30. **The Town Council will consider the following requests for Sellers of Prepared Food on Public Ways licenses for businesses on the Brunswick Mall, and will take any appropriate action. (Town Manager Eldridge) (discussed at 7:16 p.m.)**

**Danny's Dogs
Taco the Town
Wrappers**

Brunswick Farmers' Market Association

Town Manager Eldridge presented this item.

Councilor Ankeles asked a question, which Manager Eldridge answered.

Councilor Walker moved, Councilor Watson seconded, to approve the following Sellers of Prepared Food on Public Ways licenses on the Brunswick Mall: Danny's Dogs, Taco the Town, Wrappers and the Farmers' Market. The motion carried with nine (9) yeas.

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31. **The Town Council will consider accepting and allowing expenditure of a grant from the Maine Shellfish Restoration and Resilience Fund for \$19,000, and will take any appropriate action. (Marine Resource Committee) (discussed at 7:18 p.m.)**

Dan Devereaux, Coastal Resources Manager, presented this item and explained the grant.

Chair Perreault and Councilor Watkinson asked questions, which Mr. Devereaux answered.

Councilor Wilson commented on this item.

Councilor Walker moved, Councilor Watson seconded, to accept a grant for \$19,000 from the Maine Shellfish Restoration and Resilience Fund, and to authorize expending monies from the grant for the purposed stated. The motion carried with nine (9) yeas.

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

32. **The Town Council will consider “A Resolution Authorizing the Construction and Funding of the Veterans Plaza Memorial, Appropriating Tax Increment Financing Revenues to Fund Replacement of Banner Poles on Maine Street, and Authorizing Acceptance of Contributions to Fund the Costs of the Plaza and to Establish a Permanent Veterans Plaza Trust Fund”, and will take any appropriate action. (Councilor Dave Watson)**

This item was tabled until March

33. **The Town Council will consider the approval of a grant for the use of a personal watercraft through the Public Safety Law Loan Program, and will take any appropriate action. (Brunswick Police Department) (discussed at 7:26 p.m.)**

Commander Tom Garrepy and Marine Warden Dan Sylvain presented this item.

Marine Warden Sylvain answered questions from Chair Perreault, Councilor Watkinson and Councilor Walker.

Councilor Wilson moved, Councilor McGrath seconded, the motion to accept the loan of a personal watercraft through the Public Safety Law Loan Program for the Brunswick Police Department. The motion carried with nine (9) yeas.

34. **The Town Council will consider acceptance of a \$20,000 bequest from the Robert L. Morrell Revocable Trust, and will take any appropriate action. (Town Manager Eldridge) (discussed at 7:35 p.m.)**

Town Manager Eldridge introduced this item.

Councilor Ankeles commented on this item.

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Chair Perreault asked a question, which Manager Eldridge answered,

Julie DeSherbinin, 24 Cedar Street, hoped that some of the bequest could be used for trees on the Cedar Street lot.

Chair Perreault moved, Councilor Wilson seconded, to adopt a “Resolution Establishing the Robert L. Morrell Trust Fund”. The motion carried with nine (9) yeas.

- 35. The Town Council will receive a report from the Recycling & Sustainability Committee, and will take any appropriate action. (Councilor Steve Walker)**
(discussed at 7:40 p.m.)

Councilor Walker introduced the chair of the Recycling & Sustainability Committee, Jen Hicks, and their report “Solid Waste Reduction and Management Plan”.

Chair Jen Hicks and Vice Chair Jamie Ecker made a PowerPoint presentation.

Councilor Mason, Councilor McGrath, Councilor Ankeles, Chair Perreault, Councilor Watkinson, Councilor Watson and Councilor Jenkins asked questions and made comments, which Chair Jen Hicks, Vice Chair Ecker, Town Manager Eldridge, and Director of Public Works Jay Astle answered.

Richard Fisco, 2 Lincoln Street, stated that there was no solution proposed. Education is needed. Wells sorts and sells from a second-hand shop.

Councilor Wilson commented.

- 36. The Town Council will consider appointments to the Town’s Boards and Committees, and will take any appropriate action. (Appointments Committee)** *(discussed at 8:46 p.m.)*

Councilor Ankeles introduced the slate of nominees for board and committee appointments.

Village Review Board

Art Boulay for a balance of a 3-year term as a District Representative begin immediately and to expire on October 20, 2022

Bicycle Pedestrian Advisory Committee

Sandra Hodge for a balance of a 3-year term to begin immediately and to expire on June 1, 2022.

Zoning Board of Appeals

Diana Garcia for the balance of a 3-year term as an Associate Member to begin immediately and to expire on July 1, 2022.

Katherine Greason to a full member for a term to expire on July 1, 2021

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The Council approved the slate of nominees unanimously.

CORRESPONDENCE/COMMITTEE REPORTS *(discussed at 8:48 p.m.)*

Reports were given for the following committees: Finance Committee, Comprehensive Plan Steering Committee and the Bicycle & Pedestrian Advisory Committee.

Councilor Walker had correspondence from a resident on Jewell Street regarding an ordinance for barking dogs.

CONSENT AGENDA *(discussed at 8:48 p.m.)*

a) Approval of the minutes of February 18, 2020

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

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

The meeting adjourned at 8:52 p.m.

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

*Debra L. Blum
Administrative Assistant
March 3, 2020*

Date of Approval

Council Chair

CONSENT AGENDA - B BACK UP MATERIALS

Town of Brunswick, Maine

OFFICE OF HUMAN RESOURCES

MEMORANDUM

TO: John Eldridge
Town Manager

FROM: Jody Durisko
Human Resources Manager

DATE: March 10, 2020

SUBJECT: ICMA RC Vantagepoint Payroll Roth IRA Program

The attached document is an agreement to add an ICMA RC Vantagepoint Payroll Roth IRA program in addition to the 457 Deferred Compensation Plan. It will allow ICMA RC to administer IRA's for employees and their spouses.

Roth IRA's remain an underutilized retirement investment tool which offer benefits other retirement plans, even traditional IRA's, do not. The benefits that make a Roth IRA a great supplement to other retirement plans are: tax-free growth, access to funds, lower taxes in retirement, and no minimum required distributions.

Offering this program through ICMA will offer current employees easy access to a Roth IRA program to supplement retirement through their employer. It also can be used as a recruitment tool appealing to those candidates looking for an à la carte approach to benefit selection.

There is no cost to the Town of Brunswick for the addition of the ICMA RC Vantagepoint Payroll Roth IRA program. The Town's role in the administration of the program is limited to offering payroll deduction.

Thank you for your consideration, if you are in agreement, please sign and return the attached agreement.