BRUNSWICK TOWN COUNCIL
Agenda
December 2, 2019
Regular Meeting – 6:30 P.M.
Executive Session prior to Business Meeting
Council Chambers
Town Hall
85 Union Street

Roll Call of Members/Acknowledgement Notice

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

Pledge of Allegiance

Adjustments to Agenda

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

MANAGER’S REPORT

a)  Dog License Reminder
b)  Holiday Trash Pick-up/Graham Road Landfill Hours
c)  Social Service Funding
d)  Asylum Seekers

PUBLIC HEARING

164.  The Town Council will hear public comments on proposed zoning ordinance text amendments regarding marijuana use definitions, established in Section 1.7.2 – Definitions, and minor changes to business licensing provisions in Chapter 10, Sec. 10-26 – Licensing, and in the Master Schedule of Revenues, Charges, Fees and Fines, to clarify and to be more consistent with the State definitions, and will take any appropriate action. (Town Manager Eldridge)

HEARING/ACTION

NEW BUSINESS

165.  The Town Council will consider adopting a “Climate Change Resolution” and will take any appropriate action. (Councilor Jane Millett)

ACTION

166.  The Town Council will consider allowing the Police Department to apply for, and if received, expend, grant applications for five (5) pass-through traffic safety grants with administrative in-kind matches, and will take any appropriate action. (Brunswick Police Department)

ACTION
167. The Town Council will receive proposed updates to the Village Review Overlay (VRO) District Design Guidelines, and will take any appropriate action. (Town Manager Eldridge)

DISCUSSION

168. The Town Council will consider “An Order Authorizing the Town Manager to Execute a Parking Agreement with JHR Development of Maine”, and will take any appropriate action. (Town Manager Eldridge)

ACTION

169. The Town Council will consider exercising its option for a five-year renewal to its lease for the Train Station/Visitor Center, and will take any appropriate action. (Town Manager Eldridge)

ACTION

170. The Town Council will consider “An Order Authorizing the Acceptance of Property from Maine Gravel Services, Inc.”, and will take any appropriate action. (Town Manager Eldridge)

ACTION

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

ACTION

CORRESPONDENCE/COMMITTEE

Councilors will provide brief updates of recent committee meetings.

CONSENT AGENDA

a) Approval of the minutes of November 18, 2019

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
EXECUTIVE SESSION:

Executive session per 1 M.R.S.A. §405(6)(C) for discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency.

MANAGER’S REPORT

a) **Dog license reminder:** 2020 dog licenses are available in the Town Clerk’s office. The fee goes up substantially after January 31st. For more information, check the Clerk’s page on the Town’s website.

b) **Holiday Trash & Recycling Schedule:** No curbside trash & recycling collection on December 25th and January 1st. The makeup days will be December 28th and January 4th. The Public Works Department and the Graham Road Landfill will be closed on December 25th and January 1st. Christmas trees undecorated and unbagged will be picked up between January 6th and 17th on your normal trash pick-up day. For more information, call Public Works or visit the Town’s website.

c) **Social Services Funding:** The Town Manager is recommending that for the 2020-21 budget, the Town include no grant funding to charitable organizations. A copy of a memo from Town Manager Eldridge is included in the packet.

d) **Asylum Seekers:** Town Manager Eldridge will provide this update.

PUBLIC HEARING

164. **Notes:** This item is the public hearing for the final adoption of the proposed Zoning Ordinance text amendments. The Town Council forwarded the proposed amendments to the Planning Board for review and public hearing on September 3, 2019. The amendments pertain to existing marijuana use definitions established in Section 1.7.2 – Definitions, and the purpose was to provide clarity to the Zoning Ordinance and to keep the Zoning Ordinance current with State legislation. The Planning Board held a public hearing on October 22, 2019, at which there was no public comment, and the Planning Board recommended approval of the Zoning Ordinance text amendments as proposed. There are also minor changes in Chapter 10, Sect. 10-26 – Licensing and in Appendix B – Master Schedule of Revenues, Charges, Fees and Fines. A copy of a memo from Matt Panfil, Director of Planning and Development, LD 1129 – An Act To Clarify Certain Provisions of the Maine Medical Use of Marijuana Act, and the proposed changes to Chapter 10 of the Marijuana Licensing 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 ordinance text amendments regarding marijuana definitions, and the changes to Chapter 10, Sec. 10-26 Licensing, and in Appendix B – Master Schedule of Revenues, Charges, Fees and Fines.

NEW BUSINESS

165. Notes: Sunrise Bowdoin, a group from Bowdoin College, is asking the Town Council to adopt a resolution regarding climate change. The proposed resolution states the Council’s position on this issue. A copy of the resolution is included in the packet.

Suggested Motion:
Motion to adopt the “Climate Change Resolution”.

166. Notes: Brunswick Police Department would like to apply for, and if awarded, expend the monies from five (5) federal pass-through grants with administrative in-kind matches. These grants are all from the Bureau of Highway Safety and begin in late 2019 and will finish no later than September 15, 2020.

A. 2020 Pedestrian/Motor Vehicle Traffic Enforcement: The grant amount is $2,160 and the town match is $540.

Suggested Motion:
Motion to authorize the Brunswick Police Department to apply for, and if awarded, to expend, a 2020 Pedestrian/Motor Vehicle Traffic Enforcement grant from the Bureau of Highway Safety.

B. 2020 Speed Enforcement: The grant amount is $7,200 and the town match is $1,800.

Suggested Motion:
Motion to authorize the Brunswick Police Department to apply for, and if awarded, to expend, a 2020 Speed Enforcement grant from the Bureau of Highway Safety.

C. 2020 Drive Sober or Get Pulled Over (OUI Enforcement): The grant amount is $4,500 and the town match is $1,125.

Suggested Motion:
Motion to authorize the Brunswick Police Department to apply for, and if awarded, to expend, a 2020 Drive Sober or Get Pulled Over (Click it or Ticket) grant from the Bureau of Highway Safety.

D. 2020 Distracted Driving Enforcement: The grant amount is $3,600 and the town match is $900.
**Suggested Motion:**
Motion to authorize the Brunswick Police Department to apply for, and if awarded, to expend, a 2020 Distracted Driving Enforcement grant from the Bureau of Highway Safety.

E. **2020 Seat Belt Enforcement (Click it or Ticket):** The grant amount is $5,400 and the town match is $1,080.

**Suggested Motion:**
Motion to authorize the Brunswick Police Department to apply for, and if awarded, to expend, a 2020 Seat Belt Enforcement (Click it or Ticket) grant from the Bureau of Highway Safety.

OR

**Suggested Motion:**
Motion to authorize the Brunswick Police Department to apply for, and if awarded, to expend, the listed federal pass-through grants with administrative in-kind matches.

- 2020 Pedestrian/Motor Vehicle Traffic Enforcement grant
- 2020 Speed Enforcement grant
- 2020 Drive Sober or Get Pulled Over (OUI Enforcement) grant
- 2020 Distracted Driving Enforcement grant
- 2020 Seat Belt Enforcement (Click it or Ticket) grant

167. **Notes:** This item was tabled at the November 18th meeting. The Village Review Board (VRB) has been working on revising the Village Review Overlay (VRO) District Design Guidelines since March of this year. After much discussion, the VRB decided that the Design Guidelines would be advisory, but with refined language emphasizing the preference of compliance with Design Guidelines in their decision making. Staff did assist in the preparation of a revised design and added graphics, with a focus on making the document web-friendly with a number of links. VRB is presenting this report to the Town Council. A copy of a memo from Matt Panfil, Director of Planning and Development, and the proposed Village Review Overlay (VRO) District Design Guidelines are included in the packet. Matt Panfil and members of the VRB will be present to answer any questions.

**Suggested Motion:**
This is a discussion item and has no suggested motion.

168. **Notes:** The Town Manager and JHR Development (JHR) would like to enter into an agreement in which the Town would lease four (4) Town Hall parking spaces to JHR for its exclusive use for a five-year period. The order would give the Town Manager authorization to amend the terms of the proposed DRAFT lease and to execute an agreement he deems to be in the best interest of the Town. The Parking Lease Agreement and the DRAFT order are included in the packet.

**Suggested Motion:**
Motion to adopt the “An Order Authorizing the Town Manager to Execute a Parking Agreement with JHR Development of Maine”.
169. **Notes:** The Town of Brunswick and JHR Development of Maine (JHR) entered into a lease for the Train Station/Visitor Center in 2009, which included the option for three (3) five-year renewals. The Town exercised its option to extend in 2014, and now needs to exercise its option to extend for another five (5) years. The Town Manager is requesting authorization to execute the extension. A copy of a memo from Town Manager Eldridge and the DRAFT copy of the extension are included in the packet.

170. **Notes:** Maine Gravel Services, Inc., along with its acting directors, Mr. Franklin T. Crooker, Sr. and Mr. Theodore Crooker, would like to donate to the Town of Brunswick a significant portion of land, 163 acres off Old Bath Road, which abuts the Captain William Fitzgerald Recreation and Conservation Area. A Phase I Environmental Site Assessment has been done and reviewed by the Town Attorney’s office with no significant concerns being raised. The Town has identified portions of parcels which may be sold or shifted to adjacent property owners in an effort to fund recreational development or further enhance the site. The Town Council is being asked for permission from the Town Manager to execute a Donation Agreement with Maine Gravel and ultimately accept a deed transfer of the parcels prior to December 31, 2019. A memo from Assistant Town Manager E. Ryan Leighton, the letter from Maine Gravel and a map of the area showing the parcels to be donated are included in the packet.

**Suggested Motion:**
Motion to authorize the Town Manager to adopt “An Order Authorizing the Acceptance of Property from Maine Gravel Services Inc.”.

171. **Notes:** At this time the Appointments Committee will make nominations to fill vacancies on Town Boards and Committees. Copies of the Committee’s report and the corresponding applications are included in your packet.

**Suggested Motion:**
There is no motion required, only nominations and a vote of the Council.

**CORRESPONDENCE/ COMMITTEE REPORTS**

Councilors will provide brief updates on recent committee activities.

**CONSENT AGENDA**

a) Approval of the minutes of November 18, 2019

**Suggested Motion:**
Motion to approve the Consent Agenda

**Suggested Motion:**
Motion to adjourn
MEMORANDUM

TO: Town Council
FROM: John Eldridge
         Town Manager
DATE: November 25, 2019
SUBJECT: Town Manager’s Report
         December 2, 2019 - Town Council Meeting

Dog Licenses (a)

Dog licenses for the 2020 calendar year are available in the Town Clerk’s office. To renew by mail, include the dog’s name and rabies vaccination certificate. The cost is $6 for a spayed or neutered dog and $11 for a non-altered dog. The fee increases substantially after January 31st. For more information, check the Town Clerk’s page on the Town’s website.

Holiday Trash Pick-up/Graham Road Landfill Hours (b)

There will be no curbside trash or recycling collection on December 25th and January 1st. The makeup days will be December 28th and January 4th. The Public Works Department and the Graham Road Landfill will be closed on December 25th and January 1st. Christmas trees, undecorated and unbagged, will be picked up between January 6th and 17th on a resident’s normal trash pick-up day. For more information, call Public Works or visit the Town’s website.

Social Service Funding (c)

Consistent with previous years, I am recommending that no grant fund be included in the 2020-21 budget. A separate memo on this subject is included in your agenda packet.

Asylum Seekers (d)

We have been working on three key concerns.

1. Personnel. I have told Nsiona that we will be extending his employment beyond the initial six-month commitment I made to him when he was hired. We are considering additional staffing and are working to define the responsibilities of another position. Our goal would be to let Nsiona handle some of the more complex issues while an assistant would relieve him from some of the routine responsibilities.

2. Transportation. We have met with representatives of the Explorer and they are working on improvements to the schedule and the estimated costs of those enhancements. Mid Coast Literacy has a computer application for its literacy volunteers that it is modifying to be used to coordinate appointments and volunteer drivers. Their website should have these
modifications incorporated by mid December.

3. Welcome Center. We have agreed with the volunteers that the desired room in the recreation Center will be available from 1:00 PM to 8:00 PM, Monday through Friday. We will continue this schedule through next Spring. Between now and then, we expect a decision will be made regarding the continuation of pre-school. Recall, that it is the operation of the pre-school that triggers many of the code requirements that would need to be addressed for the pre-school to operate simultaneously with other uses in the building.
MANAGER’S REPORT
NO BACKUP
FOR A, B AND D
MANAGER’S REPORT - C
BACK UP MATERIALS
MEMORANDUM

TO: Town Council
FROM: John Eldridge
        Town Manager
DATE: November 22, 2019
SUBJECT: Social Services Funding

The Town of Brunswick adopted a Social Service Funding Policy in 2016.¹ That policy defines the composition and duties of the Social Services Committee. One of the Committee’s duties is consulting with the Town Manager to determine the level of funding to be included in the ensuing municipal budget. For the following reasons, I am recommending that the Town include no grant funding to charitable organizations in the 2020-21 budget.

- estimated property tax impact resulting from debt service and operating expenditures related to large capital projects (i.e. elementary school and fire station);
- anticipated increases in human services budget and related expenditures;
- continued need to increase funding of infrastructure maintenance and improvements;
- continued need to fund long-term maintenance, vehicle, and capital reserves;
- continued pressure on property taxes as demonstrated by long-range forecast modeling.

With the only exception being a single $10,000 grant funded in the 2015-16 municipal budget, the Town has not included any social service agency funding in its budget since the 2007-08 budget. If the Council were to decide to include funding in the 2020-21 budget, the policy recommends that it be no more than $20,000 in the aggregate. Further, the Social Services Committee would need to be appointed, and we would need to notify agencies that we were accepting applications.

Absent direction to the contrary, I will not be including social service agency funding in the 2020-21 budget.

¹ Social Service Funding Policy, Adopted by Town Council, April 4, 2016.
ITEM 164
BACKUP
TO: Brunswick Town Council
FROM: Matt Panfil, AICP CUD, LEED AP BD+C, Director of Planning & Development
DATE: December 2, 2019
SUBJECT: Zoning Ordinance Text Amendments – Marijuana Use Definitions

I. BACKGROUND

September 3, 2019:

The Town Council forwarded a proposed Zoning Ordinance text amendment to the Planning Board for review and to hold a public hearing. The purpose of the proposed text amendment is to provide clarity to the Zoning Ordinance and to keep the Zoning Ordinance current with State legislation. The proposed text amendments pertain to the following four (4) existing marijuana use definitions establish in Section 1.7.2 – Definitions: marijuana cultivation facility; marijuana products manufacturing facility; marijuana storefront, medical; and marijuana testing facility.

For marijuana cultivation facility, marijuana products manufacturing facility, and marijuana testing facility, the intent of this text amendment is to clarify that each of the definitions applies to both medical marijuana and adult-use marijuana. Although the Marijuana Licensing Ordinance may need to make a distinction between medical and adult-use marijuana, for zoning purposes each of the three (3) uses has the same land use impact regardless of the marijuana market for which it is being cultivated, manufactured, or tested.

The inclusion of the term, “licensed under M.R.S. 28-B, Subchapter 2” in each of the three (3) referenced definitions was unintentional and is problematic in that it may cause confusion because M.R.S. 28-B, Subchapter 2 pertains only to adult-use marijuana. Medical marijuana uses are subject to a different section of the M.R.S., Title 22, Chapter 558-C.

Finally, based on recent legislation (LD 1129, An Act to Clarify Certain Provisions of the Maine Medical Use of Marijuana Act, March 7, 2019 – Attachment A) the Town Attorney advised that the term marijuana storefront, medical be amended to be more consistent with the State’s new definition for caregiver retail store.

September 30, 2019:

Per the Town Council’s request, the Planning Board reviewed the proposed text amendments and scheduled a public hearing for October 22, 2019. The Planning Board did not recommend any changes to the text amendments.

October 22, 2019:

Pursuant to Section 5.2.11 of the Brunswick Zoning Ordinance, the Planning Board conducted a public hearing in accordance with the requirements of Title 30-A M.R.S. § 4352.9, as amended.
There was no public comment and the Planning Board recommended approval of the Zoning Ordinance text amendments as proposed.

II. PROPOSED ZONING ORDINANCE TEXT AMENDMENTS

**NEW TEXT IN BOLD UNDERLINE** **DELETED TEXT IN STRIKETHROUGH**

Chapter 1 - General Provisions
Section 1.7 - Definitions and Rules of Construction

Marijuana Cultivation Facility: A facility licensed under M.R.S. 28-B, Subchapter 2 used to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package marijuana; to sell marijuana to products manufacturing facilities, to marijuana stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to marijuana stores. **This definition does not apply to a Registered Caregiver as defined under 22 M.R.S.A § 2422 (11) who is not operating a Medical Marijuana Storefront and who is cultivating marijuana solely for direct sale to Qualifying Patients as defined by 22 M.R.S.A. § 2422 (9)**

Marijuana Product Manufacturing Facility: A facility licensed under M.R.S. 28-B, Subchapter 2 used to purchase marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package marijuana and marijuana products; and to sell marijuana and marijuana products to marijuana stores and to other products manufacturing facilities. **This definition does not apply to a Registered Caregiver as defined under 22 M.R.S.A § 2422 (11) who is not operating a Medical Marijuana Storefront and who is manufacturing marijuana products solely for direct sale to Qualifying Patients as defined by 22 M.R.S.A. § 2422 (9)**

Marijuana Storefront, Medical: An establishment other than the permanent residence of a registered caregiver or a qualifying patient from which a registered caregiver provides marijuana for medical use to a qualifying patient. For purposes of this ordinance, “permanent residence” has the same meaning as in 36 M.R.S. § 681, subsection 3 which resembles a retail storefront in terms of signage, hours of operation and accessibility to patrons, and which is operated by one or more registered Primary Caregivers as defined by 22 M.R.S § 2422(8-A) for the sale of marijuana and marijuana products to Qualifying Patients as defined by 22 M.R.S § 2422(9).

Marijuana Testing Facility: A facility licensed under M.R.S. 28-B, Subchapter 2, used to develop, research and test marijuana, marijuana products and other substances.

III. RECOMMENDED ACTION

It is recommended that the Town Council make a motion to approve the Town of Brunswick Zoning Ordinance text amendments as presented.
An Act To Clarify Certain Provisions of the Maine Medical Use of Marijuana Act

Reference to the Committee on Health and Human Services suggested and ordered printed.

Presented by Representative JORGENSEN of Portland.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §2422, sub-§1-F is enacted to read:

1-F. Caregiver retail store. "Caregiver retail store" means a location other than the permanent residence of a registered caregiver or a qualifying patient from which a registered caregiver provides marijuana for medical use to a qualifying patient. For purposes of this subsection, "permanent residence" has the same meaning as in Title 36, section 681, subsection 3.

Sec. 2. 22 MRSA §2423-A, sub-§2, ¶P, as enacted by PL 2017, c. 452, §4, is amended to read:

P. Operate one caregiver retail store to sell harvested marijuana to qualifying patients for the patients' medical use in accordance with this chapter; and

Sec. 3. 22 MRSA §2423-A, sub-§3, ¶C-1, as enacted by PL 2017, c. 452, §4, is amended to read:

C-1. A caregiver operating under paragraph C may engage in the conduct authorized in subsection 2, except that a caregiver operating under paragraph C may not:

1. Cultivate marijuana plants for more than 2 members of the family or members of the same household;
2. Cultivate more than 6 mature marijuana plants and 12 immature marijuana plants for each qualifying patient who has designated the caregiver to cultivate marijuana plants on the patient's behalf;
3. Possess more than 8 pounds of harvested marijuana;
4. Sell marijuana plants or harvested marijuana at wholesale under subsection 2, paragraph K-1;
5. Use a pesticide under subsection 2, paragraph J;
6. Operate a caregiver retail store under subsection 2, paragraph P; or
7. Organize as a business entity under subsection 2, paragraph Q.

Sec. 4. 22 MRSA §2424, sub-§4, ¶B, as enacted by PL 2017, c. 452, §10, is amended to read:

B. Minimum security requirements for registered caregivers operating caregiver retail stores pursuant to section 242-A 2423-A, subsection 2, paragraph P and registered dispensaries and any additional location at which a dispensary cultivates marijuana plants for medical use by qualifying patients.

Sec. 5. 22 MRSA §2429-D, sub-§2, as enacted by PL 2017, c. 452, §18, is amended to read:

2. Stores, dispensaries, testing and manufacturing facilities. Prohibit registered caregiver retail stores, registered dispensaries, marijuana testing facilities and
manufacturing facilities that are operating with municipal approval in the municipality prior to the effective date of this section. For purposes of this subsection, "municipal approval" means a specific examination and approval of the underlying use of the store, dispensary or facility, including a conditional use approval, site plan approval or issuance of a marijuana-specific business license. "Municipal approval" does not include issuance of a building, electrical or other similar permit that does not address the use of the structure or facility for which the permit is issued; or

**SUMMARY**

This bill clarifies the Maine Medical Use of Marijuana Act by:

1. Standardizing the term "caregiver retail store" by creating a definition of the term and replacing other variations of "retail store" in the Act with "caregiver retail store"; and

2. Defining "municipal approval" in the provisions regarding marijuana for medical use caregiver retail stores, dispensaries and facilities operating before the effective date of the Act as a specific examination and approval of the underlying use of the store, dispensary or facility, including a conditional use approval, site plan approval or issuance of a marijuana-specific business license and not including the issuance of a building, electrical or other similar permit that does not address the use of the structure or facility for which the permit was issued.
TOWN OF BRUNSWICK
MARIJUANA LICENSING ORDINANCE

This version effective March 4, 2019

Chapter 10 - ARTICLE II. - LICENSES, GENERALLY

Sec. 10-26. - Required; fees.

(a) A person or organization may not engage in any of the businesses or occupations listed below without first obtaining a license from the town according to the provisions stated below, with fees paid in accordance with the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B to this Municipal Code of Ordinances. In addition, the applicant is responsible for compliance with all pertinent town ordinances and state laws. Except as otherwise stated, the license shall expire on June 30 annually.

(b) The fees. in accordance with the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B to this Municipal Code of Ordinances, include an application fee which is nonrefundable if the license in not approved. Unless otherwise designated, the initial license shall be assessed on a semi-annual basis. There will be a late fee assessed to licenses that have expired. The fine will double after the license has been expired for more than thirty (30) days.

16) Marijuana establishments.

a. Purpose and authority. This subsection is enacted pursuant to authority granted under 30-A M.R.S.A. § 3001, 22 M.R.S.A. § 2423-A(14) and 28-B M.R.S.A. § 402. The purpose of this subsection is to set forth procedures and standards for the issuance of local licenses for marijuana establishments in order to protect public health, safety and welfare.

b. Definitions. As used in this subsection, the terms below shall be defined as indicated. All other terms used in this subsection, if not defined below, shall have the same definition as set forth in the Town of Brunswick Zoning Ordinance.

Applicant means a person who has submitted an application for licensure as a marijuana establishment pursuant to this article.

Licensed premises means the premises specified in an application for a license pursuant to this subsection or within a license issued pursuant to this subsection.

Licensee means a person licensed pursuant to this article.

Local licensing authority means the town clerk or, if referral to the town council is required pursuant to this subsection, the town council.

Marijuana Establishment shall mean a Cultivation Facility, Marijuana Store, Medical Marijuana Storefront, Marijuana Caregiver, Products Manufacturing Facility or Testing Facility, all as defined in the Town of Brunswick Zoning Ordinance.
Owner means a person whose beneficial interest in a marijuana establishment is such that the person bears risk of loss other than as an insurer, has an opportunity to gain profit from the operation or sale of a marijuana establishment and/or has a controlling interest in a marijuana establishment.

Person means a natural person, partnership, association, company, corporation, limited liability company or organization, or a manager, agent, owner, director, servant, officer or employee thereof. "Person" does not include any governmental organization.

Premises means the physical location at which a marijuana establishment is to conduct its business.

State license means any license issued by the state licensing authority.

State licensing authority means the authority created or designated by the state for the purpose of regulating and controlling licensing for marijuana establishments.

c. License requirement. Effective January 1, 2019, a marijuana establishment shall not begin or continue operations unless it has received and is in possession of a license issued pursuant to this subsection.

d. Licensing authority. All license applications, whether new or renewal, shall be reviewed and may be approved by the town clerk. Application shall be made in writing using a form prepared by the town for the purpose and must include all information required by this subsection and by the form. Prior to action on a license application, the clerk shall give public notice of the application by having a sign posted in a conspicuous place on the premises listed on the license application at least seven (7) days prior to action, and by publication in a newspaper of general circulation in the Town of Brunswick at least seven (7) days prior to action.

e. Review procedures. The review procedures described below shall be the same for initial license applications as well as renewals. In reviewing license applications, the licensing authority and any consulting town officials may consider the approval standards under this subsection as well as other applicable local, state or federal laws and, for license renewals, the licensee's record of compliance with the same.

i. The town clerk shall be responsible for the initial investigation of the application to ensure compliance with the requirements of this article and to obtain recommendations from other town officials as required.

ii. The licensing authority shall have the authority to impose any conditions on a license that may be reasonably necessary to ensure compliance with the requirements of this subsection or to address concerns about operations. Failure of any licensee to comply with such conditions shall be considered a violation of the license and of this subsection.

iii. No license shall be granted by the town clerk until the police chief, fire chief, health inspector and code enforcement officer have all made positive recommendations regarding the applicant's ability to comply with this subsection or any other applicable town ordinance or state or federal law
enforced by such officials. The town clerk shall provide a copy of the license application to each official along with a form upon which the official shall note his or her findings and conclusions, as well as any recommended conditions of approval. The town clerk shall automatically include any conditions of approval recommended by the officials on the issued license.

iv. If any official consulted by the town clerk finds that a license application should not be approved, the application shall be forwarded to the town council for further review. The town council shall, upon review of all staff recommendations and applicable laws, make the final determination as to whether the license should be issued and/or any conditions to be attached.

v. Licenses shall be approved only for the type(s) of marijuana establishment(s) identified in the application. A licensee who intends to expand or convert the licensed premises to a type of marijuana establishment that is not specifically approved in a license must obtain a new license for that use.

vi. Any municipal official with authority to make recommendations, grant licenses or enforce this or other municipal ordinances regarding marijuana establishments shall have authority to enter the premises of an applicant or licensee without notice to make any inspection reasonably necessary to ensure compliance.

f. Application submission requirements Each applicant for a marijuana establishment license shall complete and file an application on the form provided by the town clerk, together with the applicable license fee as well as the following supporting materials:

i. A copy of the applicant's state license application and supporting documentation, as submitted to the state licensing authority.

ii. Evidence of all State approvals or conditional approvals required to operate a Marijuana Establishment, including, but not limited to, a State License as defined by this Ordinance, caregiver registration, a State retail certificate, or a State health license.

iii. If not included in the applicant's state license application, attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the marijuana establishment.

iv. If not included in the applicant's state license application, an affidavit that identifies all owners, officers, members, managers or partners of the applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years. Supporting documents, including, but not limited to, motor vehicle operator's license, motor vehicle registration, voter registration or utility bills shall be provided.

v. A release for each applicant and for each officer, owner, member, manager or partner of the applicant seeking a license allowing the Town of Brunswick or its officials to obtain criminal records and other background information related to the individual.
vi. Evidence of all land use approvals or conditional land use approvals required to operate the marijuana establishment, including, but not limited to, building permit, conditional or special use approval, change of use permit and/or certificate of occupancy.

vii. Evidence of all other local approvals or conditional approvals required to operate the marijuana establishment, including any applicable food or victualer's license.

viii. A description of the premises for which the license is sought, including a plan of the premises.

If the town clerk determines that a submitted application is not complete, he or she shall notify the applicant within ten (10) business days of the additional information required to process the application. If such additional information is not submitted within thirty (30) days of the clerk's request, the application may be denied.

g. License term and renewal. Each license issued under this subsection shall be valid for the term of license granted by the state license authority ("the license year"). Applications for renewal licenses shall be submitted at least ninety (90) days prior to expiration of the existing term. Any licensee who fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted. A late fee shall apply as set forth in the Master Schedule of Revenues, Charges, Fees and Fines. Caregiver licenses shall be valid from September 1 to August 31st annually. The initial license shall be prorated by half of the fee if less than six months is left in the licensing year, for one year from the date of issuance.

h. Denial, suspension or revocation of a license. A license application for a marijuana establishment shall be denied by the licensing authority, and an existing license may be suspended or revoked by the town council after notice and hearing, if the applicant, or any owner of the applicant or licensee: 

i. Fails to meet the requirements of this subsection.

ii. Is not at least twenty-one (21) years of age.

iii. Is not a resident of the State of Maine.

iv. Has had a license for a marijuana establishment revoked by the town or by the state.

v. Has not acquired all necessary state and local approvals prior to issuance of the license.

vi. Has been convicted of a criminal violation arising out of operation of a marijuana establishment.

vii. Has provided false or misleading application in connection with the license application.
i. **Approval and operating requirements.** In order to obtain a license pursuant to this subsection, the licensee shall demonstrate to the town clerk and all reviewing officials that the following requirements will be met. The licensee shall comply with all of these requirements during the term of the license:

i. **Display of license.** The current license shall be displayed at all times in a conspicuous location within the premises.

ii. **All licensed premises shall be fixed, permanent locations.** Licensees shall not be permitted to operate marijuana establishments in other than the licensed premises, such as at farmer's markets, farm stands or kiosks.

iii. **Security.**
   
   (a) The licensed premises shall have lockable doors and windows and shall be served by an alarm system which includes automatic notification to the Brunswick Police Department.
   
   (b) The licensed premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four (24) hours per day, seven (7) days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.
   
   (c) The licensed premises shall have exterior spot lights with motion sensors covering the full perimeter of the building(s).

iv. **Ventilation.**
   
   (a) The licensed premises shall comply with all odor and air pollution standards established by ordinance.
   
   (b) All marijuana establishments shall have an odor mitigation system installed that has been approved by a Maine licensed engineer, indicating that the system will provide odor control sufficient to ensure that no odors are perceptible off the premises.

v. **Loitering.** The facility owner/operator shall make adequate provisions to prevent patrons or other persons from loitering on the premises. It shall be the licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of a licensed premises is ordered to leave.

vi. A marijuana establishment shall meet all operating and other requirements of state and local law. To the extent the State of Maine has adopted or adopts in the future any law or regulation governing marijuana establishments that conflicts in any way with the provisions of this subsection, the more restrictive shall control.

j. **Transfer of ownership or change of location.** Licensees issued under this subsection are not transferable to a new owner. Any change in ownership shall require a new license. Licenses are limited to the location for which they are issued.
and shall not be transferable to a different location. A licensee who seeks to operate in a new location shall acquire a new license for that location.

k. **Appeals**. The following appeals may be decided by the town council upon a de novo hearing in which it will hear evidence on the application and make its own findings of fact and conclusions of law:

i. Appeal of the town clerk's denial of an application for lack of completeness.

ii. Appeal by any aggrieved party having legal standing of any decision by the town clerk to grant a license under this subsection.

iii. Appeal by the applicant of any permit granted by the town clerk with conditions to which the applicant/licensee objects.

Appeals must be filed with the town clerk within thirty (30) days of the date of the decision subject to appeal. The town council shall hold the hearing on the appeal and render a decision within thirty (30) days of the date of the appeal, unless all parties consent to a delay.

Appeals of final determinations issued by the town council pursuant to this subsection shall be made to the Cumberland County Superior Court within thirty (30) days of the date of the decision being appealed.

l. **Enforcement and penalties**. The operation of any marijuana establishment without the required license or in violation of the requirements of this subsection shall be a violation of this subsection. The Brunswick Town Council or its designee shall enforce the provisions of this subsection. A violation of any provision of this subsection shall be a civil violation, and a civil penalty in accordance with the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B to this Municipal Code of Ordinances shall be imposed, which shall accrue to the benefit of the Town of Brunswick. Each day that a violation continues will be treated as a separate offense. The Brunswick Town Council or its designee may also seek injunctive relief, where appropriate, and shall be awarded attorney fees and costs for prosecution of violations of this section. The Brunswick Town Council may also revoke or suspend the permit after notice and hearing.

m. **Severability**. The provisions of this subsection are severable, and if any provision shall be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect.

n. **Other laws**. Except as otherwise specifically provided herein, this subsection incorporates the requirements and procedures set forth in the Maine Marijuana Legalization Act, 28-B M.R.S.A. Chapter 1, as may be amended. In the event of a conflict between the provisions of this subsection and the provisions of said act or any other applicable state or local law or regulation, the more restrictive provision shall control.

Sec. 10-27. - Qualifications.

In order to be eligible for any license, an applicant shall meet any qualifications established by law and shall pay any arrearages for taxes, fees, or any other obligation to the town.
Sec. 10-28. - Penalties.

The following penalties apply to this article:

(1) Violation. A person or an organization who violates any of the provisions of this article shall be punished by a fine in accordance with the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B to this Municipal Code of Ordinances.

(2) False information. A person who gives false information in obtaining a license under this article shall be punished by a fine in accordance with the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B to this Municipal Code of Ordinances.

**APPENDIX B**

**MASTER SCHEDULE OF REVENUES, CHARGES, FEES AND FINES**

<table>
<thead>
<tr>
<th>Chapter 10—Licenses and Business Regulations</th>
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<tbody>
<tr>
<td>Sec. 10-26 (16) (f)</td>
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Sec. 10-26 Late fee will be an additional 10% of
(16)(g) the total license fee for 1 to 30 days past the due date, and an additional 10% for every 30 days thereafter the license remains late

**Zoning Ordinance Definitions:**

**Marijuana Caregiver:** A Registered Caregiver as defined by 22 M.R.S. § 2422 (11) whose facility does not qualify as a home occupation as established in Section 3.4.2.C of this Ordinance.

**Marijuana Cultivation Facility:** A facility licensed under M.R.S. 28-B, Subchapter 2 to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package marijuana; to sell marijuana to products manufacturing facilities, to marijuana stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to marijuana stores.

**Marijuana Products Manufacturing Facility:** A facility licensed under M.R.S. 28-B, Subchapter 2 to purchase marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package marijuana and marijuana products; and to sell marijuana and marijuana products to marijuana stores and to other products manufacturing facilities.

**Marijuana Store:** A facility licensed under M.R.S. 28-B, Subchapter 2 to purchase adult use marijuana, immature marijuana plants and seedlings from a cultivation facility, to purchase adult use marijuana and adult use marijuana products from a products manufacturing facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

**Marijuana Storefront Medical:** An establishment which resembles a retail storefront in terms of signage, hours of operation and accessibility to patrons, and which is operated by one or more registered Primary Caregivers as defined by 22 M.R.S § 2422(8-A) for the sale of marijuana and marijuana products to Qualifying Patients as defined by 22 M.R.S § 2422(9).

**Marijuana Testing Facility:** A facility licensed under M.R.S.28-B,Subchapter 2 to develop, research and test marijuana, marijuana products and other substances.
<table>
<thead>
<tr>
<th>Principal Uses</th>
<th>CURREN T ZONE</th>
<th>1997 ZONING DISTRICT</th>
<th>Supplementary Use Standards</th>
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Table 3.2: Permitted Use Table for Growth Area Zoning Districts

P = Permitted  C = Allowed Only with a Conditional Use Permit  X = Prohibited
A = Allowed Only as an Accessory Use
ITEM 165
BACKUP
Whereas, on April 22, 2016, world leaders from 175 countries recognized the threat of climate change and the urgent need to combat it by signing the Paris Agreement, agreeing to keep warming “well below 2°C above pre-industrial levels” and to “pursue efforts to limit the temperature increase to 1.5°C”; and

Whereas, on October 8, 2018, the United Nations released a special report which projected that limiting warming to the 1.5°C target will require an unprecedented transformation of every sector of the global economy; and

Whereas, in 2018, the 4th Annual National Climate Assessment was released and illustrates the massive threat that climate change poses to our economy, the environment and climate stability, and underscores the need for action to address a climate emergency at all levels of government;

Whereas, the increased and intensifying wildfires, floods, rising seas, diseases, droughts and extreme weather brought on by climate change;

Whereas, humanity can no longer safely emit greenhouse gasses and must demand an emergency mobilization effort to reach zero emissions across all sectors;

Now therefore, be it resolved that this Town Council is committed to actions to safeguard against the current and potential consequences of climate change, including adopting specific policy goals and funding accomplishment of those goals; and

Be it further resolved this Town Council is committed to educating Brunswick residents about the consequences of climate change, including the need for financial resources, and regulatory oversight to eliminate greenhouse gasses; and

Be it further resolved that this Town Council urges all governments and people to initiate social and economic mobilization to reverse global warming.

Voted by the Town Council of Brunswick, Maine this 2nd day of December, 2019

John M. Perreault, Chair – Town Council
ITEM 166
BACKUP
Memorandum

To: Brunswick Town Council

From: Commander Thomas Garrepy


Date: November, 12, 2019

Members of the Town Council,

The Brunswick Police Department have applied for the following traffic safety grants ~

2020 Pedestrian / Motor Vehicle Traffic Enforcement   $2,160.00
Starting on October 1, 2019 and finishing no later than September 15, 2020.

2020 Speed Enforcement   $7,200.00
Starting on November 15, 2019 and finishing no later than September 30, 2020.

2020 Drive Sober or Get Pulled over (OUI enforcement)   $4,500.00
Starting on October 1, 2019 and finishing no later than September 15, 2020.

2020 Distracted Driving Enforcement   $3,600.00
Starting on October 1, 2019 and finishing no later than September 15, 2020.

2020 Seat Belt Enforcement (Click it or Ticket)   $5,400.00
Starting on October 1, 2019 and finishing no later than September 15, 2020.

All above grants are federal pass through with administrative in kind matches. I am requesting these grants be approved and paid. If you have any questions, please feel free to contact me.
TOWN OF BRUNSWICK
GRANT INFORMATION SUMMARY

Name of Grant: 2020 Pedestrian/Motor Vehicle Traffic Enforcement

Description/Purpose of Grant: Targeted Pedestrian/Motor Vehicle Traffic

Are Grant Funds: □ State □ Federal** ☑ Federal Pass Through**

**If Federal or Federal Pass Through, C.F.D.A. No (Catalog of Federal Domestic Assistance) MUST be provided.

C.F.D.A. No.: 20.600

Are any Grant Funds to be passed through to Sub recipients? □ Yes ☑ No
If yes, please explain: ____________________________________________________________

Is this a reimbursement grant? ☑ Yes □ No
If no, is there any restriction on the investment of grant funds? □ Yes □ No
Please explain restrictions: _______________________________________________________

Funds will be received by: □ ACH Wire ☑ Check

Summarize reporting and auditing requirements of grant: B.H.S will audit the grant program; Officer Burns will be the project director and will audit the monthly progress reports and cash requests.

Agency Grant No: ___________________________ Grant Period Starts: October 1, 2019

Total amount of Grant: $2160 Grant Period Ends: September 15, 2020

Grantor Share: ___________________________ Town Expenditure No: ___________________________

Town Matching Share: $540 Town Revenue No: ___________________________

If there is other than cash match, please explain: N/A

GRANTOR

Name of Federal or State Agency: Maine Bureau of Highway Safety

Address: 164 State House Station
        45 Commerce Drive, Suite 1
        Augusta, Maine 04333-0164

Contact Person: Jaime Dionne

Telephone No.: 207.626.3840

If passed through from Federal Agency, name of that Agency: N/A

GRANTEE

Department Receiving Grant: Brunswick Police Department

Department Grant Administrator: Patrol Commander Thomas Garvey

Date of Council Vote to: Accept Grant: ___________________________ Date of Council Vote to: Appropriately Funds:

Signed: ___________________________ Date: ___________________________
TOWN OF BRUNSWICK
GRANT INFORMATION SUMMARY

Name of Grant: 2020 Speed Enforcement Grant

Description/Purpose of Grant: Speed Enforcement

Are Grant Funds:  □ State  □ Federal**  ☒ Federal Pass Through**

**If Federal or Federal Pass Through, C.F.D.A. No (Catalog of Federal Domestic Assistance) MUST be provided.

C.F.D.A. No.: 20.600

Are any Grant Funds to be passed through to Sub recipients?  □ Yes  ☒ No

If yes, please explain: ____________________________________________________________

Is this a reimbursement grant?  ☒ Yes  □ No

If no, is there any restriction on the investment of grant funds?  □ Yes  □ No

Please explain restrictions: ________________________________________________________

Funds will be received by:  □ ACH Wire  ☒ Check

Summarize reporting and auditing requirements of grant: B.H.S will audit the grant program; Detective Verrill will be the project director and will audit the monthly progress reports and cash requests.

Agency Grant No: __________________________  Grant Period Starts: November 15, 2019

Total amount of Grant: $7,200.00  Grant Period Ends: September 30, 2020

Grantor Share: __________________________  Town Expenditure No: __________________________

Town Matching Share: $1,800  Town Revenue No: __________________________

If there is other than cash match, please explain: N/A

GRANTOR

Name of Federal or State Agency: Maine Bureau of Highway Safety

Address: 164 State House Station
        45 Commerce Drive, Suite 1
        Augusta, Maine 04333-0164  Contact Person: Jaime Dionne

Telephone No.: 207.626.3840

If passed through from Federal Agency, name of that Agency: N/A

GRANTEE

Department Receiving Grant: Brunswick Police Department

Department Grant Administrator: Patrol Commander Thomas Garreffy

Date of Council Vote to:  
Accept Grant: __________________________  Date of Council Vote to:  
Appropriate Funds: __________________________

Signed: __________________________  Date: __________________________

Department Head
TOWN OF BRUNSWICK
GRANT INFORMATION SUMMARY

Name of Grant: 2020 NHTSA Drive Sober or Get Pulled Over Campaign

Description/Purpose of Grant: Targeted Operating Under the Influence

Are Grant Funds: □ State □ Federal** □ Federal Pass Through**

**If Federal or Federal Pass Through, C.F.D.A. No (Catalog of Federal Domestic Assistance) MUST be provided.

C.F.D.A. No: 20.600

Are any Grant Funds to be passed through to Sub recipients? □ Yes □ No

If yes, please explain: ________________________________________________________________

Is this a reimbursement grant? □ Yes □ No

If no, is there any restriction on the investment of grant funds? □ Yes □ No

Please explain restrictions: __________________________________________________________

Funds will be received by: □ ACH Wire □ Check

Summarize reporting and auditing requirements of grant: B.H.S will audit the grant program. Officer Bernier will be the project director and will audit the monthly progress reports and cash requests.

Agency Grant No: ___________________________ Grant Period Starts: October 1, 2019

Total amount of Grant: $4,500.00 Grant Period Ends: September 15, 2020

Grantor Share: ___________________________ Town Expenditure No: ___________________________

Town Matching Share: $1,125.00 Town Revenue No: ___________________________

If there is other than cash match, please explain: N/A

GRANTOR

Name of Federal or State Agency: Maine Bureau of Highway Safety

Address: 164 State House Station
45 Commerce Drive, Suite 1
Augusta, Maine 04333-0164

Contact Person: Jaime Dionne
Telephone No.: 207.626.3840

If passed through from Federal Agency, name of that Agency: N/A

GRANTEE

Department Receiving Grant: Brunswick Police Department

Department Grant Administrator: Patrol Commander Thomas Garvey

Date of Council Vote to: Accept Grant: ___________________________

Date of Council Vote to: Appropriately Funds: ___________________________

Signed: ___________________________ Date: 4/8/15

Department Head
TOWN OF BRUNSWICK
GRANT INFORMATION SUMMARY

Name of Grant: 2020 Distracted Driving Grant

Description/Purpose of Grant: Targeted Distracted Driving Enforcement and Education

Are Grant Funds:  
☐ State  ☐ Federal**  ☒ Federal Pass Through**

**If Federal or Federal Pass Through, C.F.D.A. No (Catalog of Federal Domestic Assistance) MUST be provided.

C.F.D.A. No.: 20.600

Are any Grant Funds to be passed through to Sub recipients?  
☐ Yes  ☒ No

If yes, please explain:

Is this a reimbursement grant?  
☒ Yes  ☐ No

If no, is there any restriction on the investment of grant funds?  
☐ Yes  ☐ No

Please explain restrictions:

Funds will be received by:  
☐ ACH Wire  ☒ Check

Summarize reporting and auditing requirements of grant: B.H.S will audit the grant program. Of will be the project director and will audit the monthly progress reports and cash requests.

Agency Grant No:  
Grant Period Starts: October 1, 2019

Total amount of Grant: $3,600.00  
Grant Period Ends: September 15, 2040

Grantor Share:  
Town Expenditure No:

Town Matching Share: $900.00  
Town Revenue No:

If there is other than cash match, please explain: N/A

GRANTOR

Name of Federal or State Agency: Maine Bureau of Highway Safety

Address: 164 State House Station  
45 Commerce Drive, Suite 1  
Augusta, Maine 04333-0164

Contact Person: Jaime Dionne  
Telephone No.: 207.626.3840

If passed through from Federal Agency, name of that Agency: N/A

GRANTEE

Department Receiving Grant: Brunswick Police Department

Department Grant Administrator: Patrol Commander Thomas Garvey

Date of Council Vote to:  
Accept Grant:  
Date of Council Vote to:  
Appropriate Funds:

Signed:  
Department Head

Date: 4/5/19
TOWN OF BRUNSWICK
GRANT INFORMATION SUMMARY

Name of Grant: 2020 Seatbelt Grant

Description/Purpose of Grant: Targeted Seatbelt Enforcement and Education

Are Grant Funds:  [ ] State  [ ] Federal**  [x] Federal Pass Through**

**If Federal or Federal Pass Through, C.F.D.A. No (Catalog of Federal Domestic Assistance) MUST be provided.

C.F.D.A. No.: 20.600

Are any Grant Funds to be passed through to Sub recipients?  [ ] Yes  [x] No

If yes, please explain:

Is this a reimbursement grant?  [x] Yes  [ ] No
If no, is there any restriction on the investment of grant funds?  [ ] Yes  [ ] No

Please explain restrictions:

Funds will be received by:  [ ] ACH Wire  [x] Check

Summarize reporting and auditing requirements of grant: B.H.S will audit the grant program; Officer Iles will be the project director and will audit the monthly progress reports and cash requests.

Agency Grant No:  

Grant Period Starts: October 1, 2019

Total amount of Grant: $5,400.00  

Grantor Share: $4,320.00

Town Matching Share: $1,080.00

Grant Period Ends: September 15, 2020

Town Expenditure No:  

Town Revenue No:  

If there is other than cash match, please explain: N/A

GRANTOR

Name of Federal or State Agency: Maine Bureau of Highway Safety

Address: 164 State House Station
45 Commerce Drive, Suite 1
Augusta, Maine 04333-0164

Contact Person: Jaime Dionne

Telephone No.: 207.626.3840

If passed through from Federal Agency, name of that Agency: N/A

GRANTEE

Department Receiving Grant: Brunswick Police Department

Department Grant Administrator: Patrol Commander Thomas Garrepy

Date of Council Vote to: Accept Grant:  

Date of Council Vote to: Appropriate Funds:  

Signed:  

Department Head

Date: 11/2/5
ITEM 167
BACKUP
Town of Brunswick, Maine
DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Brunswick Town Council
FROM: Brunswick Village Review Board
    Matt Panfil, AICP CUD, LEED AP BD+C, Director of Planning & Development

DATE: November 18, 2019
SUBJECT: Village Review Overlay District Design Guidelines

I. BACKGROUND

Beginning on March 1, 2018, the Village Review Board (VRB) began a series of workshops with Nancy Barba of Barba + Wheelock Architect to revise the Village Review Overlay (VRO) District Design Guidelines. The initial scope of the Design Guidelines update was to focus on additions, demolition, new construction, porches, ramps and stairs, siding and trim, and windows. After Barba + Wheelock delivered their draft recommendation to the VRB on June 22, 2018. Upon review of the draft recommendation, the VRB had questions regarding the Design Guidelines that were outside the initial project scope. Having used the available funds for outside consultation, the VRB, with assistance from Town staff, proceeded forward on a more thorough review of the complete document.

One of the most important issues during the review was the use of the terms “shall” (mandatory compliance) and “should” (recommended, but not required). Staff advised that the use of the term shall in the Design Guidelines is problematic in that it becomes a proscriptive standard, not a suggestion. This confuses the public as they look to the Town of Brunswick Zoning Ordinance for standards and may not be aware of additional standards within the Design Guidelines. Staff stated that if the VRB wanted to establish standards, they would best be added to the Zoning Ordinance through a text amendment. After much discussion the VRB decided that the Design Guidelines would be advisory, but with refined language emphasizing the preference of compliance with Design Guidelines in their decision-making. No text amendments to the Zoning Ordinance are proposed.

The VRB also spent considerable time discussing accessibility, demolition by neglect or increment, the use of substitute materials, and the role of historic preservation within the VRO.

Finally, the VRB expressed an interest in updating the pictures in the existing Design Guidelines and adding more graphics to the document. As most viewers of the Design Guidelines access the document via the internet, staff assisted in the preparation of a revised design with a focus on making the document web-friendly with links to applications, maps, the Zoning Ordinance, and other outside resources.

II. RECOMMENDED ACTION

It is recommended that the Town Council either: a.) move to set a public hearing on December 2, 2019 for the final adoption of the proposed update to the Village Review Overlay District Design
Guidelines; or b.) schedule a workshop for December 2, 2019 and set a public hearing for December 16, 2019.

III. ATTACHMENTS

A. Village Review Overlay District Design Guidelines – VRB Final Draft Recommendations from their Public Hearing on October 15, 2019
DESIGN GUIDELINES
Village Review Overlay District

Adopted: (Insert Date)
Unless otherwise attributed, all illustrations by Laurel Margerum, Town Manager's Office Intern

Historic maps provided by the Pejepscot Historical Society.

Photographs by: Cooper Dart, Bowdoin Fellow
   Claudia Knox, Village Review Board, Chair
   Laura Lienert, Village Review Board
   Laurel Margerum, Town Manager's Office Intern
   Matt Panfil, AICP CUD, Director of Planning and Development
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I. INTRODUCTION

A. Summary
B. Guiding Principles
C. Definitions
A. Summary

The Village Review Overlay District (VRO) District Design Guidelines were developed as a complement to the Brunswick Zoning Ordinance (.pdf file) in 2004. After over fifteen years of use, applicants and the Village Review Board (VRB) found that some aspects of design were absent from the Guidelines or the Guidelines needed clarification to be more responsive to specific issues that were arising in Brunswick. In 2018, Barba + Wheelock Architecture, Preservation and Design was contracted to undertake these revisions. They held a series of public meetings with presentations on the following topics:

- Overall objectives of the revisions to the Design Guidelines;
- Neighborhood meeting to outlay overall objectives and garner feedback;
- New construction;
- Demolition; and
- Review of proposed changes to the Design Guidelines, Zoning Ordinance, and further recommendations.

The VRB then held several additional workshops in order to finalize the document. On _____ __, 2019 at a joint Public Hearing with the Town Council and the VRB the following was adopted:

- Village Review Overlay District Design Guidelines, revised _____ __, 2019

The following Design Guidelines are a tool for evaluating the impact of each change to properties within the VRO District.
B. Guiding Principles

- The VRB will always prefer the use of original material when repairing or replacing architectural elements. The VRB also recognizes that there are instances when a substitute material will perform better while closely replicating the appearance of original materials. The VRB will review such exceptions for each application on its merits for each individual property.

- The Design Guidelines are heavily influenced by the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (U.S. National Park Service, 2017). This publication (.pdf format) is available for free download by clicking on the image to the left. Applicants and interested parties are encouraged to review this document for additional guidance and inspiration when preparing a project in the VRO District.

- It is highly recommended that a potential applicant contact the Town of Brunswick Department of Planning and Development to schedule a pre-application meeting to discuss their project and the necessary information to be submitted with their application.

- This document is not intended to be read cover to cover. It has been designed for ease of use based on the type and location of a project. The relevant design guidelines are located at the beginning of the document and supporting background information is provided at the end of the document and within its appendices.
C. Definitions

Alteration: The addition, demolition, or construction of any building on a pre-existing site, including, but not limited to, the removal or addition of façade materials, the addition of floor area to a site, the erection of fences, or the addition of signage, and the creation of new impervious surface.

Applicant: A person who submits an application for the review of a Certificate of Appropriateness, Certificate of Demolition, and/or Certificate of Non-Applicability.

Application: A form submitted for approval of alteration, construction, demolition or removal that requires issuance of a Certificate of Appropriateness or Certificate of Demolition.

Business Day: A day on which the Town Hall is open for business. See Page 3.

Certificate of Appropriateness: After review by staff or the VRB, a certificate issued by staff allowing a project proposed in an application to proceed, sometimes with conditions. See Section 5.2.8, Brunswick Zoning Ordinance (.pdf file).

Certificate of Demolition: After review by staff or the VRB, a certificate issued by staff allowing demolition to proceed. See Section 5.2.8, Brunswick Zoning Ordinance (.pdf file).

Character-Defining Feature: For the purposes of the VRO District, the form, material, and detail of an architectural feature important in defining a building’s historic character and whose retention will preserve that character. Such features include, but are not limited to: façades, roofs, porches, windows, doors, trim, massing, scale, orientation of structures, and landscape features such as fences, walls, posts, and walkways.

Compatibility: For purposes of the VRO District, possessing characteristics that are predominant in nature to character-defining features of structures within a neighborhood, as described in the VRO District Design Guidelines. Compatibility does not mean “the same as.” Rather, compatibility refers to the sensitivity of alterations or new construction in maintaining, or complementing, the character of the existing neighborhood.

Demolition: The removal of part or the whole of a structure. See Page 11.

Demolition by Neglect: The destruction of a building through abandonment or lack of maintenance, routine or major. See Page 11.

Demolition Delay: A delay in the issuance of a Certificate of Demolition in order to explore alterations to demolitions such as building relocation, sale, or adaptive reuse. See Page 12 or Section 5.2.8.C.(4), Brunswick Zoning Ordinance (.pdf file).

Historic District: A geographic area federally designated as a historic district and listed on the National Register of Historic Places.

Historic Integrity: The authenticity of a property’s historic identity as evidenced by the survival of physical characteristics (location, design, setting, materials, workmanship, and association) that existed during the property’s prehistoric or historic period.

Historic Structure: A historic structure is any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements of individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;

3. Individually listed on the Maine Historic Preservation Commission's Maine Historic Resources Inventory (MHRI); or

4. Individually listed on a local inventory of historic places if the Town has a historic preservation program that has been certified either:

   a. By the Maine Historic Preservation Commission Certified Local Government (CLG) Program (as of 2019 the Town of Brunswick is not a CLG community); or

   b. Directly by the Secretary of the Interior in states without approved programs.
**Incremental Demolition:** The act of removing historic elements of a building over time, the aggregate of which is loss of character and substance that results in a building that has lost its historic integrity. See Pages 11, 91-92.

**National Register:** The National Register of Historic Places.

**National Register District:** Historic districts listed in the National Register of Historic Places.

**New Construction:** The addition to an existing structure; the erection or placement of any new structure on a lot or property; or the comprehensive redesign/renovation of an existing structure. See Page 26 or Section 5.2.8, Brunswick Zoning Ordinance (.pdf file).

**Owner:** The person or persons holding record title to the building, site or property; provided, however, the last previous tax roll in the records of the Town Assessing Department may be relied upon as showing record ownership in the absence of substantial evidence to the contrary.

**Property:** Land and improvements identified as a separate lot for purposes of subdivision, site plan, or zoning regulation.

**Relocation:** Moving a structure to a new location, on its existing site or to another site.

**Replacement, In Kind:** An item that is of the same form, material, and detailing as the original.

**Routine Maintenance:** Acts of maintenance or repair which do not include a change in the design, material or outer appearance of a structure, including without limitation: repainting, in kind replacement of materials or windows of the same scale, material, texture and color, and landscaping.

**Secretary of the Interior’s Standards:** The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (.pdf download) (U.S. National Park Service, 2017), as amended. These are national standards to guide work undertaken on historic properties, and are intended to assist in the long-term preservation of historic structures and features.

**Streetscape:** The visual elements of a street including a street, adjoining buildings, street furniture, trees, fences, and open spaces that combine to form the street’s character.
Village Review Board (VRB): An appointed group of Brunswick citizens who review applications for changes to properties within the VRO District. See Section 5.1.1.D, Brunswick Zoning Ordinance (.pdf file).

Visible from a Public Way: Visibility is determined as seen from pedestrian height, four (4) to six (6) feet, from any public way or street. Visibility applies to all seasons.
II. DESIGN GUIDELINES

A. Building Access
B. Demolition
C. Doors
D. Exterior Cladding and Trim
E. Facades, Storefronts, and Signage
F. New Construction
G. Outbuildings: Garage, Carriage House, and Storage Shed
H. Porches and Entries
I. Roofs and Related Elements
J. Setting and Site
K. Signage and Awnings
L. Windows
A. Building Access

There are several types of design challenges to achieving an accessible route to a project needing public access. Design solutions vary depending on the challenge and may be best achieved with a combination of approaches, such as:

- Inclined Planes
- Ramps
- Porch and Ramp Railings
- Mechanical Lift
- Downtown Solutions and Small Businesses
- Freestanding Building Solutions
- Other, including Door Clearances

Although the nature of building codes is that they are regularly updated, the Owner, Applicant, Architect, Engineer, or Designer should consult the Maine Uniform Building and Energy Code (MUBEC), the Fire Prevention Code of the Town of Brunswick as established in Chapter 7, Article I, Section 7-26 of the Municipal Code of Ordinances, and the Town of Brunswick Zoning Ordinance as established in Appendix A of the Municipal Code of Ordinances (.pdf file). The following guidelines are based on the codes at the time of the adoption of the Design Guidelines as examples of how to work with the codes to the best design advantage for changes to historic buildings.

The Americans with Disabilities Act (ADA) recognizes that historic buildings may present obstacles to full conformance. In particular, the ADA points to technical and structural feasibility, and discourages changes that affect historic character. The requirement for a single main entry is a key principle that should be explored carefully. The ADA allows for alternatives to this important requirement when options are not technically feasible.
Guidelines:

As clarified in Guidelines 1-4, the VRB will always prefer the use of original material when repairing or replacing elements related to building access.

1. To the highest degree practicable, provide barrier-free access that promotes independence for people who have a disability, while preserving significant historic features.

2. The historic building’s character defining spaces, features, and finishes should be identified so that accessibility code-required work will not result in their damage or loss.

3. Barrier-free access requirements should be designed in such a manner that character defining spaces, feature, and finishes are preserved.

4. The design for a new or additional means of access should be compatible with the historic building and its setting.
B. Demolition

The demolition portion of these Guidelines is intended to give guidance to the VRB and owner on portions of buildings, loss of major elements, or removal of entire buildings. For reference, the Brunswick Zoning Ordinance regulations (Section 5.2.8.C.(4) of the Brunswick Zoning Ordinance) pertaining to demolition within the VRO District are included in this section.

The demolition of buildings within the VRO District, or portions thereof diminishes the built environment and creates unnecessary waste. Demolition of historic buildings is usually not an appropriate option for a project and should be avoided whenever possible.

Alternative options to building demolition which the owner must explore include locating a buyer who might have an alternative use for the building or relocating it to another site.

1. Alternatives to Demolition

   - Adaptive reuse
   - Building moving or relocation
   - Salvage

2. Incremental Demolition

Incremental demolition is defined as, “the act of removing or altering elements of a building over time, the aggregate of which is loss of character and substance that results in a building that has lost its historic integrity.”

In the instance(s) where the proposed alterations are small in scale, the VRB shall review the changes in the context of the whole project. These changes could include:

   - Removal of character-defining architectural details;
   - Removal or covering of trim, brackets or other elements;
   - Porch removal;
   - Changes of siding or roofing;
   - Changes to window muntin profiles;

Rather than demolishing a building, adaptive reuse allows for the repurposing of vacant buildings such as this former church (above) on Pleasant Street that is now a wine bar and fabric store. The Fort Andross Mill Complex (below) is another example of adaptive reuse. The former mill is now a mixed-use building with retail, office, restaurant, and entertainment uses.

Changes to door types; and / or
Introduction of new elements without consideration of proportions or types.

3. **Demolition by Neglect**

Demolition by neglect is the unintended or intentional destruction of a building through abandonment or lack of maintenance, routine or major.

4. **Demolition Delay**

Demolition delay is a preservation tool that allows for a process and time frame to ensure that potentially significant buildings and structures are not demolished without notice to the community and review by the VRB. The delay allows for alternatives to demolition to be explored, exhausted, or implemented. Demolition delay procedures are established in Section 5.2.8.B(6) of the Brunswick Zoning Ordinance (.pdf file).

An example of a building that used to be on Pleasant Street that experienced demolition by neglect and had to be torn down in 2011.

**Resources for Demolition Alternatives:**

- Historic New England
- Maine Historic Preservation Commission
- Maine Preservation
- National Park Service
- National Trust for Historic Preservation
b. Applications to demolish or relocate contributing resources individually listed on the National Register of Historic Places or deemed eligible by the Maine Historic Preservation Commission, and contributing resources located within a National Register-listed Historic District shall adhere to a 90-day delay period. The Village Review Board may impose a 90-day delay period for contributing resources of local and regional significance. Such 90-day delay period shall commence when the application is deemed complete by the Village Review Board.

c. During the 90-day delay period, the applicant shall:

i. Consult with the Village Review Board and Maine Preservation or Maine Historic Preservation Commission in seeking alternatives to demolition, including the reuse and/or relocation of the contributing resource.

ii. Consult with and notify other related organizations of intent to demolish the contributing resource, as identified during consultations with Village Review Board and Maine Preservation or Maine Historic Preservation Commission.

iii. Document “good faith” efforts in seeking an alternative, including relocation and/or reuse, resulting in the preservation of the contributing resource. Such efforts shall include posting a visible sign on the property, listing the property for sale and/or relocation, and publishing a notice of availability in a general circulation local newspaper. The notice of the proposed demolition shall be forwarded to the Village Review Board, Pejepscot Historical Society, Town Council, and Review Authority.

iv. Thoroughly photo or video document the contributing resource and provide photo/video and written documentation to the Town and Pejepscot Historical Society. Any significant architectural features shall be salvaged, reused and/or preserved as appropriate.
v. Provide post-demolition plans, including a site plan for the property specifying site improvements and a timetable for completion.

d. If at the end of the 90-day period, no satisfactory alternative has been found, the Village Review Board shall either grant or deny a Certificate of Appropriateness to demolish or relocate the resource, applying the criteria set forth in Subsection 5.2.8.C(4).
C. Doors

Doors and door openings are important character-defining features of any property. The size, placement, and architectural detailing of a doorway contribute to the pattern and rhythm of a building’s façade. The door itself is also important. Is it wood? Paneled? Panes of glass? Single or double doors?

Doors are normally subjected to a great deal of weathering, so routine maintenance is essential. The main entry is typically a focal point on a façade, and it is where one looks for clues about a building’s architectural style.

Typical door characteristics include:

- Paneled wood;
- Paneled wood with fixed panes of glass;
- Single or paired (double) doors;
- Small roof or pediment over the main entry and supported by brackets. This doorway treatment is often associated with the Italianate style and can be found on both vernacular and high style houses;
- Decorative door surround (trim);
- Sidelights; and
- Transom.
Guidelines:

As clarified in Guidelines 1-12, the VRB will always prefer the use of original material when repairing or replacing elements related to doors.

1. Every reasonable effort should be made to repair the original door and door opening. Repairs should be made with as little intervention as possible by patching, piecing-in, splicing, consolidating, or otherwise reinforcing the deteriorating material using the same material as the existing door.

2. Entry pediments should be maintained and preserved. Supporting brackets should not be covered with vinyl or aluminum.

3. The door and any other related features should be photographically documented and submitted to the Pejepscot Historical Society prior to any repair or rehabilitation work.

4. If it is necessary to replace any section of a door or a door surround, the replacement should be made from the same material as the original and should match the original in size, scale, shape, and detail. Any details such as paneling, glass pattern, and door surround molding should be duplicated in the replacement. In the event that it is not reasonably possible to match the material, a compatible substitute material is acceptable.

5. If an existing door or door surround is deteriorated or damaged beyond repair, the new door and/or surround should match the original in configuration and material. In the event that it is not reasonably possible to match the material, a compatible substitute material is acceptable.

6. The design for a new door and/or door surround should be compatible with other doors and surrounds on the property and/or with adjacent properties.

7. Original door openings should not be altered to accommodate stock doors.

8. If a door has any decorative windows such as sidelights, fanlights or transoms, these should be maintained and preserved.

Buildings with multiple entrances under a single pediment should have a consistent appearance.
9. Storm doors should be compatible with the existing door in material and color. Storm doors should be mounted so that they will not permanently damage the original door surround and trim. Storm doors should be designed in such a way that they do not completely obscure the historic door.

10. The character of an entrance should not be altered by either the removal or addition of historic elements that never existed on the property.

11. Paired or double doors should not be replaced with a single door or vice versa.

12. Exterior lighting fixtures should be mounted in a manner that does not obscure or damage the door surround.

Caution should be used when selecting a storm door to prevent such an important character-defining feature from being damaged or hidden from view. In the above example the upper glass panel and lower wood door panels will not be obscured by the storm door.
D. Exterior Cladding and Trim

Exterior cladding (shingles, clapboards, brick, vinyl etc.) is a building’s “skin”, and it works with other dominant features, such as windows, doors and porches, to define a building’s character. The material’s color, texture, shadow lines, application technique, as well as the molding and trim around windows, the treatment of details at the building’s corners and along the roof edge, all contribute to a building’s identity and historic integrity. The scale of the building and the rhythm of the façade are also greatly affected by the exterior surface treatment.

When a particular material, such as wood clapboard, has been used on the majority of houses in a neighborhood, a dominant pattern emerges in the community, which has a collective impact on neighborhood character. It is important to understand what the dominant building materials are and how they were applied.

1. **Wood Clapboards**

With abundant timber and saw mills nearby on the Androscoggin River, wood was readily available and the preferred, as well as the affordable, building material in Brunswick. It was used for almost every construction element from framing to interior finishes. Wood clapboards are the predominant original exterior building material found in the VRO District. Unless compromised due to rot, original wood clapboards pre-dating the 1920s are of a higher quality than contemporary wood siding because they were sourced from old-growth forests. The aging process of old-growth wood means it is structurally stronger and more resistant to rot and insects such as ants and termites than new-growth wood.

Typically, clapboards align with the top and bottom edge of window and door openings. This detail was accomplished during installation by a subtle shifting of the width of the clapboard’s exposed area.

Wood shingles of various configurations are also used in Brunswick, particularly on some of the late-19th and early-20th century buildings. A few brick structures also exist in the district.
As clarified in Guidelines 1-3, the VRB will always prefer the use of original material when repairing or replacing elements related to exterior cladding and trim. Whenever possible, the first and preferred choice is to preserve and maintain the original exterior cladding, such as clapboards, shingles, or masonry.

1. Historic exterior cladding materials and trim should be maintained and preserved;

2. Every effort should be made to repair the original material and trim with the same kind of materials that originally or historically existed on the building; and

3. The exterior wall surface and any other related features should be photographically documented and submitted to the Pejepscot Historical Society prior to any repair or rehabilitation work.

Although most buildings within the VRO District were originally constructed with wood clapboard siding, there are a few historic masonry structures, like this brick home on Federal Street. For more information on the maintenance of historic masonry buildings, visit:

https://www.nps.gov/tps/how-to-preserve/briefs/1-cleaning-water-repellent.htm

and

https://www.nps.gov/tps/how-to-preserve/briefs/2-repoint-mortar-joints.htm
2. Substitute Materials

Unless the original material (clapboards, shingles) is in serious disrepair, it should be left intact and then overlaid with a substitute material. The preservation of original material underneath the substitute cladding allows the alteration to be reversed in the future. If it is necessary to apply an exterior cladding that does not match one historically found on a building, the substitute material should be carefully considered.

First, identify the characteristics of the existing or historically appropriate material. Some questions to consider include:

- Does the material have a vertical or horizontal emphasis (clapboards versus board and batten)?

- Are the primary façade (the front of the building) and side façades clad with the same material? It is not uncommon to find some buildings that use a higher quality material on the front with a simpler material on the sides.

- Is there a change in material between floors? Some late-19th and early-20th century houses use clapboards on the first floor with shingles on the upper floors or vice versa.

Use the identified characteristics to guide the selection and application of a substitute material. For instance, if a house has historically been clapboarded, it would not be appropriate to cover the building in a material that resembles shingles. Preferred substitute materials acceptable in locations not subject to abuse and breakage (not withstanding other comments herein) include:

- Boral
- Hardie Plank
- Certainteed Icon, composite siding
- Azek Trim

As manufacturers of substitute siding and trim are consistently developing new products (often in response to market demands) the VRB reserves the right to consider new materials presented to them with sufficient data for review. The VRB can recommend products to be added to this list. Asphalt and asbestos shingles are not acceptable substitute siding materials.
Although not preferred, vinyl and aluminum may be acceptable substitute materials for two primary reasons: 1) Both materials evoke the horizontal emphasis of wood clapboards, which is the dominant building material in Brunswick; and 2) both materials can be installed over the original cladding, which allows for the future possibility of removal or reversal of the substitute material installation.

When a substitute material is applied over existing shingles or clapboards, the relationship between the decorative features (example: window trim) and the wall is altered. This relational change diminishes the prominence of the decorative elements, such as corner pilasters, and undermines the property’s integrity. This relational change is not ideal, but it is preferable to losing the original siding.

While the application of substitute materials over clapboards may not cause moisture problems, it does conceal any building problems that may exist or emerge. It is also important to recognize that substitute siding materials themselves are not a weather barrier. The plane (building surface) behind the substitute siding materials acts as the barrier. Therefore, it is important to ensure that the existing building is in good repair prior to covering with a substitute material, or current repair issues could develop into serious building problems. The installation of an alternate material is not an appropriate substitute for regular maintenance and/or necessary building repairs.

Covering wood clapboards with a substitute material like vinyl or aluminum may substantially reduce the depth between the exterior wall plane and decorative trim. As seen on this house on Cumberland Street, the depth between the original wood clapboards and the decorative trim creates shadows that enhance the character of a building.
Guidelines:

As clarified in Guidelines 1-9, the VRB will always prefer the use of original material instead of substitute materials when repairing or replacing elements.

1. Character-defining historic features such as eave brackets, cornice and cornice detailing (fascia, soffit), corner pilasters, and windows and doors should not be removed or obscured by a substitute siding.

2. Original siding and/or shingles in good repair should be maintained and preserved.

3. Substitute siding should duplicate the exposed area, or height, as well as the length of the original wood clapboard.

4. Substitute siding materials with embossed wood graining, intended to simulate wood, is not an acceptable option, as the exaggerated wood grain is typically not found on wood siding.

5. The visibility of substitute panel overlaps should be minimized by avoiding stair-step installation patterns and by facing the overlaps away from the most prominent or visible viewpoint.

6. The use of J-channel should be minimized around window and door openings. The J-channel color should match the siding color.

7. The coursing of the substitute siding materials should align with the top of the window and door trim. If necessary, favor aligning the coursing with the tops of windows.

8. Original or historic siding material should not be removed prior to the installation of a substitute material, because the removal of original material is not a reversible alteration.

9. Substitute materials should not be attached over exterior brick or stone.
E. Facades, Storefronts, and Signage

The character of downtown Brunswick is defined by the variation in building forms found along Maine Street: freestanding structures, continuous commercial blocks and wood frame structures. These commercial buildings have similarities in height, width, window configuration, storefronts and relationship to the sidewalk, which create a strong continuous edge or streetwall. The streetwalls on opposite sides of the street create a defined space or outdoor room where all the activity occurs downtown. While there are many similarities in overall building size, each façade has its own rhythm and character-defining features. It is important to understand both the broad patterns of the streetwall as well as the specific patterns on each building.

Generally, façades are comprised of the different components as illustrated to the left.

Traditional storefronts are designed to have large display windows along the sidewalk to give prominent display to the merchandise. This encourages the pedestrian to stop, look, and hopefully enter the store. The recessed entryways emphasize the door and provide a sheltered, inviting entrance for customers. There are several key elements to a storefront as illustrated to the left.

The majority of the buildings in downtown Brunswick are two or three stories in height with flat roofs. Common materials are brick, wood, and granite. Display windows are usually encased in wood, cast iron or aluminum frames. Recessed entries can be found throughout downtown. Upper floors are characterized by double-hung windows with bay windows found on some buildings.

1. Bulkhead
2. Cornice
3. Display Window
4. Recessed Entrance
5. Sign Band
6. Transom / Clerestory Window
7. Upper Façade

Guidelines:

As clarified in Guidelines 1-16, the VRB will always prefer the use of original material when repairing or replacing elements related to façades, storefronts, and signage.

1. Historic images, where available, should be used to understand how the storefront may have changed over time. Storefronts should not be recreated without solid physical or documentary evidence.

2. Later alterations that have taken on their own architectural significance should be retained. For example: curved glass display windows added in the 1930s to a late-19th century storefront should be maintained.

3. Every reasonable effort should be made to repair the original storefront. Repairs should be made with as little intervention as possible by patching, piecing-in, splicing, consolidating, or otherwise reinforcing deteriorating material using the same material as the existing storefront.

4. The façade and storefront should be photographically documented and submitted to the Pejepscot Historical Society prior to any repair or rehabilitation work.

5. The proportion, scale, and organization of character-defining features should be maintained when renovating a storefront.

6. Storefront elements (transoms, display windows, etc.) should not extend beyond the original defined opening of the storefront and should not extend across the division between neighboring buildings.

7. Display windows, transoms, and bulkheads should be maintained and preserved.

8. The expansive areas of glass in display windows should be maintained.

9. Openings, such as transoms and windows should not be covered with solid panels.

10. Original entry locations and configuration (example: recessed entry) should be maintained.
11. Cornices should not be removed or obscured by a substitute material.

12. Parapets and false fronts should not be added to downtown buildings unless there is historic precedent for these features.

13. New storefronts should respond to the patterns and rhythm of neighboring buildings, yet they should reflect the time in which they were constructed.

14. The scale, proportion, and rhythm of upper floor openings should be maintained.

15. The installation of air conditioners on the primary façade should be avoided.

16. The installation of utility entrances and satellite dishes on the primary façade should be avoided. When a utility entrance is already located on a primary façade, finding creative ways to conceal them or reduce their impact should be explored. Satellite dishes should be located elsewhere or be limited to no greater than 12” in diameter.
F. New Construction and Additions

1. New Construction

New construction is subject to the standards established in Section 5.2.8.C.(2) of the Town of Brunswick Zoning Ordinance (.pdf file). As standards, compliance is mandatory. For convenience, the standards are provided below:

<table>
<thead>
<tr>
<th>(2) New Construction and Additions and Alterations to Existing Structures</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. In approving applications for a Certificate of Appropriateness for new construction or additions or alterations to contributing resources, the Review Authority shall make findings that the following standards have been satisfied:</td>
</tr>
<tr>
<td>i. Any additions or alterations shall be designed in a manner to minimize the overall effect on the historic integrity of the contributing resource.</td>
</tr>
<tr>
<td>ii. Alterations shall remain visually compatible with the existing streetscape.</td>
</tr>
<tr>
<td>iii. Concealing of distinctive historic or architectural character-defining features is prohibited. If needed, the applicant may replace any significant features with in-kind replacement and/or accurate reproductions.</td>
</tr>
<tr>
<td>iv. New construction or additions shall be visually compatible with existing mass, scale and materials of the surrounding contributing resources.</td>
</tr>
<tr>
<td>v. When constructing additions, the applicant shall maintain the structural integrity of existing structures.</td>
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</tbody>
</table>

This previously existing home on School Street (above) was demolished and replaced with a new home (below) that is visually compatible with the mass, scale, and materials of the surrounding neighborhood.
b. In approving applications for a Certificate of Appropriateness for new construction of, or additions to commercial, multifamily, and other nonresidential structures, the Review Authority shall make findings that the following additional standards have been satisfied:

i. Where practicable, new off-street parking shall be located to the rear of the principal building and shall be accessed from a secondary street. In cases where off-street parking currently exists in a front or side yard, the parking area shall be screened from the public right-of-way with landscaping or fencing.

ii. Site plans shall identify pedestrian ways and connections from parking areas to public rights-of-way.

iii. All dumpsters and mechanical equipment shall be located no less than 25 feet away from a public right-of-way, unless required by a public utility, and shall be screened from public view.

iv. Roof-top-mounted heating, ventilation, air conditioning and energy producing equipment shall be screened from the view of any public right-of-way or incorporated into the structural design to the extent that either method does not impede functionality. Parapets, projecting cornices, awnings or decorative roof hangs are encouraged. Flat roofs without cornices are prohibited.

v. The use of cinder-block, concrete and concrete block is prohibited on any portion of a structure that is visible from the building's exterior, with the exception of use in the building's foundation.

vi. The use of vinyl, aluminum or other non-wood siding is permitted as illustrated in the Village Review Board Design Guidelines. Asphalt and asbestos siding are prohibited.

vii. Buildings with advertising icon images built into their design ("trademark buildings") are prohibited.

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The Brunswick Zoning Ordinance requires dumpsters to be screened from public view. Cigarette receptacles are not required, but businesses are encouraged to provide them for their staff.

Painting equipment such as utility meters and planting attractive landscaping is one way simple method to screen mechanical equipment.
viii. No building on Maine Street shall have a horizontal expanse of more than 40 feet without a pedestrian entry.

ix. No building on Maine Street shall have more than 15 feet horizontally of windowless wall.

x. All new buildings and additions on Maine Street shall be built to the front property line. This may be waived if at least 60 percent of the building’s front facade is on the property line, and the area in front of the setback is developed as a pedestrian space.

xi. If more than 50 percent new floor area is added to a structure located on Maine Street, the addition shall be at least two (2) stories high and/or not less than 20 feet tall at the front property line.

xii. The first floor facade of any portion of a building that is visible from Maine Street shall include a minimum of 50 percent glass. Upper floors shall have a higher percentage of solid wall, between 15 percent and 40 percent glass.

c. Proposed additions or alterations to noncontributing resources shall be designed to enhance or improve the structure’s compatibility with nearby contributing resources as compared to the existing noncontributing resource.
2. **Additions:**

Buildings and neighborhoods are not static – they evolve and change over time. Numerous buildings in Brunswick’s VRO District have sustained additions and alterations over the years. These changes contribute to the building’s history and sometimes take on their own architectural, historical, and social significance. For instance, a Greek Revival style house that was constructed in the 1840s may have been “updated” in the 1870s with Italianate brackets and window hoods. These changes, although not “original” to the house, have taken on their own architectural significance and should be preserved.

Additions to a private residence or commercial building can have a dramatic impact on the historic character and integrity of that particular building, as well as the surrounding structures. It is important to be able to differentiate between the historic building and the new addition; otherwise a false sense of history is created.

Before designing an addition, it is important to understand the character-defining features of the historic building (roof forms, types of windows, doors, materials, decorative details, etc.). Examine the relationship between solids (walls) and voids (window and door openings). Are windows more dominant than the wall space, or is the amount of wall space equal to the window area? When examining where to place an addition, consider the relationship between the historic building and the sidewalk, street and neighboring properties. How do outbuildings relate to the main structure? Answers to these types of questions will provide information that can serve as the “building vocabulary” for the addition.

For more information on additions to historic buildings, visit https://www.nps.gov/tps/how-to-preserve/briefs/14-exterior-additions.htm.
Guidelines:

As clarified in Guidelines 1-9, the VRB will always prefer the use of compatible material when constructing additions.

1. The relationship between the existing building and its site, as well as surrounding buildings, should be used as a guide for the form and placement of the addition.

2. Every reasonable effort should be made to locate the addition on a side that is least visible from the public street or sidewalk, such as a side or rear elevation. If the addition is a porch, please see the Porches section on Page 34 of the Guidelines for additional information.

3. A new addition should be compatible with the massing, size, scale, and proportion of the original building. In other words, the overall bulk (number of stories and building footprint) of the addition should not overpower the original building.

4. Although the addition should not exactly duplicate the design of the original structure, the addition should be compatible with the style and materials used on the historic building, but it should be clear what is historic and what is new.

5. The window and door openings in the original building should serve as a guide for the placement and proportion of these elements in the addition.

6. New additions, exterior alterations, or related new construction should not destroy historic materials that characterize the property. The new work should be differentiated from the old and should be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

7. Roof top additions should be set back from the wall plane and should be minimally visible from the street.

8. Each property should be recognized as a physical record in time, place, and use. Changes that create a false sense of historical development should not be undertaken.

The addition (left side of image) to the existing (right side of image) Curtis Memorial Library is an example of an addition that is distinct from, but compatible with the style and materials of the existing building.
9. Whenever possible, new additions to structures and objects should be undertaken in such a manner that, if such additions were to be removed in the future, the essential form and integrity of the structure should be unimpaired.
G. Outbuildings: Garage, Carriage House, and Storage Shed

Brunswick has a wide range of outbuildings, including garages, barns, carriage houses, and small storage buildings. These outbuildings may be attached to the main house or freestanding. In either case, these buildings are often visible from the street and echo the details of the main building on the property.

Doors, roof elements, windows, and exterior wall surface are some of the character-defining elements on outbuildings. In Brunswick, many of the doors are paneled with a single or double row of glass panes. In some cases, these doors operate by swinging open or sliding on a track. Different materials (shingles as opposed to clapboards) and simpler window configurations were often used on the side (or less visible) barn elevations.

In some instances, outbuildings in the neighborhood have taken on a new use as living quarters. In these cases, the character-defining features should be maintained. Alterations to an outbuilding should be reviewed using the same standards one would apply to a primary structure.

The attractive attached outbuilding on the Parker Cleaveland House contributes to the property’s status on the National Register of Historic Places.

Single- or double-row glass panes are a common architectural elements on historic outbuildings.
As clarified in Guidelines 1-8, the VRB will always prefer the use of original material when repairing or replacing elements related to outbuildings.

1. Existing outbuildings should be maintained and preserved wherever possible.

2. Every effort should be made to repair the existing outbuilding and any character-defining architectural features of the building. Repairs should be made with as little intervention as possible by patching, piecing-in, splicing, consolidating or otherwise reinforcing the deteriorating material using the same material as the existing structure.

3. The outbuildings and any other related features should be photographically documented and submitted to the Pejepscot Historical Society prior to any repair or rehabilitation work.

4. If it is necessary to replace any element of an outbuilding, the replacement should be made from the same material as the original and should match the original in size, scale, shape, and detail. In the event that it is not reasonably possible to match the material, a compatible substitute material is acceptable.

5. Double and triple width garage doors should be avoided. New garage doors should utilize the existing opening(s) and should not have a smooth surface.

6. Every reasonable effort should be made to maintain how outbuilding doors operate, such as hinged, swinging doors or sliding doors.

7. If constructing a new outbuilding, the structure should be compatible with the existing primary structure in materials, building and roof form, and detailing. The design for a new outbuilding should be compatible with the primary structure, but it should be clear that it is not from the same time period as the primary structure.

8. Any new or temporary outbuilding should be located behind the primary structure and should be compatible with the location of outbuildings on adjacent properties.

Guidelines:

The reuse of existing openings and single-width garage doors (above) are always preferable to double- (below) or triple-width doors.
**H. Porches and Entries**

Porches often mark the main and/or side entrance to a house and serve as a semi-private transition area between the public space (sidewalk/street) and the private space (house). Porches are often added to a house to help screen it from the weather and, in some cases, to provide additional living space. There is ample opportunity for architectural expression on porches with details such as columns, pilasters, decorative brackets, railings, and balustrades.

Porches are found in various locations on buildings, and one building may have several porches. The steps and railings leading up to a porch are an equally important character-defining feature. A variety of porch configurations can be found in Brunswick, including the following:

- One-story attached entry porch;
- One-story attached wraparound porch;
- One-story attached porch that spans the full width of the front façade;
- One-story attached side porch; and
- Double porch (porches stacked over each other).

The majority of Federal and Greek Revival style houses in Brunswick did not originally have entry porches; however, porches were often added to these houses. There are many properties with a small roof pediment over the main entry, which is supported by decorative brackets. This detail was common during the mid-to-late 1800s and is characteristic of the Italianate style.

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For more information on preserving historic wooden porches, visit [https://www.nps.gov/tps/how-to-preserve/briefs/45-wooden-porches.htm](https://www.nps.gov/tps/how-to-preserve/briefs/45-wooden-porches.htm).
As clarified in Guidelines 1-11, the VRB will always prefer the use of original material when repairing or replacing elements related to porches and entries.

1. Existing porches and their character-defining elements should be maintained and preserved.

2. Every reasonable effort should be made to repair the existing porch and any character-defining architectural features of the porch (brackets, columns, balustrade or railing, flooring, ceiling, roof, and steps). Repairs should be made with as little intervention as possible by patching, piecing-in, splicing, consolidating, or otherwise reinforcing the deteriorating material using the same material as the existing porch.

3. The porch and any other related features should be photographically documented and submitted to the Pejepscot Historical Society prior to any repair or rehabilitation work.

4. If it is necessary to replace any element of a porch, the replacement should be made from the same material as the existing porch and should match the historic feature in size, scale, shape, and detail. In the event that it is not reasonably possible to match the material, a compatible substitute material is acceptable. Replacement of decking and treads with composite material is acceptable.

5. Covering porch details with vinyl or aluminum siding should be avoided.

6. Enclosing an existing porch on the primary building façade should be avoided.

7. Historic stone steps should be maintained and preserved. In many instances, resetting stone steps and repointing can solve many related problems.

8. Screens may be added to a porch if they can be attached in such a manner that will not cause damage to historic fabric and the modification is completely reversible.

9. New porches should be compatible with the overall scale, shape, and detail of the building, as well as the prevailing streetscape.
10. Ornamentation should not be added to a porch that is not compatible with the stylistic period of the house.

11. New decks, glass enclosed rooms, or sun porches should be treated as additions where visible from a public way.
I. Roofs and Related Elements

A roof is an extremely important character-defining element of a building. There are several different aspects of a roof to consider:

- Overall shape of a roof, such as hipped, gambrel, and gable;
- Decorative features, including dormers, cupolas, and chimneys;
- Roofing material (slate, wood, and metal), as well as the material’s size, color, and patterning; and
- The treatment of the roof edge.

Common roof characteristics in Brunswick:

- The predominant roof forms are gable and hipped. A significant number of houses are positioned with the gable end facing the street;
- Shed and flat roofs are common on porches and additions;
- Metal and asphalt shingles are the predominant roofing materials; and
- Eaves are predominantly simple and unadorned except on Italianate style houses where brackets are used along the eaves.

Roof-mounted solar panels should be located on the upper roof and laid as flat as possible. Installing roof-mounted solar panels on the front of the roof, or installing solar panels with a high degree of tilt is not recommended.

Low profile solar panels minimize the visual impact on the character of a building.
Guidelines:

As clarified in Guidelines 1-8, the VRB will always prefer the use of original material when repairing or replacing elements related to roofs and associated elements.

1. The shape, pitch, overhang, and material of a historic roof should be maintained and preserved.

2. Any character defining elements of the roof (cupolas, vents, and dormers, etc.) should be maintained and preserved.

3. Every reasonable effort should be made to repair the existing roof. The materials used to repair the roof should match the existing roof in color, material, and configuration. If a substitute material is necessary, it should match the existing roof material in color and configuration.

4. If replacing an entire roof, the replacement material may revert back to an original material if historic documentation is available. For example, if removing an asphalt roof and early photographs clearly show a metal roof, then it would be acceptable to revert to a metal roof.

5. The roof and any other related features should be photographically documented and submitted to the Pejepscot Historical Society prior to any repair or rehabilitation work.

6. If replacing a metal roof, the proportion of the seams and trim should match the original. Generally, a commercial-grade architectural metal on a residential structure should be avoided where there is no evidence that this type of metal was used originally.

7. When installing replacement gutters, the destruction of historic detail should be avoided.

8. Elements attached to the roof such as antennae, skylights, vents, solar panels, and decks on front elevations or areas that are visible from the public way should be avoided.

"Crickets" are structures designed to preserve chimneys or other decorative elements by diverting water away from the structure.

For more information on roofing for historic buildings, visit https://www.nps.gov/tps/how-to-preserve/briefs/4-roofing.htm.
J. Setting and Site

A neighborhood’s character is defined not only by its buildings, but also by the setting where the buildings are located. Street width, building setbacks, sidewalks, curbing, street lights, parking, fence patterns, granite walls, trees, signs, and open spaces like neighborhood parks and cemeteries, define a neighborhood’s setting. The term “streetscape” refers to the area between the front of a building and the street. Streetscape elements and their relationship to buildings, as well as the relationship of buildings to each other and the street itself, establish an overall pattern and rhythm, which help define a community’s character.

For example, houses in one area may be situated in a regular pattern close to the street with narrow front and side yards, whereas in another neighborhood, a mixture of setbacks and yard dimensions may result in an irregular pattern. It is important to identify the overall rhythm and pattern for each neighborhood so that these existing parameters can be used to evaluate and guide future changes.

Brunswick has a mix of formal (paved sidewalks, granite curbs, streetlights, trees, fences, small retaining walls/pillars) and informal (no sidewalks, no curbing) streetscapes. A wide variety of sidewalk paving materials are used throughout Brunswick’s VRO District, including concrete, asphalt and brick. Granite curbing is also found in several areas. Historic images are an excellent source of information for understanding how a neighborhood’s streetscape elements have changed through the years.

On a smaller scale, each individual property has its own characteristics, which are also important to understand. The relationship between buildings on the site and the amount of open space contributes to each property’s character. Is a large portion of the lot covered with a building and/or outbuildings, or is the building set far back from the street with a large front yard? Is the outbuilding (garage, barn, tool shed) attached to the main house or freestanding? Where is the outbuilding in relation to the main house? Directly behind it or next to it? If buildings are connected, how are they configured? Do they form an ell or do they run straight back?

Driveways and their entrances establish a rhythm along the street. Brunswick has several properties where adjoining lots share a driveway. In many cases, the driveway leads to parking along the side of the house or in the rear where there may be a garage or outbuilding.
Wooden front and side yard fences are important character-defining features in several areas of the district. Fences or low retaining walls define the semi-public space between the sidewalk and the building itself. Since fences sustain a great deal of weathering, it is unusual when original fencing survives. Property owners can look to historic photographs to determine if their property had fencing and, if so, the design and scale of the fence. Wood and granite are the most prominent fence and wall materials in the district.

The location of parking areas is an important issue, particularly when considering a new use for a property. For example, if a house is going to be converted for use as an office, the placement of the parking area should be carefully considered to ensure that it enhances the neighborhood’s character.

Landscape features such as hedges, terraces, and mature trees also contribute to a neighborhood’s setting. Trees are important streetscape elements, and they have a dramatic impact on the scale and character of a town.
As clarified in Guidelines 1-13, the VRB will always prefer the use of original material when repairing or replacing elements related to setting and site.

1. The relationship between buildings, the sidewalk, and street should be maintained and preserved.

2. New buildings and alterations to existing buildings should be compatible with the setback of adjacent properties. If there is variation in the setback within a district, then the location of previously existing structures on the site should guide the placement of a new building.

3. Street trees should be maintained wherever possible. Review historic photographs to determine type and placement of trees. Consult with an arborist to determine appropriate tree species. Plant new trees to complete patterns where trees may have been lost in the past.

4. Distinctive landscape features such as terraces, mature trees, and hedges should be maintained and preserved.

5. Existing driveways should be maintained. New driveways should be avoided as they interrupt sidewalks, pedestrian activity, and the established rhythm of openings along the street edge.

6. Historic sidewalk paving and curbing materials such as granite and brick should be maintained, repaired and preserved.

7. If replacement of the paving material is necessary, every reasonable effort should be made to use historically appropriate materials or to replace in kind.

8. Materials such as granite, stone, and wood have been historically used in the VRO District for steps and retaining walls. These materials or similar natural materials should be used if a new retaining wall or steps are needed. Artificial materials such as concrete block or concrete masonry units, should not be used on along primary building façades.

9. Every reasonable effort should be made to preserve and maintain fences and retaining walls. It is not appropriate to replace an entire fence or wall when minor repairs and limited replacement of deteriorated or missing features is possible.
10. If it necessary to replace a large section of fence or an entire fence, the replacement should be compatible in material, height, and detail to other historic fences in the district and to the materials of the primary structure on the property.

11. Chain link is not an appropriate fencing material for any areas that are visible from a public way.

12. Parking areas should be located to the side or rear of the primary building. In no cases should it be located in the front yard.

13. Dumpsters or other large trash receptacles should be located to the side or rear of the property and, if necessary, screened using materials that are in keeping with the primary structure.

Wood (left), wrought iron (center), and stone (right) are the most commonly used fence materials in the VRO District.

Parking, especially in a downtown area, should be located to the side or rear of a structure, not in the front yard.

K. Signage and Awnings

Signs are essential elements of the downtown commercial area and have a dramatic impact on the streetscape. Signs promote businesses and provide information to the public. Historically, signs were surface or flush mounted between the storefront and upper façade, hung on brackets projecting from the storefront, and/or painted on the display windows. Icon or graphic signs were also popular in downtown commercial areas. These signs used shapes to convey information about the business, for example: a shoe shaped sign may have been used for a cobbler.

Awnings have always been a popular element on downtown commercial buildings. They serve many purposes:

- Provide shelter for pedestrians;
- Protect merchandise from the sun;
- Regulate the amount of sunlight and heat entering a store; and
- Identify the business.

Traditionally, awnings were operable allowing the merchant to capitalize on natural light and visibility yet provide shade when needed.

For more information on the use of awnings on historic buildings, visit [https://www.nps.gov/tps/how-to-preserve/briefs/44-awnings.htm](https://www.nps.gov/tps/how-to-preserve/briefs/44-awnings.htm).
Guidelines:

As clarified in Guidelines 1-8, the VRB will always prefer the use of original material when repairing or replacing elements related to signage and awnings. For additional regulations applicable to signage, please see Section 4.13 of the Brunswick Zoning Ordinance (.pdf file).

1. Signage should be placed in areas historically used for this purpose, such as the sign band between the storefront and the upper façade, or projecting from the façade on a simple bracket.

2. Signage on an awning canopy should be discouraged and permitted only on the valence of the awning.

3. Internally lit signs and plastic or fiberglass canopies are not permitted.

4. When several businesses are located in one building, individual signs should be coordinated in material, scale, color, lettering style and placement on the building.

5. Awnings and signs should be attached to the building in a manner that will not damage or obscure significant architectural details or features. Hardware should be fastened into mortar joints rather than the masonry.

6. Awnings should be modeled after traditional forms, and neighboring buildings should be taken into account when considering the installation of awnings.

7. Awnings should be in a color that compliments the façade and should be designed to coordinate with the overall signage plan for the building.

8. Awnings should be made of a weatherproof cloth material and of a scale that does not overwhelm the façade.
L. Windows

Windows are an important character-defining feature of a building. The size, style, placement, and architectural detailing of and around windows all affect a building’s character. Windows, like doors, are typically subjected to weathering and require regular maintenance. Windows are comprised of many parts such as frames, sash, muntins, sills, heads, moldings, and shutters.

The first step in any window repair project is to conduct a survey of the existing windows. Systematically look at each window and determine the condition of each part. Things to look for include:

- Peeling paint.
- Rotten wood.
- Broken glass.
- Glazing (putty) intact.
- Broken or missing hardware.
- Deteriorated or missing molding.
- Smoothness of window operation.

Survey results may indicate that the windows are in better condition than initially thought and may require only minor repairs and painting as opposed to wholesale replacement. For example, the operation of a window may dramatically improve by simply replacing the worn sash rope with new rope. Unless a house was severely neglected it would be unusual to find that all of the windows are beyond repair. Sometimes the windows on one side have suffered more than others. Attic windows sometimes hold clues about a property’s historic window design, as these windows are often not renovated. Understanding the condition of all the windows, and using a comprehensive approach to window repair will allow one to price out different repair options and find the best long-term solution.

1. Value of Original Materials

Older wood windows are often a better grade material and construction than what is available economically today. Mid-19th century or early-20th century windows have survived over 100 years, a life expectancy that cannot be matched with modern windows. With proper maintenance and repair, older wood windows may last another 100 years. In addition, the mechanisms and hardware in older windows are often mechanically simpler and repairable, as opposed to the type of balances in new windows.
2. **Repair and Rehabilitation**

The standard argument for replacement windows is that “the old windows are drafty,” yet the heat loss attributed to old windows occurs more often through parts that have loosened over time rather than through the glass itself. Windows are typically responsible for only 15 to 35 percent of a building's total heat loss in winter.

Generally, windows can be restored to good working condition and improved energy efficiency by making the following repairs:

- Replace and/or install weather-stripping;
- Replace deteriorated glazing compound or putty that seals the joint between the glass and the muntin; and/or
- Apply caulking to fill cracks around exterior window opening and the casing, head, and sill.

Another possible solution for addressing heat loss is the use of storm windows. Storm windows may be used on the exterior or the interior of a property. Although exterior storms may compromise the visual appearance of a building’s exterior, storm windows are a suitable option because they are not permanent and may be removed without permanently altering the historic building.

Newer versions of storm windows are available in anodized aluminum colors and in a narrower profile (as opposed to the old triple track storms). Storm windows can also be painted the same color as the sash to minimize their visual impact on historic features.

3. **Window Replacement**

One rule of thumb for evaluating window conditions is that when a window sash has more than two broken parts, such as a broken tongue and groove corner joint and broken muntins, it is time to consider replacement. Otherwise, any good woodworker can repair a sash with minor breaks. Old counterbalanced sashes are very simple in their design. Window sashes are made to be taken apart for repair, as well as to glide easily when maintained.

In most cases when a window is in poor condition, only the sash needs replacement and the frames, sills, and trim can be simply repaired using common methods. Sash replacement is often the most-effective solution to complete window replacement and is recommended because it can be

For more information on the repair of historic windows, visit [https://www.nps.gov/tps/how-to-preserve/briefs/9-wood-en-windows.htm](https://www.nps.gov/tps/how-to-preserve/briefs/9-wood-en-windows.htm)

Although double-hung windows are most common in the VRO District, both single- and triple-hung windows can also be found, depending on the architectural style of the building.

Storm windows like those on this home on Federal Street can maintain the historic character of a building and reduce heat loss.
accomplished without adversely changing the building’s appearance. The original exterior trim or surround (often a character-defining feature), original sightlines, and original building material can all be maintained.

For replacement windows, the first and best option to maintain historic character is to look for a replacement in kind – a window that matches the size, material, muntin configuration, and detail of the existing window. One option is to look to local salvage yards for old sash that match the existing windows. These often will have the old wavy glass, known as cylinder glass, and will most closely replicate the original window sash in detail and species. They can be rehabilitated to make a fine replacement window. Depending on the age of the window, more likely than not the New England sash would have been made out of eastern white pine. These windows have milled joinery and are made of solid stock, a far superior product and technique than commonly available today in even the best commercial wood windows.

The other option is to work with a millwork shop to create a new in-kind wood window sash. If it is necessary to replace multiple windows, the set-up cost for the muntin and sash profile knives (cutters) is offset when buying larger quantities. Double glazing each pane is another option to explore. Some glass manufacturers make restoration glass, which is similar to the cylinder glass. In a few cases, contractors and local glass companies will go so far as to stockpile old sash in order to salvage the old glass for reuse. This could be reused in other old sash or in new sash if the choice is made to stay with single glazing.

In some cases, commercial window manufacturers are able to take almost any of their standard products and customize them as replacement sash. They can route a pocket in the sash edge for the counterbalance sash line to fit. In some cases, a double-insulated sash from one of these manufacturers can be installed in the original opening. This is ideal in that it does not require a carpenter to tear out the frame or do any special refurbishing of the frame (short of attaching new sash line to old counterbalances and then to the new sash). A successful replacement sash should not reduce or expand the original opening size. Complete replacement might be either an entire new window unit (frames, sash, and trim), or a new window unit (frames and sash but no trim) set within the existing frames and trim (known as frame-in-frame or insert windows).

The predominant window form in Brunswick is wood, double-hung with multi-lights in both sash. The term six-over-six or two-over-two is used in reference to double-hung sash to describe the number of panes of glass in each sash. Decorative windows like three-part windows and fanlights are also common.
Guidelines:

As clarified in Guidelines 1-10, the VRB will always prefer the use of original material when repairing or replacing elements related to building windows.

1. Every reasonable effort should be made to maintain and preserve a property’s historic windows.

2. Every reasonable effort should be made to repair the existing windows. Repairs should be made with as little change as possible by patching, piecing-in, splicing, consolidating or otherwise reinforcing the deteriorating material using the same material as the existing window.

3. If it is necessary to replace any section of a window, the replacement should be made from the same material as the original and should match the original in size, scale, shape, and detail. Any details, such as glazing pattern, and window surround molding should be duplicated in the replacement.

4. As a last resort, alternate materials, such as aluminum or vinyl clad wood windows, or vinyl windows may be acceptable for replacement sash (not frame-in-frame), as long as they match the historic window configuration.

5. Original window openings should not be altered to accommodate stock sizes.

6. Existing windows should not be blocked-in.

7. Storm windows should be attached so that existing windows and frames are not damaged. If possible, exterior storms should be painted to match the color of the existing windows. Interior storms are another option.

8. Original shutters should be repaired and maintained.

9. If it is necessary to replace any section of a shutter, the replacement should be made from the same material as the original and should match the original in size, scale, shape and detail.

10. Shutters should not be introduced where there is no evidence that they ever existed.

Although various other divided light patterns are located within the VRO District, two-over-one, two-over-two, and six-over-six are the most commonly used pattern.

If maintained properly, original shutters (like those above located on a Park Row business), can make a significant contribution to the overall architectural character of a building. However, shutters should not be added to an existing building when there is no evidence they ever existed.
III. BRUNSWICK ARCHITECTURAL STYLES

A. Colonial (c. 1725 - 1790)
B. Federal (c. 1790 - 1820)
C. Greek Revival (c. 1820 - 1860)
D. Italianate (c. 1840 - 1880)
E. Second Empire (c. 1860 - 1885)
F. Colonial Revival (c. 1880 - 1945)
G. Queen Anne (c. 1880 - 1910) & Stick Style (c. 1860 - 1890)
A. Colonial (c. 1725 - 1790)

There are few structures in Brunswick’s review district that date to the Colonial era. This is due, in part, to the fact that there was less development in this area compared to the southern part of the state, and, quite simply, very few structures from this era survive anywhere in Maine.

The Colonial structures that endure in Brunswick are examples of a one and one-half-story building sub-type commonly referred to as a cape. It is worth noting that the term “Cape Cod Cape” did not come into use until the 1920s and 1930s when builders were looking back to earlier architectural styles and building forms for inspiration and popularized the cape building form. Almost all early capes in Maine are wood frame construction with a gable roof. One of the most notable features of an early cape is the large brick center chimney.

A center chimney that is painted white with a black cap indicates one of two things: 1) an early cape that was updated during the Colonial Revival era or 2) the building may be an early-20th century cape. Capes from the Colonial era typically did not have painted chimneys. In some regions of the country, chimneys may have been coated with plaster, but they were not painted. In Brunswick, the predominant foundation material is granite and the exterior is clad with wood clapboards. It is not uncommon to see wood clapboards on the front elevation with wood shingles on the sides. Most capes originally had a wood shingle roof.

The primary façade is usually a symmetrical three or five-bay configuration: a door centered on the façade with windows evenly spaced on either side. The entrance sometimes has a small rectangular window above the door with several small square panes. Simple pilasters sometimes flank the door. Window openings are much smaller compared to those of later styles. Windows are typically double-hung with nine-over-six or eight-over-eight sash. Early double-hung sash did not have a pulley or weight system and the upper sash was fixed. The lower sash was held open at various points with a wood peg inserted into holes. On rare occasions, these early sash configurations survive. Colonial houses often have a rear or side ell connecting the main house to a barn. Frequently, dormers have been added at a later date to provide more light and air to the second story.

Evidence suggests that the exterior of many rural Colonial houses were often unpainted while high style houses may have had contrasting colors on the trim such as orange or blue.
Symmetrical Five-Bay Façade with Painted Clapboards

Center Chimney

Side-Gabled Roof

Main Entry Centered on Front Façade with Transom Window Above Door to Allow Light into Center Hall

Although this Colonial-style house on School Street has six-over-six sashes, nine-over-six and eight-over-eight sashes were typical of the era.
B. Federal (c. 1790 - 1820)

The Federal style is well represented in Brunswick’s architecture, particularly along the major streets such as Federal Street and Park Row. This reflects Brunswick’s prosperity at the turn of the 19th century. Although some properties have sustained extensive alterations, there are other buildings that retain a significant portion of their original exterior character-defining features.

The Federal style was influenced by the Neoclassical movement in Europe and became increasingly popular in America after the Revolution. The designs of English architect Robert Adam had a dramatic impact on American architecture, thus the term, Adamesque, is also often used to describe this architectural style. Hallmarks of the Federal style are delicate proportions and details as well as applied ornament. Façades are symmetrical with the entry centered on the long side of the house.

Generally, the Federal style houses in Brunswick are of wood frame construction with a rectangular or block form oriented with the long side facing the street. Typically, they are two or three stories with either a side gable or shallow hipped roof. Wood clapboards are the predominant exterior material with the building sitting on a granite and/or brick foundation. In some cases, clapboards are laid flush only on the front elevation to give the impression of smooth masonry.

Chimney placement is usually at either end of the main block of the house. Shifting the chimneys out from the center towards the end walls permitted greater flexibility for interior room configurations. In some high style houses it is not unusual to see a pair of chimneys at either end of the house.

One of the primary defining features of a Federal style house is the main entrance. The front door is usually centered on the primary façade with a semi-circular or elliptical fanlight window above it. The door is flanked by sidelights that typically have lead tracery. The door is often accentuated with simple pilasters and a broken triangular pediment. In some houses, the entry pediment is carried forward to create an entrance portico. The portico may be rectangular or elliptical and is often supported by groupings of slender, Doric columns. This use of classical elements (columns, arches) is typical of the Federal period.

Windows are also an important defining characteristic of a Federal house because they establish a balanced rhythm and pattern across the primary façade. Windows are typically wood, double-hung sash with six panes in each sash, often referred to as six-over-six. Federal era windows are characterized by thinner and more delicately proportioned muntins and mullions, which contribute to an
overall feeling of light and air. In three-story houses, window openings may get smaller as they go up the façade. For example, the first floor windows might be large paneled six-over-six sashes and the top floor might be a three-over-three sash. This stylistic treatment was used to enhance the perception of a building’s height.

Wood louvered shutters are another prevalent feature of Federal style houses. Several types of ornamental window forms were used as decorative elements in Federal houses including semi-circular windows; Palladian windows; and three-sectioned windows.

The cornice, window, and door surrounds are other areas to look for the intricate, finely proportioned and small-scale detail that is characteristic of the Federal period.
C. Greek Revival (c. 1820 - 1860)

Brunswick has many superb examples of the Greek Revival style. When Maine achieved statehood in 1820, Greek Revival was achieving great popularity in America and quickly became the predominant choice for all building types in Maine, including civic and religious buildings, retail blocks, and residences – from the most modest farmhouse to the grandest mansion. The Greek Revival buildings dominated the architectural scene from 1835 – 1850. The popularity of the style wound down with the beginning of the Civil War in the 1860s. The inspiration for this style was the Grecian temple.

The examples in Brunswick are frame construction with wood clapboard exterior and a gable roof. A great number of the Greek Revival houses in Brunswick are oriented with the gable end facing the street. A triangular pediment in the gable end, which rests on a wide entablature, distinguishes a Greek Revival house. The corners of the building are finished with wide pilasters, or corner boards. The pilasters may be simple boards, or paneled, and may be repeated across the front façade to suggest a temple colonnade. Typically, there is an ell extending off the side or rear of the main building.

As in any building, windows are significant features. Greek Revival windows are similar to the Federal style in that they are typically wood double-hung sash with six panes in each sash. In late Greek Revival buildings, the windows may be two-over-two. Overall, Greek Revival windows are larger with bolder muntins. Larger pane sizes were possible due to technological developments in the manufacture of glass. Some Greek Revival houses have triple-hung windows particularly on the first floor in the parlor.

Entrances of Greek Revival houses typically have a bold door surround with a narrow band of rectangular windows on the top and sides of the door. There are a few examples that have a recessed entry marked with bold columns. The columns are often capped with Ionic or Doric capitals.

An important difference between Federal and Greek Revival is the change in the location of the entrance, which moved from the side gable elevation to the gable end of the house. Also, a Greek Revival entrance is not always centered on the façade.

In addition to Doric columns, Ionic columns (above) are commonly used at the entrances of a Greek Revival style house. For more information on columns, please see Appendix B.
Corner Pilasters, which Often Have Raised or Recessed Panels

Main Entrance Recessed and with a Rectangular Door Surround and Rectangular Sidelights

(Greek Motifs such as a Greek Key or Fret Pattern Are Often Found on Door Surrounds)

Bold, but Simple Cornice Board Defining the Gable End

Gable End Facing the Street
D. Italianate (c. 1840 - 1880)

The Italianate style was a romanticized interpretation of the Italian villa form. The style became popular in America in the 1840s and 1850s. The influential books of the architect Alexander Jackson Davis and the landscape designer Andrew Jackson Downing furthered the style’s widespread acceptance in this country. The style was easily applied to numerous building types and forms. Due to the Industrial Revolution, an increasing number of building elements were readily available to property owners. The mass production of details made them affordable, thus it was possible for more people to add architectural ornament to an existing or new house.

In Brunswick, there are several examples of houses with an earlier date of construction that appear to have been updated with Italianate features. Common alterations include adding brackets along the roof edge, constructing a small pediment supported by brackets over the main entry, and the conversion of window openings to bay windows.

The Italianate house form can be either symmetrical or asymmetrical. Decorative brackets (single or grouped in pairs) are used extensively, particularly at the following locations:

- Roof edge
- Entry pediment
- Bay windows
- Window lintels
- Towers
- Porches

Both windows and doors are often tall and narrow and may be grouped in pairs. Sometimes openings have round or segmented tops. Bay windows are also common. Corner pilasters topped with elaborately carved brackets are also common. In some instances, wood quoins (woodwork that is cut to resemble stone) are used at the corners of a building. Paint colors were often earth tones with contrasting colors on the details.

This house on Gilman Street is an example of a building with an earlier building, Greek Revival, updated with Italianate features such as decorative hoods over windows and a small pediment with brackets.

Towers are a common feature of high design Italianate buildings.
Decorative Hood Over Windows
Deep Eaves with Roof Brackets
Hipped Roof
Small Pediment with Brackets
Bay Window
Double Doors
E. Second Empire (c. 1860 - 1885)

Second Empire, like Queen Anne and Stick Style, falls within the Victorian era and was popular during the second half of the 19th century. Brunswick has a small collection of Second Empire buildings and most of these are modest examples of the style. Unlike some of the other revival styles of the late-19th century, Second Empire was considered modern because it was imitating the latest French architectural style. The term “Second Empire” refers to the reign of Napoleon III.

The primary defining characteristic of Second Empire is the mansard roof with dormer windows. The roof form became popular because it created a functional full height attic space. It was not uncommon to see the roof of an existing house converted to a mansard form in order to gain additional usable space. Dormers often have elaborate hoods or decorative surrounds. Additional character-defining details include molded cornices at the top and bottom of the roof slope, and decorative brackets at the eaves.

The Wyler Building on Maine Street, with its mansard roof with dormer windows, represents the essential architectural elements of a Second Empire building.
Hooded Dormers
Heavy Molding at Top and Bottom of Roof Slope
Mansard Roof with Flared Base
F. Colonial Revival (c. 1880 - 1945)

There are several Colonial Revival style buildings in Brunswick’s current VRO District as well as strong concentrations of the style in surrounding neighborhoods. Generally, the Colonial Revival period spans from c. 1880 to the 1950s and encompasses a wide variety of building forms.

Sparked by the Centennial Exposition in Philadelphia in 1876, architects began reviving architectural styles and elements from earlier styles, particularly Colonial, Georgian, and Federal. During the Colonial Revival era, decorative features were modified without regard to scale and proportion and details from different architectural styles were often combined on the same building. While there are several popular building sub-types or forms from this era, the Four Square and the Dutch Colonial are two of the most common in Brunswick.

**Building Form: Four Square**

As its name suggests, one of the hallmarks of a Four Square is its overall shape and form: a square footprint with four equal sides. Typically, these houses are two-stories with a hipped roof that is often interrupted by hipped or shed dormers. Windows are typically grouped in pairs and are double-hung with multi-panes in the upper sash and a single pane in the lower sash. Rectangular bay windows and a one-story attached porch across the full width of the façade are typical characteristics. An enclosed porch or sunroom off one side of the house is another common feature of a Four Square. Clapboards and wood shingles are the predominant exterior cladding material. In many cases, there is a change in exterior wall surface treatment between the first and second story. In some cases, this change in material is accentuated with a change in finish color.

**Building Form: Dutch Colonial**

The predominant architectural element Dutch Colonial Revival buildings is the gambrel roof. In addition to the gambrel roof, Dutch Colonial Revivals may have flared eaves, clapboard, shingle, or brick (less often) siding, and long, shed dormers. Window sashes were often eight-over-eight and the entrance is often defined by a small portico with columns. Although most Dutch Colonial Revival buildings feature a side-gambrel, there are several front-gambrel Dutch Colonial Revivals within the VRO District (see Page 77).

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F. Colonial Revival (c. 1880 - 1945)

This Four Square residence features many of the architectural elements associated with the style: hipped roof with a hipped dormer, six-over-one window sashes, and an attached porch with the entry off to the side.

Although side gambrel roofs are most common for Dutch Colonial Revival, as is the case for this building on Pleasant Street, there are several front gambrel roofs within the VRO District.

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1 "Dutch Revival." University of Vermont Landscape Change Program, https://www.uvm.edu/landscape/dating/residential_architecture/dutch.php
Side Porches are Characteristic of the Colonial Revival Style

Windows are Wider than Earlier Styles

Entrance is Off-Center and the Fencing above the Pediment is not Characteristic of Earlier Styles
Brunswick has a small number of buildings that display decorative elements typical of two 19th century architectural styles, Queen Anne and Stick Style. The majority of the stylistic examples in Brunswick are fairly restrained. Queen Anne is one of several architectural styles that emerged during the Victorian era, a time period that generally corresponds to the reign of Queen Victoria in England (1837 – 1901). The term “Queen Anne” originated in England and was used to describe buildings whose design was influenced by late medieval English architectural styles.

The increasing advancements in technology and industry allowed for the mass production of various house components, such as doors, balusters, windows, shingles, siding, and brackets, which were then readily distributed across the country via the expanding railroad network. Not only were these architectural decorative details relatively easy to acquire, but they were also affordable. With the introduction of balloon frame construction, irregular floor plans could be readily achieved. All these factors contributed to the widespread popularity of the Queen Anne and Stick Style in America.

Both Queen Anne and Stick Style houses are characterized by irregular building forms with various projections from the wall surface, such as dormers, towers, bay windows, porches, and overhangs. Porches and eaves are often adorned with spindle work and brackets. A variety of shingle patterns are typically used on Queen Anne buildings, often in the gable ends.

Stick Style detailing is typically comprised of horizontal, vertical or diagonal boards, or stickwork, that are intended to imply a sense of the building’s structure, but in reality have no correlation to the structural system. In some cases, siding may be applied in different directions on a façade to create a complex pattern and texture.
Chimneys with Patterned Brick Work

Decorative Wood Trim in Gable Peak

Complex Roof Forms with Projecting Dormers

Corner Brackets

Bay Window
IV. BRUNSWICK ARCHITECTURAL CONTEXT

A. Federal Street Neighborhood
B. Franklin-Maple Street Neighborhood
C. Maine Street Neighborhood
D. Mill Street Neighborhood
E. Northwest Brunswick Neighborhood
F. Pleasant Street Neighborhood
The Federal Street Neighborhood is one of six neighborhoods that comprise the VRO District in Brunswick. The neighborhood is located east of Maine Street and north of the Bowdoin College campus. Federal Street and Park Row are the two major roads in the neighborhood with School, Green, and Cleveland Streets serving as secondary connector roads. Additionally, the Federal Street Neighborhood is part of a National Register Historic District, which speaks to the significance of this area’s architectural heritage.

Residential-scale structures are the dominant building form in the neighborhood. However, there are a few large non-residential buildings such as Hawthorne School and a church. Historically, this area’s proximity to Bowdoin College and downtown made it a convenient place to live for college professors and administrators as well as successful merchants and business leaders. Today, not much has changed although several of what were originally constructed as single-family houses have been divided into multiple units. Although there are also several substantial brick buildings, the majority of the structures are wood frame.

The houses along both Federal Street and Park Row maintain a uniform setback from the street that allows a modest front yard. The lot width typically allows for a yard on both sides of the building. Curbs, trees, and sidewalks establish a formal streetscape. Some properties further define the transition between public space (street/sidewalk) and private space (house) with a fence, hedge, low retaining wall and/or a porch. Federal Street breaks down into three sections: Bath Road to the railroad tracks; railroad tracks to Center Street; and Center Street to Mason Street. From Bath Road to the railroad tracks, the fine proportions and architectural detailing of the houses combined with the generous lot widths (particularly on the east side of the street) indicate that these properties were originally home to Brunswick’s wealthy upper class. Federal and Greek Revival are the predominant architectural styles reflecting the popularity of this area in the first decades of the 19th century. Noted carpenter-builder, Samuel Melcher III, designed several houses in this neighborhood. After crossing over the railroad tracks, the character of Federal Street starts to change. Between the railroad tracks and Center Street, the street narrows, the building density begins to increase as lot sizes decrease and examples of later architectural styles, such as Colonial Revival, are interspersed between earlier houses. The last section of Federal Street (Center to Mason Streets) has several Federal style houses with a strong rhythmic spacing between them. These changes in building styles and lot configuration among the three sections of Federal Street reflect that development occurred first at either end of Federal Street with the middle section filling in as Brunswick prospered and the population grew.
As its name suggests, the character of Park Row is defined by its proximity to the Mall, a park between Park Row and Maine Street. Houses line only the east side of Park Row and overlook the Mall, which ironically was not always the pastoral, green open space that it is today. With a few exceptions, the houses maintain a modest setback from the road and the buildings cover a majority of the lot. Federal, Greek Revival and Italianate are the predominant architectural styles indicating that development began as early as the first quarter of the 19th century.

The houses located in the triangle created by Cleaveland Street, Bath Road, and Federal Street are generally smaller in scale compared to buildings elsewhere in the neighborhood. The smaller scale buildings, narrow width of Cleaveland Street, minimal front setbacks, and the informal sidewalks establish an intimate pedestrian feel which is noticeably different from the more formal streetscape elsewhere in the neighborhood. Stylistically, a mix of Federal and Greek Revival buildings indicates early-to-mid-19th century development along this street.

Overall, the buildings in the Federal Street Neighborhood represent a superb collection of residential 19th century architecture and reflect Brunswick’s prosperity during this time period. The survival of the majority of these 19th century structures is not only a testament to the convenience of this residential area to nearby services (Bowdoin College, shopping, Route 1), but also to the local citizens’ awareness of the importance of these structures to Brunswick’s history.
B. Franklin-Maple Street Neighborhood

This neighborhood is one of six neighborhoods that comprise the VRO District in Brunswick. The houses that face Federal Street are not included in the boundaries of this neighborhood. The neighborhood is tucked between the houses along Federal Street to the west and the railroad to the east.

A walk through the Franklin-Maple Street Neighborhood reveals a great deal about how this area of Brunswick developed. By examining the relationship of buildings to the street and to each other, as well as the scale of the houses and their architectural detailing, one can gather valuable clues as to the neighborhood’s history. Today, the area consists of predominantly residential buildings although historically a few commercial structures could be found in this area of town, such as a tannery at the end of Maple Street. The buildings are wood frame construction with the exception of two brick structures, one residential building on Jordan Avenue and the former Gas Company Building on Maple Street now known as the “Cookie Apartments.”

The houses in the neighborhood are generally situated on long, narrow lots with the buildings sitting close to the street and side yards separating the houses and outbuildings. The separation between the public space (street/sidewalk) and private space (house) is informal with no curbing or formal sidewalks. Few street trees or other elements (such as fences, retaining walls, etc.) define the public and private areas. This configuration differs noticeably from Federal Street, along the west side of the neighborhood, where houses are typically situated further back from the street with sidewalks as well as retaining walls, fences and porches defining the transition from the public street to the private house.

The informal relationship between the buildings and the street, and the houses’ close proximity to each other contributes to the character of this neighborhood and reflects the early and ongoing development of this residential area conveniently positioned between downtown and rural areas beyond the railroad.

A visual analysis of the scale and detailing of neighborhood buildings also contributes to the story about the area’s development. The concentration of several small, one and one and one-half-story Greek Revival capes along Franklin and Stetson Streets reflects the mid-19th century development in the neighborhood. An 1846 map clearly indicates the existence of several capes, many of which still survive, and illustrates how this area bridged the gap between downtown development and the farms beyond.
The continued growth of Brunswick and the success of the mills in the second half of the 19th century are reflected in the built environment with the construction of larger, two and one-half-story houses as well as double-houses, particularly on School Street, Jordan Avenue, and Market Lane. During this same period, numerous connected houses and barns, or carriages houses, were constructed reflecting the adaptation of the common connected farmhouse to a town setting. An examination of the 1887 map shows the concentration of these connected houses along several streets, particularly Franklin and Thompson (now School) Streets. The existence of both large single-family houses and multifamily dwellings speaks to the convenience of the location for people from a wide range of economic and social levels.

Many of the buildings constructed in the neighborhood during the mid-to-late-19th century are simple building forms that incorporate Italianate stylistic details, such as brackets along the roof edge or a small, pediment over the main entry. Decorative window lintels, or hoods, and bay windows are also common Italianate features. The popularity of this particular style indicates how readily available these architectural elements were to a wide segment of Brunswick’s residents.

While most of the neighborhood was developed by the late-19th, there are several early-20th century houses in the area. These include cape forms designed to replicate early Colonial architecture, and others reflect the newer building forms, such as the four square. Most of the 20th century buildings exist along Jordan Avenue and to the south. The buildings of the Franklin-Maple Street Neighborhood reflect the consistent popularity of this small residential area beginning in the early-19th century and continuing through the 20th century.
C. Maine Street Neighborhood

This neighborhood is one of six neighborhoods that comprise the VRO District in Brunswick. Maine Street links Route 1 to Bowdoin College as well as numerous residential areas. The Maine Street neighborhood encompasses Brunswick’s historic commercial core. Today, this area remains the heart of downtown activity. Additionally, the Maine Street Neighborhood is part of the Brunswick Commercial Historic District that is listed on the National Register of Historic Places.

The tremendous width of Maine Street distinguishes it from other streets in the VRO District. The street’s ample width affords dramatic views of Fort Andross Mill to the north and First Parish Church to the south. The variation in building forms and materials defines the character of Brunswick’s Maine Street. An examination of the current buildings offers clues to how this vibrant community center has evolved over the last 250 years.

Residential scale one and one-half- and two-story buildings populate the west side of the street between Route 1 and Gilman Avenue. They are free-standing structures with either hipped or gable roofs. This adaptation of the residential building form for commercial downtown use was common during the early-to-mid-19th century and these buildings are some of the earlier structures in downtown. Several other free-standing residential scale commercial buildings exist elsewhere along Maine Street. These building are typically either brick or wood frame.

Maine Street also has several commercial blocks that represent the traditional downtown building form of the late-19th and early-20th centuries. The Lincoln Building and the Tondreau Building are exceptional examples of this tradition. Both of these buildings are brick, the preferred building material for densely developed downtowns as it was more fire resistant.

Several 20th century buildings indicate where earlier structures were either lost to fire or demolition. Some of these “younger” buildings respond to Maine Street’s traditional character by maintaining a setback similar to neighboring structures while others are representative of the 20th century free-standing commercial building. Wide sidewalks, trees, crosswalks, and streetlights establish a formal streetscape and contribute to the cohesiveness of Maine Street.
Maine Street’s architecture represents over two centuries of change. The layers of history are evident in the various building forms and materials. Despite a wide variety of buildings, Maine Street maintains a sense of uniformity as a result of the generally consistent building setback and building height. While building forms and materials may have changed, the unifying thread of commercial activity continues to thrive on Maine Street.

The various building forms and materials of Maine Street can be experienced with a short walk down the block.
D. Mill Street Neighborhood

This neighborhood is one of six neighborhoods that comprise the VRO District in Brunswick. Route 1 divides this neighborhood, which was once at the heart of Brunswick’s textile mill industry.

The Route 1 bypass destroyed many of the tenements and commercial buildings associated with the industrial age. However, the south side of Mill Street retains numerous buildings from the mid-19th century. These three-story, wood frame buildings with commercial storefronts on the first floor and housing on the upper floors typify industrial era vernacular architecture.

The Cabot Mill (now called Fort Andross) anchors the north end of Brunswick and signifies the importance of the town’s industrial heritage. While this neighborhood’s architectural history has been greatly altered, the remaining buildings, both the mill and modest tenement buildings, reflect a significant aspect of Brunswick’s 19th century heritage.
E. Northwest Brunswick Neighborhood

This neighborhood is one of six neighborhoods that comprise the VRO District in Brunswick. The neighborhood is bounded to the east by the downtown commercial district (Maine Street); to the north by Route 1; and to the west and south by residential areas. Union Street runs down the middle of the neighborhood and divides it into two sections: the eastern blocks end at Maine Street and the western blocks end at Cushing Street. In comparison to the other residential areas in the VRO District, the Northwest neighborhood contains the broadest range of architectural styles and level of architectural details.

The grandest houses in the neighborhood reside along the western blocks of Cumberland and High Streets. Impressive residences dating from the mid-to-late-19th century line Cumberland Street. Superb examples of Greek Revival, Italianate, and Stick Style are a testament to the wealth of the original owners and the talented craftsmen and builders in the area. Beyond these majestic houses lie several duplexes reflecting the need for housing as the textile industry prospered. Several high style Italianate and Colonial Revival houses dating from the 1870s populate the western block of High Street indicating the later development of this street. On some properties, the ornate architectural detailing carries over onto the carriages houses.

The residences along Dunning and Oak Streets are modest both in scale and architectural details compared to those found elsewhere in the neighborhood. One and one-half-story houses located extremely close to the road and to each other characterize Dunning Street. Over the years many houses have transformed into multi-family housing. Similarly, modest architecture characterizes Oak Street with the one notable difference being the existence of three-story multi-family dwellings. Given this area’s proximity to the mills it is logical to see a concentration of multi-family buildings.

The residential structures located east of Union Street are typically one and one-half- or two-story houses situated on long narrow lots resulting in a densely developed street. Several beautifully detailed brick Greek Revival residences on Lincoln Street date to the mid-1800s and reflect the impact of the mills’ prosperity on the development of local housing. The consistent small scale of the houses, the regular setback from the street and the narrow width of the street all contribute to an intimate pedestrian feel on both Gilman Avenue and Lincoln Street.
The eastern block on Cumberland Street is predominantly residential, however there are a few institutional buildings in this area, including a church and a school. Of particular note is the Stetson Street Block, a two-story apartment house originally built as townhouses.

The Northwest neighborhood is a compact predominantly residential area. The streets establish a grid like pattern yet the pedestrian experience varies greatly depending upon the street and the location of the houses in relation to the street. The mix of both high-style and vernacular buildings reflects the diverse history of residents and is one of the defining characteristics of the neighborhood.
F. Pleasant Street Neighborhood

The Pleasant Street Neighborhood includes the properties on both sides of the street from Route 1 / Stanwood Street to Maine Street. This neighborhood is one of six neighborhoods that comprise the VRO District in Brunswick. The neighborhood is one of the primary gateways into downtown Brunswick.

The variety of building types along Pleasant Street indicates that a significant amount of change and growth has occurred through the years. Union Street is an important delineation point as the character of the buildings begins to change at the intersection of Union and Pleasant Streets. Therefore, Pleasant Street can be broken down into two sections: Maine Street to Union Street and Union Street to Route 1 / Stanwood Street.

Between Maine Street and Union Street, there is a mix of civic, religious and commercial uses as well as building forms. Significant civic or religious buildings of various architectural styles contribute to the street’s character, including the Curtis Memorial Library (Colonial Revival, c. 1904), the Universalist Universalist Church (Queen Anne, c. 1886), St. Paul’s Episcopal Church (Gothic Revival, c. 1845) and the United States Post Office (Colonial Revival, c. 1932). The importance of these community landmarks is reflected, in some cases, by the use of masonry, a more substantial and expensive building material. Over the years, the commercial activities of Maine Street have crept around the corner onto this section of Pleasant Street. As a result, many of the 19th century residences have been converted to commercial use, which has significantly impacted their architectural integrity. While setbacks are generally consistent in this area, the variation in building form, materials, and use creates a busy visual environment.

From Union Street to Route 1/Stanwood Street, Pleasant Street begins to take on a less commercial feel. Between Union and Cushing Streets there is still a mix of residential and institutional buildings. St. John’s Catholic Church and its related buildings anchor the southwest corner of Pleasant and Union Streets and mark the end of the religious landmarks along Pleasant Street. Numerous businesses inhabit residential buildings. For the most part, this results in preserving the residential scale and character of the street. While there are a few early-19th century buildings, the prevalence of late-19th century architectural styles reflect the later development of this section of Pleasant Street. These styles include Queen Anne, Stick Style, and Colonial Revival.
The tremendous width of Pleasant Street (two lanes of traffic plus one lane of parking) is due to its original function as a major two-way gateway into and out of Brunswick. The wide street dominates the streetscape and diminishes the pedestrian feel of the neighborhood. Curbs, sidewalks, and trees establish a formal streetscape pattern.

While Maine Street represents the commercial center of Brunswick, Pleasant Street is the hub of civic and religious activities. The buildings along Pleasant Street portray a significant part of Brunswick’s commercial, residential, and religious history.

Directly across from Curtis Memorial Library, the United States Post Office is another civic use characteristic of the Pleasant Street Neighborhood.

Built in 1881, this house on Pleasant Street is reflective of late 19th-century architecture found in the Pleasant Street neighborhood.
V. APPENDICES

A. Accessibility Guidelines
B. Illustrated Architectural Elements
C. Illustrated Design Concepts
D. Historic Maps
E. Properties within the Village Review Overlay District on the National Register of Historic Places
A. Accessibility Guidelines

Americans with Disabilities Act Accessibility Guidelines (ADAAG)

Sections 4.1.7 Accessible Buildings: Historic Preservation

(1) Applicability*:

(a) General Rule. Alterations to a qualified historic building or facility shall comply with 4.1.6 (Accessible Buildings: Alterations), the applicable technical specifications of section 4 and the applicable special application sections unless it is determined in accordance with the procedures in 4.1.7(2) that compliance with the requirements for accessible routes (exterior and interior), ramps, entrances, or toilets would threaten or destroy the historic significance of the building or facility in which case the alternative requirements in 4.1.7(3) may be used for the feature.

Appendix Note: A4.1.7(1) The Department of Justice's regulations implementing titles II and III of the ADA require alternative methods of access where compliance with the special access provisions in 4.1.7(3) would threaten or destroy the historic significance of a qualified historic facility. The requirement for public facilities subject to title II is provided at 28 C.F.R. 35.154(b) and the requirement for private facilities subject to title III is provided at 28 C.F.R. 36.405(b).

EXCEPTION: (Reserved).

(b) Definition. A qualified historic building or facility is a building or facility that is:

(i) Listed in or eligible for listing in the National Register of Historic Places; or

(ii) Designated as historic under an appropriate State or local law.

(2) Procedures:

(a) Alternatives to Qualified Historic Buildings and Facilities Subject to Section 106 of the National Historic Preservation Act:

(i) Section 106 Process. Section 106 of the National Historic Preservation Act (16 U.S.C. 470 f) requires that a Federal agency with jurisdiction over a Federal, federally assisted, or federally licensed undertaking consider the effects of the agency's undertaking on buildings and facilities listed in or eligible for listing in the National Register of Historic Places and give the Advisory Council on Historic Preservation a reasonable opportunity to comment on the undertaking prior to approval of the undertaking.
(ii) ADA Application. Where alterations are undertaken to a qualified historic building or facility that is subject to section 106 of the National Historic Preservation Act, the Federal agency with jurisdiction over the undertaking shall follow the section 106 process. If the State Historic Preservation Officer or Advisory Council on Historic Preservation agrees that compliance with the requirements for accessible routes (exterior and interior), ramps, entrances, or toilets would threaten or destroy the historic significance of the building or facility, the alternative requirements in 4.1.7(3) may be used for the feature.

(b) Alternatives to Qualified Historic Buildings and Facilities Not Subject to Section 106 of the National Historic Preservation Act. Where alterations are undertaken to a qualified historic building or facility that is not subject to section 106 of the National Historic Preservation Act, if the entity undertaking the alterations believes that compliance with the requirements for accessible routes (exterior and interior), ramps, entrances, or toilets would threaten or destroy the historic significance of the building or facility and that the alternative requirements in 4.1.7(3) should be used for the feature, the entity should consult with the State Historic Preservation Officer. If the State Historic Preservation Officer agrees that compliance with the accessibility requirements for accessible routes (exterior and interior), ramps, entrances or toilets would threaten or destroy the historical significance of the building or facility, the alternative requirements in 4.1.7(3) may be used.

(c) Consultation With Interested Persons. Interested persons should be invited to participate in the consultation process, including State or local accessibility officials, individuals with disabilities, and organizations representing individuals with disabilities.

(d) Certified Local Government Historic Preservation Programs. Where the State Historic Preservation Officer has delegated the consultation responsibility for purposes of this section to a local government historic preservation program that has been certified in accordance with section 101(c) of the National Historic Preservation Act of 1966 (16 U.S.C. 470a (c)) and implementing regulations (36 C.F.R. 61.5), the responsibility may be carried out by the appropriate local government body or official.

(3) Historic Preservation: Minimum Requirements:

(a) At least one accessible route complying with 4.3 from a site access point to an accessible entrance shall be provided.

EXCEPTION: A ramp with a slope no greater than 1:6 for a run not to exceed 2 ft (610 mm) may be used as part of an accessible route to an entrance.

(b) At least one accessible entrance complying with 4.14 which is used by the public shall be provided.

EXCEPTION: If it is determined that no entrance used by the public can comply with 4.14, then access at any entrance not used by the general public but open (unlocked) with directional signage at the primary entrance may be used. The accessible entrance shall also have a notification system. Where security is a problem, remote monitoring may be used.
(c) If toilets are provided, then at least one toilet facility complying with 4.22 and 4.1.6 shall be provided along an accessible route that complies with 4.3. Such toilet facility may be unisex in design.

(d) Accessible routes from an accessible entrance to all publicly used spaces on at least the level of the accessible entrance shall be provided. Access shall be provided to all levels of a building or facility in compliance with 4.1 whenever practical.

(e) Displays and written information, documents, etc., should be located where they can be seen by a seated person. Exhibits and signage displayed horizontally (e.g., open books), should be no higher than 44 in (1120 mm) above the floor surface.
B. Illustrated Architectural Elements

Although not specifically referenced in the VRO Design Guidelines, there are many other architectural elements that are frequently discussed during the VRB review process. Various elements, though not conclusive, are illustrated below:

**Arches**

- Gothic
- Ogee
- Segmented
- Trefoil
- Triangular
- Tudor
Columns
Porte Cochere

Quoin
C. Illustrated Design Concepts

Articulation: A method or manner of jointing that makes the united parts clear, distinct, and precise in relation to each other.¹

Building Hierarchy: Traditional multi-story buildings are composed of three (3) elements: base, middle, and top. As a building transitions between the elements changes in materials, colors, massing, and scale often occur.

Fenestration: The design, proportioning, and disposition of windows and other exterior openings for a building.²

Incremental Demolition: The act of removing historic elements of a building over time, the aggregate of which is loss of character and substance that results in a building that has lost its historic integrity.

Infill Development: Development that occurs on vacant or underused lots in otherwise built-up sites or areas.³

Massing: The organization of a building's overall volume.⁴ Often referred to as "bulk."

Rhythm: Movement characterized by a patterned repetition or alteration of formal elements or motifs in the same or a modified form.⁵

Scale: A qualitative measure of the relative height and massing of buildings and spaces. A building might disruptively dominate others to the detriment of its context, and its proportions might be such as to render it "out of scale" and uncomfortable to the human eye.⁶

⁵ Ibid, p. 55

A single building, or an entire block, may express various forms of articulation.

Traditional multi-story buildings, especially mixed-use buildings follow a hierarchy that establishes a visually distinct base, middle, and top. The symmetrical window and transom fenestration creates a sense of architectural rhythm.
Infill development should be compatible with the massing of the surrounding context. The building on the left is out of scale with its surrounding context in comparison to the buildings on the right.

Image Source: See Footnote 3, page 96.
D. Historic Maps
E. Properties within the Village Review Overlay District on the National Register of Historic Properties

1. 63 Federal Street - Harriet Beecher Stowe House
2. 75 Federal Street - Parker Cleaveland House
3. 11 Lincoln Street - Richardson House
4. 217 Maine Street - First Parish Church
5. 27 Pleasant Street - St. Paul's Episcopal Church
6. Brunswick Commercial Historic District
7. Federal Street Historic District
8. Lincoln Street Historic District
ITEM 168
BACKUP
TOWN OF BRUNSWICK, MAINE

TOWN COUNCIL ORDER

Authorizing the Town Manager to Execute a Parking Agreement with
JHR Development of Maine

WHEREAS, the Town of Brunswick (Town) and JHR Development of Maine (JHR) had a Joint Development Agreement, dated January 31, 2007 (JDA) for the development of the properties known as Maine Street Station;

WHEREAS, the JDA called for the Town and JHR to cooperate in the development of the Maine Street Station Project; and

WHEREAS, throughout the permitting and construction of the project agreements were made among various parties, including the Town, JHR, and Bowdoin College with respect to shared parking arrangements; and

WHEREAS, JHR and Bowdoin College had a 2008 shared parking agreement in which the College allowed JHR’s customers to use a portion of its McLellan (now Town Hall) parking lot at specified times; and

WHEREAS, the Town acquired the Town Hall property from Bowdoin College in 2011; and

WHEREAS, with the Town’s occupancy of the Town Hall property in 2014, the Town made a portion of its parking lot available to the general public:

WHEREAS, the Town and JHR now wish to extinguish all existing parking agreements and enter an agreement in which the Town would lease four Town Hall parking spaces to JHR for its exclusive use;

NOW THEREFORE BE IT ORDERED that the Town Manager, in consultation with the Town Attorney, is authorized to execute a five-year parking lease with JHR development in substantially the form and terms of the attached DRAFT lease.

BE IT FURTHER ORDERED that the Town Manager, in consultation with the Town Attorney, is authorized to amend the terms of the proposed DRAFT and execute an agreement the Town Manager determines to be in the best interest of the Town; and

BE IT FURTHER ORDERED that the Town Manager, in consultation with the Town Attorney, is authorized to execute any additional agreements the Town Manager determines to be necessary to accomplish the intent of the proposed DRAFT agreement.

Proposed to Town Council – December 2, 2019

Adopted by Town Council –
PARKING LEASE AGREEMENT

THIS PARKING LEASE AGREEMENT (this “Agreement”) is made effective as of the 1st day of December, 2019 (the “Effective Date”), by and between TOWN OF BRUNSWICK, a Maine municipal corporation having an address at 28 Federal Street, Brunswick, Maine 04011 (the “Town”) and JHR DEVELOPMENT OF MAINE PHASE I, LLC, a Delaware limited liability company with a principal place of business at 40 South Street, Unit 305, Marblehead, Massachusetts 01945 (“JHR”).

RECITALS

WHEREAS, The Town has rights to parking spaces (the “Town’s Parking Spaces”) located at 85 Union Street, Brunswick, Maine (“Union Street”), as shown on the plan titled “85 Union Street Parking Diagram 11/25/13” attached to this Agreement as Exhibit A and incorporated by reference (the “Parking Diagram”); and

WHEREAS, JHR is desirous of obtaining the rights to exclusive use of four (4) parking spaces labeled as “JHR Leased Parking Spaces” on the Parking Diagram (the “JHR Parking Spaces”).

NOW THEREFORE, for consideration of one dollar ($1.00) paid, in addition to the mutual agreements, representations, warranties and covenants set forth in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. **Lease.** Subject to the terms and conditions of this Agreement, the Town hereby grants JHR the right to access and use the JHR Parking Spaces at any given time for the sole purpose of parking for JHR’s tenants, visitors and JHR, and for no other use.

2. **Fixed Rent.** During the term of this Agreement, JHR shall pay the Town fixed rent in the amount of Five Thousand Nine Hundred Two and 16/100 ($5,902.16) Dollars per year, payable in advance and in monthly installments of Four Hundred Ninety One and 85/100 ($491.85) Dollars, commencing on the Effective Date and continuing on the first day of each and every other calendar month during the Term, without any reduction or offset whatsoever.

3. **Term of Agreement.** The term of this Agreement shall commence on the Effective Date and shall continue for five (5) years, terminating on November 30, 2024 (the “Term”).

4. **Option to Extend.** JHR shall have the option to extend the Term for one (1) additional five (5) year period (the “Extension Period”) at a fixed annual rent equal to the Market Rent, as hereafter defined, and otherwise on the same terms and conditions as this Agreement. “Market Rent” shall be determined as of the commencement of any Extension Period at the then current rentals being charged to new or renewal tenants for comparable parking spaces in comparable parking lots located in the Brunswick area. No provision of the Lease other than the Fixed Rent shall be modified. JHR shall notify the Town in writing of its intent to exercise this option to extend no later than November 1, 2024.

5. **Agreement to Negotiate.** JHR and the Town, or their successors and/or assigns,
agree to meet prior to the end of year 9 of this Agreement, if so extended thereto by JHR through the Option to Extend, to discuss an additional term for the continued lease of the JHR Parking Spaces following the expiration of this Agreement.

6. **Signage.** JHR shall be permitted to install signage in front of the JHR Parking Spaces identifying said spaces as reserved for “Brunswick Station Apartment Parking Only” and including information regarding the rights of JHR to tow unauthorized vehicles.

7. **Compliance with Law.** JHR covenants at all times during the term of this Agreement and as JHR occupies the Premises to operate all vehicles to, from and on the Premises in compliance with any traffic law or ordinance or any order or regulation of any public authority relating to the operation of JHR’s vehicles and to comply with the orders and regulations of all governmental authorities with respect to zoning, building, fire, health and other codes, regulations, ordinances or laws applicable to the Premises.

8. **Maintenance Charges.** The Town shall be responsible for repairing and maintaining the JHR Parking Spaces, including but not limited to the Town’s costs for access gate operation (if installed), striping, lighting, snow plowing and ice treatment, refuse removal, sweeping, landscaping, and repairs with respect to such parking spaces, the cost of all utilities consumed in operating the parking areas, and any management fees.

9. **Enforcement of Parking Rules.** JHR shall be responsible for the enforcement of this Agreement and shall have the right to cause unauthorized vehicles located in the JHR Parking Spaces to be towed, all at no cost to the Town.

10. **Notice.** All notices under this Agreement shall be in writing, and shall be deemed given when personally delivered, sent by nationally recognized overnight courier, by e-mail to the e-mail address provided by each party, or three days after being sent by prepaid certified or registered U.S. mail to the address of the party to be noticed as set forth in this Agreement, or such other address as such party last provided to the other by written notice.

11. **Severability of Provisions.** If any provision of this Agreement, or the application of any provision of this Agreement to any person or set of facts, shall be held invalid by any court of competent jurisdiction, such provision shall not affect the validity of any other provision of this Agreement or the validity of such provision to any other person or set of facts.

12. **Waiver and Amendment.** The terms of this Agreement shall not be waived, altered, modified, amended or supplemented except by written instrument signed by both parties. Failure to insist upon strict performance shall not be deemed a waiver of any right or remedy.

13. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties and their legal representatives, successors and permitted assigns.

14. **Governing Law; Consent to Jurisdiction; Service of Process.** This Agreement shall be deemed to be a contract negotiated and executed under the laws of the State of Maine.

15. **Counterparts; Evidence of Signature.** This Amendment may be executed in one
or more counterparts, each of which shall be deemed an original.

16. **Previous Agreements Voided.** Any and all other agreements by and between or for the benefit of either party relating to parking are hereby declared to be null and void.

[Signature Page Follows]
IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

TOWN OF BRUNSWICK

By: ________________________________
Name: 
Title:

JHR DEVELOPMENT OF MAINE PHASE I, LLC

By: JHR DEVELOPMENT OF MAINE, LLC

By: ________________________________
Name: J. Hilary Rockett, Jr.
Title: Manager
EXHIBIT A

PARKING DIAGRAM
ITEM 169
BACKUP
MEMORANDUM

TO: Town Council

FROM: John Eldridge
      Town Manager

DATE: November 27, 2019

SUBJECT: Train Station/Visitors Center Lease

In 2009, the Town and JHR Development of Maine (JHR) entered a lease for the Train Station/Visitor Center. The lease had a five-year term, with the option for three five-year renewals. The Town exercised an option to extend in 2014. That extension is expiring, so the Town needs to exercise its option to extend for another five years. Attached is a DRAFT of the proposed extension. We are asking that the Town Council grant the Town Manager the authority to execute the extension.

Attachment
THIRD AMENDMENT TO LEASE

THIS THIRD AMENDMENT TO LEASE (this “Amendment”) dated this ___ day of November, 2019 (the “Execution Date”), by and between JHR DEVELOPMENT OF MAINE PHASE I, LLC, a Delaware limited liability company having an address at 40 South Street, Suite 305, Marblehead, Massachusetts 01945 (the “Landlord”), and TOWN OF BRUNSWICK, a Maine municipal corporation having an address at 28 Federal Street, Brunswick, Maine 04011 (the “Tenant”).

RECITALS

WHEREAS, Landlord, and the Tenant entered into that certain Standard Lease dated June 26, 2009 (the “Lease”), for a portion of the premises located at Building 3, Station Avenue, Brunswick, Maine, now known as Unit 104, more particularly described in the Lease (originally labeled Unit 301(B)); and

WHEREAS, pursuant to the Lease and a Hold Back Agreement dated November 2, 2009, the Original Term commenced on November 1, 2009; and

WHEREAS, the Tenant elected to exercise its right to extend the Original Term for an additional five (5) years pursuant to Article II-A, Section 1 of the Lease through October 31, 2019; and

WHEREAS, Landlord and Tenant agreed to a Temporary Extension Period commencing on November 1, 2019 and terminating November 30, 2019, pursuant to that certain Second Amendment to Lease dated October 31, 2019; and

WHEREAS, the Tenant has elected to exercise its right to extend the Original Term for an additional five (5) years pursuant to Article II-A, Section 1 of the Lease; and

WHEREAS, the parties desire to further amend the Lease to extend the Original Term hereof.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants contained herein, the parties hereby agree as follows:

1. **Term.** Pursuant to Article II-A, Section 1 of the Lease, the Landlord and Tenant agree that the Original Term of the Lease shall be extended for an additional five (5) years, commencing on December 1, 2019 (the “Second Extension Period Commencement Date”), and terminating on October 31, 2024; provided that Tenant has not assigned the Lease and is not, nor will be, in default under any term or condition in the Lease.

2. **Fixed Rent.** During the Second Extension Period, Tenant covenants and agrees to pay to Landlord, at Landlord’s office in Marblehead, Massachusetts, or at such place as Landlord shall from time to time designate in writing, Fixed Rent in the amount of Fifty One Thousand Nine Hundred Thirty-Nine and 10/100 ($51,939.10) Dollars per year, payable
in advance and in monthly installments of Four Thousand Six Hundred Twenty-Eight and 26/100 ($4,328.26) Dollars, commencing on the Second Extension Period Commencement Date and continuing on the first day of each and every other calendar month during the Second Extension Period, without any reduction or offset whatsoever.

3. **Ratification.** By the execution of this Amendment, the Landlord and the Tenant do hereby expressly acknowledge, agree and confirm that with the exception to the amendments to the Lease as set forth above, the balance of all the terms and conditions contained in the Lease are hereby ratified and confirmed in all respects. Other than the provisions contained herein, the parties agree that the Lease shall remain in full force and effect and if a conflict between the two arises, the provisions of this Amendment shall prevail.

4. **Governing Law.** This Amendment shall be construed in accordance with the laws of the State of Maine.

5. **Defined Terms.** All capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Lease.

6. **Counterparts; Evidence of Signature.** This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. Signatures of any party transmitted by facsimile or electronic mail shall be treated as and deemed to be original signatures for all purposes, and shall have the same binding effect as if they were original, signed instruments delivered in person.

[Signature Page Follows]
IN WITNESS WHEREOF, the parties hereto each have executed this Amendment as a sealed instrument as of the date first written above.

**LANDLORD**

JHR DEVELOPMENT OF MAINE PHASE I, LLC
BY: JHR DEVELOPMENT OF MAINE, LLC, its Manager

By: ________________________________
   J. Hilary Rockett, Jr., Manager

**TENANT**

TOWN OF BRUNSWICK

By: ________________________________
   Name: 
   Title:
ITEM 170
BACKUP
MEMORANDUM

TO: Town Council
FROM: E. Ryan Leighton
      Assistant Town Manager
DATE: November 27, 2019
SUBJECT: Maine Gravel Donation

Maine Gravel Services, Inc. along with its acting directors, Mr. Franklin T. Crooker, Sr. and Mr. Theodore Crooker (collectively Maine Gravel) wish to make a significant donation of land to the Town of Brunswick. Maine Gravel intends to make this gift with specific restrictions and stipulations regarding the use and retention of the parcels listed below and shown on the diagram attached.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Location</th>
<th>Map/Lot</th>
<th>Acreage</th>
<th>Description</th>
<th>2019-2020 Assessed Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel 1</td>
<td>484 Old Bath Road</td>
<td>Map 48 Lot 28</td>
<td>115 Acres</td>
<td>Vacant Land/Pit</td>
<td>$ 174,400</td>
</tr>
<tr>
<td>Parcel 2</td>
<td>0 Old Bath Road</td>
<td>Map 48 Lot 31</td>
<td>15.4 Acres</td>
<td>Vacant Land</td>
<td>$ 122,000</td>
</tr>
<tr>
<td>Parcel 3</td>
<td>10 Sturgeon Lane</td>
<td>Map 48 Lot 25-1</td>
<td>14 Acres</td>
<td>Land/Single Family House</td>
<td>$ 231,400</td>
</tr>
<tr>
<td>Parcel 4</td>
<td>418 Old Bath Road</td>
<td>Map 48 Lot 22</td>
<td>7 Acres</td>
<td>Land/Single Family House</td>
<td>$ 259,100</td>
</tr>
<tr>
<td>Parcel 5</td>
<td>0 Route 1</td>
<td>Map 48 Lot 29</td>
<td>12 Acres</td>
<td>Vacant Land/Pit</td>
<td>$ 98,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>Total</strong></td>
<td><strong>Total</strong></td>
<td><strong>Total</strong></td>
<td><strong>Total</strong></td>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

It is Maine Gravel’s desire the parcels be made available to the residents of the Town of Brunswick for recreation purposes, and future development of these lots would be for that purpose.

Over the summer, in anticipation of this donation, Sevee and Maher Engineers were hired to conduct a Phase I Environmental Site Assessment of the properties. The report has been completed and reviewed by the Town Attorney’s office with no significant concerns being raised. That being said, the parcels were predominately used as a gravel pit and no subsurface investigations have been conducted at this time.

As part of our negotiations with Maine Gravel, we have identified portions of Parcels 1, 3, and 4 which could be sold or shifted to adjacent property owners in an effort to fund recreational development of the overall collection of parcels or further enhance the functionality of the site.

At this point we request the Town Council grant permission for the Town Manager to execute a Donation Agreement with Maine Gravel and ultimately accept a deed transfer of the parcels prior to December 31, 2019.

Please contact me if you have any questions.
TOWN OF BRUNSWICK, MAINE
TOWN COUNCIL

An Order Authorizing the Acceptance of Property from Maine Gravel Services Inc.

WHEREAS, Maine Gravel Services, Inc. along with its acting directors, Mr. Franklin T. Crooker, Sr. and Mr. Theodore Crooker (Maine Gravel) wish to donate to the Town of Brunswick (Town) certain real property comprising five parcels and totaling approximately 163 acres; and

WHEREAS, as a condition of the donation, Maine Gravel will require that the Town make the parcels available for public recreation purposes, broadly interpreted, to include all forms of recreation, leisure and sporting activities; and

WHEREAS, another condition of the donation will be that the Town, with the exception of the identified parcels or portions of parcels, will retain the property in perpetuity; and

WHEREAS, any proceeds from the sale of the identified parcels, or portions thereof, will be used for the development of the recreational potential of the parcels; and

WHEREAS, Maine Gravel and the Town Manager have developed a DRAFT Donation Agreement outlining the conditions accompanying the donation; and

WHEREAS, the acquisition of these parcels allows for the Town to provide access to wide range of potential recreational opportunities, as well as providing opportunities for additional conservation space; and

WHEREAS, the parcels to be donated to the Town are adjacent to the Captain Fitzgerald Property currently owned and maintained by the Town; and

WHEREAS, Maine Gravel wishes to complete the transfer of ownership of the referenced parcels prior to December 31, 2019;

NOW THEREFORE, BE IT ORDERED that the Town Manager, in consultation with Town Attorney, is authorized to execute a Donation Agreement consistent with this order; and

BE IT FURTHER ORDERED that the Town Manager is authorized to execute deeds and any other documents the Town Manager, in consultation with the Town Attorney, determines are necessary to execute the transfer of the property from Maine Gravel to the Town.

Proposed to Town Council: December 2, 2019

Adopted by Town Council:
October 29, 2019

Mr. John Eldridge  
Mr. Ryan Leighton  
c/o Town of Brunswick  
85 Union Street  
Brunswick, ME 04011

Re: Donation of Land to be made by Maine Gravel Services, Inc.

Dear Mr. Eldridge and Mr. Leighton,

At your request, we are writing this letter to formally express the intentions of Maine Gravel Services, Inc. along with its acting directors Mr. Franklin T. Crooker, Sr. and Mr. Theodore Crooker (collectively, the Donors) to make a significant donation of land to the Town of Brunswick. We have been in continued discussions with you in contemplation of this gift to be made during the 2019 calendar year and we are now ready to present this gift to the Town of Brunswick for consideration and acceptance. The purpose of this letter is to provide the Town with the Donors formal presentation of this gift. Upon acceptance by the Town, the Donors will proceed with transfer of deeds and other formalities to affect the gift. Please note, that it is the express desire of the Donors to complete this gift before December 31, 2019. Having a completed gift before this date is an expressed condition of this gift.

The subject property to be gifted consists of five parcels located in Brunswick between Old Bath Road and Route 1. The five parcels together are roughly 163.4 acres (per town assessment records), and include vacant land, a manmade pond, a gravel pit, and two homes, along with various small outbuildings. Specifically, the subject property includes the following parcels:

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Address</th>
<th>Tax Map</th>
<th>Lot</th>
<th>Acres</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel 1</td>
<td>484 Old Bath Rd</td>
<td>Map 48, Lot 28</td>
<td>115 acres</td>
<td>Vacant land/Pit</td>
<td></td>
</tr>
<tr>
<td>Parcel 2</td>
<td>0 Old Bath Rd</td>
<td>Map 48, Lot 31</td>
<td>15.4 acres</td>
<td>Vacant land</td>
<td></td>
</tr>
<tr>
<td>Parcel 3</td>
<td>10 Sturgeon Lane</td>
<td>Map 48, Lot 25-001</td>
<td>14 acres</td>
<td>Land/Single Family House</td>
<td></td>
</tr>
<tr>
<td>Parcel 4</td>
<td>418 Old Bath Rd</td>
<td>Map 48, Lot 22</td>
<td>7 acres</td>
<td>Land/Single Family House</td>
<td></td>
</tr>
<tr>
<td>Parcel 5</td>
<td>0 Route 1</td>
<td>Map 48, Lot 29</td>
<td>12 acres</td>
<td>Vacant land/Pit</td>
<td></td>
</tr>
</tbody>
</table>

We have also included Tax Map 48 that has been modified to outline the parcels to be included in this gift of land to the Town of Brunswick.

Please also note that the Donors intend to make this gift to the town with specific restrictions and stipulations regarding the use and retention of the parcels by the Town of Brunswick. The Donors have no desire to overcomplicate the gift by adding various restrictions and stipulations, however, it is their express desire that the parcels be forever retained by the Town of Brunswick and not sold. Further, it is also the Donors express desire that the parcels be made available for the residents of the Town of Brunswick for recreational purposes and that the town’s development of the parcels be for this purpose alone. The term “recreational purposes” is meant to have a very broad definition to include all forms of recreation, leisure, and sporting activities. The Donors make the gift will no other specific restrictions or stipulations regarding retention and use of the parcels gifted to the Town of Brunswick.
Lastly, the Donors intend to make the gift with no representation or warranties regarding the subject property. In that regard, the Town of Brunswick has been given the opportunity to inspect the subject property and to complete its own environmental reviews and feasibility studies. By accepting the gift, the Town of Brunswick acknowledges that it has completed said inspections and reviews and has determined by its own actions to accept this gift.

If you have any questions regarding this gift, please do not hesitate to call our representative Mr. Stephen Hutnak at (207) 772-1600 x12.

With best regards,

Franklin T. Crooker, Sr.                        Theodore D. Crooker

Accepted and Agreed: _________________________

Date: ________________________________

Title: __________________________________
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.
ITEM 171
BACKUP
The Appointments Committee is making the following nominations:

**Assessment Review Board**
- Richard McInnes (reappointment) for a 3-year term to begin on January 12, 2020 and to expire on January 12, 2023

**Recycling and Sustainability Committee**
- Steven Weems for a balance of a 3-year term to begin immediately and to expire on January 1, 2022
- Stephen Wood for a balance of a 3-year term to begin immediately and to expire on January 1, 2022

**Zoning Board of Appeals**
- Nicholas Livesay (reappointment) as full member for a 3-year term to begin immediately and to expire on November 20, 2022
Town of Brunswick
Application for
Appointment to Board/ Commission/ Committee

Full Name: Richard McInnes  Date: 10/24/2019
Street Address: 21 Periwinkle Lane  Home Phone #: 725-1357
Cell/mobile Phone #: 522-4010  E-mail Address: mcinnes@mitre.org

I wish to be considered for appointment to the:
Assessment Review Board

(NAME OF BOARD/COMMISSION/COMMITTEE)

Check one or both:
FULL MEMBERSHIP STATUS: X  TERM BEGINS: Jan 2020
and/or  TERM EXPIRES: Jan 2023
ASSOC/ALT MEMBERSHIP STATUS:

Do you or any relative currently serve on any Town Board/Commission/Committee? Yes  If so, please state name of
Board/Commission/Committee, the number of years of service, and the relationship to this applicant:
Assessment Review Board  # of Years 20  Date term exp. Jan 2020  Relationship Self

Your occupation:

Employer: MITRE Corp.  Work Telephone #: 781-271-4897

List any civic organizations to which you belong:
None

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

Determine fair and reasonable valuations for Dept. of Defense contracts.

Have you previously served on a Town board/commission/committee? Yes  If so, please list the
board/commission/committee and years of service:
Assessment Review Board  1999-2019

[PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION]

Applicants may submit a cover letter and resume with the application form.
Applications should be returned to the TOWN CLERK’S OFFICE, 85 Union Street, Brunswick, Me 04011.

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

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

PLEASE NOTE: This completion of this application allows a person to be considered for a Town
Board/Commission/Committee, but does not guarantee placement on a Board/Commission/Committee.

APPLICANT – PLEASE COMPLETE THE QUESTIONS BELOW

Board/Commission/Committee Applying For: Assessment Review Board

Term Length: 3 years

1. Do you have any questions about what the Board/Commission/Committee does or on its charge?
   No

2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?
   I have done the same type of work for the Dept. of Defense on a larger scale.
   I have served on this Board for 20 years.

3. Why would you like to be on the Board/Commission/Committee?
   I believe that everyone should contribute to our Town in some way.
   This is a way I can contribute from my areas of experience.

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

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?
   No

6. Do you have anything you would like to add?
   Serving in the public interest makes you feel good.

PLEASE REVIEW THE TOWN OF BRUNSWICK BOARDS, COMMISSIONS, AND COMMITTEES APPOINTMENT POLICY PRIOR TO SUBMITTING THIS APPLICATION. YOU MAY VIEW THE POLICY AT http://www.brunswicknc.org/departments/town-clerk/boards-committees/ OR OBTAIN A COPY FROM THE TOWN CLERK'S OFFICE.

O:\Town\Clerk\Web\fillable form\Application For Board 12 2013 DRAFT.DOC
Revised 12/13
Town of Brunswick
Application for
Appointment to Board/Commission/Committee

Nick Livesay
212 Middle Bay Rd.
841-3444
n/a
10/27/19
n/a
nicklivesay@gmail.com
2

I wish to be considered for appointment to the:
Zoning Board of Appeals

(NAME OF BOARD/COMMISSION/COMMITTEE)

Check one or both:

FULL MEMBERSHIP STATUS:  X  TERM BEGINS: 11/21/19

and/or ASSOC/ALT MEMBERSHIP STATUS:  TERM EXPIRES: 11/20/22

Do you or any relative currently serve on any Town Board/Commission/Committee? yes If so, please state name of
Board/Commission/Committee, the number of years of service, and the relationship to this applicant:

Town Commons Comm./ZBA # of Years 11/7 11/11 & 11/16 & 11/16 Relationship father/self

Your occupation:

State of Maine, Dept. of Env. Protection 530-0965

Employer: Work Telephone #:___________________

List any civic organizations to which you belong:

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:
Considerable portion of my professional work over the last 15 years has involved
land use planning and zoning.

Have you previously served on a Town board/commission/committee? yes If so, please list the
board/commission/committee and years of service:
I have served on the ZBA since 2012.

________________________________________
SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION

Applicants may submit a cover letter and resume with the application form.
Applications should be returned to the TOWN CLERK'S OFFICE, 85 Union Street, Brunswick, Me 04011.

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

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

PLEASE NOTE: This completion of this application allows a person to be considered for a Town
Board/Commission/Committee, but does not guarantee placement on a Board/Commission/Committee.

APPLICANT – PLEASE COMPLETE THE QUESTIONS BELOW

Zoning Board of Appeals

Board/Commission/Committee Applying For: ____________________________

Term Length: ____________________________

1. Do you have any questions about what the Board/Commission/Committee does or on its charge?
   No

2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?
   I previously served as the Director of the Land Use Planning Commission, which provides permitting, planning, and zoning services for unorganized areas of Maine. I currently oversee the administration of the shoreline zoning program for DEP.

3. Why would you like to be on the Board/Commission/Committee?
   Serving on the ZBA is something I have enjoyed and provides me with an opportunity to contribute to the community. I hope to continue.

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

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?
   No

6. Do you have anything you would like to add?
   I have attached a cover letter and resume for your consideration.

PLEASE REVIEW THE TOWN OF BRUNSWICK BOARDS, COMMISSIONS, AND COMMITTEES APPOINTMENT POLICY PRIOR TO SUBMITTING THIS APPLICATION. YOU MAY VIEW THE POLICY AT http://www.brunswickme.org/departments/town- clerk/boards-committees/ OR OBTAIN A COPY FROM THE TOWN CLERK’S OFFICE.
October 27, 2019

Via E-mail Only

Appointments Subcommittee
c/o Fran Smith, Clerk
Town of Brunswick
85 Union Street
Brunswick, ME 04011

Dear Appointments Subcommittee Members:

I am writing to express my interest in continuing to serve as a member of the Zoning Board of Appeals.

Since 2012 I have served as either an associate or full member of the ZBA. I have enjoyed this experience. Both through my current involvement with the ZBA and my professional experience, previously as a land use attorney and Director of the Maine Land Use Planning Commission, and presently at the Department of Environmental Protection, I am familiar with the role a zoning board plays in administering a town’s ordinances and am comfortable reviewing variance requests and special exception applications, as well as hearing appeals of planning board decisions. I also understand a zoning board’s legal obligations when carrying out its charge.

Apart from my professional background, I care about our Town and believe serving on the ZBA is one way I can contribute to the community.

Thank you for your consideration.

Sincerely,

/s/ Nicholas D. Livesay
EXPERIENCE

Department of Environmental Protection
Director, Bureau of Land Resources
Augusta, ME
June 2019-present

- Lead land resources permitting, hydropower, mining, and shoreland zoning programs.
- Responsible for implementation and enforcement of a range of environmental statutes and associated regulations, including: the Site Location of Development Act, Natural Resources Protection Act, Stormwater Management Law, Metallic Mineral Mining Act, and Maine Waterway Development and Conservation Act.
- Manage 40 person staff working across four offices.

Land Use Planning Commission
Director
Augusta, ME
August 2012-May 2019

- Oversaw planning, zoning, and permitting in the unorganized and deorganized portions of Maine, a 10.4 million acre area covering approximately half the State.
- Provided recommendations to citizen board on policy matters and rulemakings.
- Managed 20 person staff working across six offices.
- Represented Commission before legislature.

Pierce Atwood LLP
Attorney
Portland, ME
September 2004-August 2012

- Member of Environmental and Land Use Practice Group.

Land Use and Permitting

- Represented corporations and individuals before federal, state, and municipal permitting bodies.
- Evaluated regulatory requirements and options for achieving project goals.
- Counseled clients seeking ordinance amendments.
- Teamed with consultants and technical experts to create applications that satisfy approval criteria.
- Negotiated with regulatory officials to resolve permitting issues.
- Prepared witnesses for and participated in administrative hearings.
- Represented permit holders and applicants in appeals to administrative boards and State courts.

Conservation

- Drafted conservation easements to help clients achieve environmental and business goals.
- Advised clients on compliance with federal and State species protection statutes.
- Provided counsel to members of the forest products industry serving on State Implementing Committee of the Sustainable Forest Initiative in Maine.

Environmental Due Diligence

- Evaluated compliance of existing commercial facilities and residential properties with environmental laws and regulations and land use ordinances.
- Identified sources and scope of potential environmental liability for buyers and sellers in corporate transactions.
- Assisted with development of risk minimization strategies.
Department of Environmental Protection  
Tallahassee, FL  
Environmental Specialist II  
May 2000-April 2001

- Staffed Energy 2020 Commission; assessed alternatives for restructuring the State’s electricity industry; evaluated environmental impacts of opening Florida’s electricity markets to wholesale competition; addressed Commission at public meeting.
- Analyzed law governing water allocation; explored possibility of establishing water markets and using economic incentives to more efficiently distribute Florida’s water supplies.

Industrial Economics, Inc.  
Cambridge, MA  
Research Analyst  
August 1998-April 2000

- Worked in natural resource damage assessment and policy analysis practice areas.
- Supported U.S. Environmental Protection Agency; assessed prospective costs and benefits of U.S. Clean Air Act Amendments; developed regulatory impact analysis training materials for Eastern European officials; designed computer model to help Polish community leaders compare alternative air pollution control policies.
- Assisted U.S. Department of Justice attorneys; critiqued reports prepared by expert witnesses; helped prepare witnesses for deposition.

EDUCATION

Boston University School of Law  
Boston, MA  
J.D., May 2004

- Member of Public Interest Law Journal.

Bowdoin College  
Brunswick, ME  
A.B., magna cum laude, May 1998

- Coordinate major in government and environmental studies; minor in economics.
- High Honors in environmental studies: conducted year-long research project on problem of ground-level ozone transport in the Northeast and potential policy solutions.
- Varsity soccer, every year.

University of Sussex  
Brighton, England  
Semester abroad, January-May 1997

- Studied global environmental policy and legal philosophies.

INTERESTS

Skiing, Hiking, Biking, Fishing, Boating, and Woodworking
Board Application Form

Select the Board, Commission, or Committee applying for

| Recycling & Sustainability Committee |

If Other, what committee OR if specific membership type

*Fill this in if the Committee you are applying for is not listed OR if the Committee you applied for has different membership types (e.g. Alternate, Full) type here*

| First Name     | Steven          |
| Last Name      | Weems           |
| Address1       | 44 Thompson Street |
| Address2       | *Field not completed.* |
| City           | Brunswick       |
| State          | Maine           |
| Zip            | 04011-3026      |
| Home Phone Number | 207-729-7624   |
| Business Address | Same as above  |
| Business Phone Number | 207-751-9437 |
| Occupation     | Business and financial consultant; nonprofit association director. |
| Email Address  | slweems@gmail.com |

Are you currently serving on other Boards, Commissions, or Committees?  

| No |

If yes, which  

*Field not completed.*

Have you served on a Board, Commission, or Committee  

| Yes |
before?

If yes, which

Town Council (1991-1995); Brunswick Development Corporation (1995-2010); Brunswick Industrial Development Committee and Brunswick Economic Development Corporation (combined period 1995-2010); Midcoast Regional Redevelopment Authority (2010-2018).

Please list civic organizations to which you belong

Executive Director, Solar Energy Association of Maine; Board member, Cornerstones of Science (science library education); Treasurer, Brunswick Public Art [501(c)(3)] (nonprofit corporation with a public, charitable purpose).

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

Prior experience in the recycling and solid waste industry (1988-1996); experience as a Brunswick Town Councilor and other Brunswick boards and commissions as listed above; Treasurer, Finance and Governance Committee chair, trustee of Bigelow Laboratory for Ocean Sciences (2010-2018); current experience as Executive Director of a statewide solar energy association, including municipal representation.

Upload Resume (Optional)

Weems Resume 10-27-19.doc

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

I have no questions, although I would be happy to discuss this further with a screening committee. I have worked closely with the Recycling & Sustainability Committee on solar energy incentives in Brunswick and tax policy. I do think there is an opportunity for the Committee to work in closer collaboration with the Town of Brunswick's economic and community development efforts.

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

Definitely. This includes (1) eight years of executive and business development experience in the recycling and solid waste industry (1988-1996); (2) duty as a Brunswick Town Councilor for District 7 (1991-1995); (3) town leadership and board roles in economic and community development at the Brunswick Development Corporation and Brunswick Economic Development Corporation (separate entities) (1995-2010); (4) Trustee, Treasurer and Chair of the Finance Committee at the Midcoast Regional Development Corporation 2010-2018); and (5) Co-founder and Executive Director of the Solar Energy Association of Maine (2016-present).

3. Why would you like to be on

Clearly we are in a time when this committee’s work is
the Board/Commission/Committee?

vital (reference climate disruption; pending Brunswick landfill closure; turmoil in recycling commodity markets; opportunity to align the work of this committee more closely with the Town of Brunswick’s and Midcoast Regional Development Authority’s respective efforts in economic and community development). I’d like to continue my civic work on behalf of the Town of Brunswick dating back to 1991 as a member of the Recycling & Sustainability Committee.

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

Yes. I am hopeful this committee will ramp up its activities. I am eager and able to help facilitate this and carry my part of the load!

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

None.

6. Do you have anything you would like to add

Only to ask you to refer to my attached resume for a more complete picture of my relevant professional and community experience spanning several (gulp!) decades. I am interested in linking the work of this committee more directly to the Town’s and other regional economic and community development activities, and efforts to mitigate climate disruption, to help create more sustainable activities in Brunswick and facilitate an even higher quality of life for our fellow residents and generations to come.

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RESUME

STEVE WEEMS

44 Thompson Street, Brunswick, ME 04011-3026
Tel [207] 751-9437 (cell); [207] 729-7624 (home) E-Mail sleweems@gmail.com

PROFESSIONAL EXPERIENCE

2008-present  
Polaris Associates, Managing Director

Founder. Company provides financial packaging for development projects; management consulting; economic and community development services; and conflict resolution services. Arranged and closed over $300 million in project financings (in addition to those below).

2016-present  
Solar Energy Association of Maine, Executive Director (uncompensated position)

Co-founder and principal staff of a nonprofit association advocating sustainable development of solar energy in Maine, primarily through fact-finding research, education, and lobbying. Working within a solar coalition, achieved major legislative success in 2019.

2003-2008  
CEI Capital Management LLC, Managing Director; then Executive Investment Officer

Founding Managing Director and CEO of a for-profit investment management subsidiary of Coastal Enterprises, Inc., specializing in tax credit financings benefiting low-income communities. Secured a national service area and about $500 million of federal New Markets Tax Credit (NMTC) investment authority. Built an asset portfolio of over $200 million of project financings in first four years, resulting in over 10,000 jobs and total investment in excess of $500 million in low-income areas. This entity now is a leading NMTC provider nationally.

1996-2002  
Schiavi Leasing Corporation, President

P&L responsibility [after leveraged buyout] for turn-key provider of commercial modular buildings [up to 40,000 sq ft], operating in 9 states. Upgraded products and operations, doubled revenues and cash flow [EBITDA], provided platform for raising $60 million of new capital for major expansion; then cash flow for national build-out.

1991-1996  
BFI Organics [Div. of Browning-Ferris Industries], Director of Development

Developed organic waste recycling business for BFI nationwide via acquisitions, joint ventures and major projects. Responsible for almost $100 million in new business, with emphasis on composting, bark mulch and soils, reusing industrial and municipal wastewater treatment plant organic by-products. Took a $25 million acquisition through deal structuring, due diligence and integration phases.

1988-1991  
Resource Conservation Services, Inc., Executive Vice President & COO

Partnered with founder to build company [both organic and traditional recyclables] from $1 million to Inc 500 high-growth company with $10 million in revenues, 80 employees, and 7 locations in 4 states. Company was profitable every year, then sold to Browning-Ferris Industries at a high multiple, putting BFI in the organic waste recycling business.

1983-1988  
Caseco Northern Bank [Bank of Boston], Vice President of Corporate Banking

 Recruited to add development perspective to the lending group. Responsible for business development and lending to large customers, primarily in Maine. Initiated new loan products [pooled industrial bond financings, early-stage lending], focused on special industries [health care]. Tripled fees and aggregate loan portfolio to about $45 million.

1978-1983  
Maine Development Foundation, Executive Vice President

Helped incorporators establish this statewide public/private economic development corporation; served as COO. Spearheaded the business attraction activities, direct lending
programs, and consulting services. Helped capitalize and staff Maine Capital Corporation, Maine’s first venture capital fund, spawning the venture industry in Maine.

1975-1978
**Maine State Planning Office, Supervisor, Division of Economic Planning & Analysis**

Established an economics division [9 professionals] in this cabinet agency. Working with business executives, developed policies and legislation regarding interstate banking, venture capital, tax policy, economic forecasting, and natural resource-based industries.

1972-1975
**Connecticut Department of Environmental Protection, Director, Development Services & Impact Analysis**

Established a professional group that analyzed the environmental impacts of major development projects; worked with developers to minimize these impacts.

1968-1972
**Gilchrist, Sutcliffe & Associates/Business Equities, Senior Management Consultant**

Diversified management consulting, primarily to industrial and commercial clients. Defined, organized, completed and presented assignments in various industries.

1965-1968
**United States Army, Captain**

Secretary of the General Staff, Fort Campbell, Kentucky. Provided management assistance to the Chief of Staff for 50,000 person base. Adjutant, 68th Maintenance Battalion. Human Resources officer for a Division [2000 people], Assistant Club Officer, Fort Campbell Officers’ Club System. COO for a $1.2 million food service business.

EDUCATION

1963-1965
**Harvard Business School, Master in Business Administration**

Graduated with Distinction honors. Course emphasis on organizational development, marketing, and financial management. 100% responsible for educational costs.

1959-1963
**Bucknell University, Bachelor of Science, Mechanical Engineering**

Elected to Tau Beta Pi [Engineering equivalent to Phi Beta Kappa], graduated cum laude, R.O.T.C.; played baseball [4 years, Div 1]. Full General Motors academic scholarship.

SELECTED BOARDS, COMMISSIONS, AND OTHER ACHIEVEMENTS

2016-present Executive Director, Solar Energy Association of Maine (uncompensated position)

2016-present President, Crystal Spring Farm Community Solar Association (community solar project)

2018-present Board Member, Cornerstones of Science (science education in public libraries)

2019-present President, Dirigo Community Solar Group, Inc. (association of 14 community solar projects)

2010-2018 Treasurer, Board of Trustees, Midcoast Regional Redevelopment Authority

2010-2018 Board of Trustees, Chair of Governance Committee, Bigelow Laboratory for Ocean Sciences

2010-2018 Board Member, Sustainable Communities Fund (investment capital for disadvantaged people)

2008-2010 Advisory Board, GE Capital New Markets Tax Credit financing subsidiary.

1998-2002 Board of Directors, Capricorn Products [medical diagnostics company].

1995-2010 President and Board member, Brunswick Economic Development Corporation [general-purpose local development corporation], and predecessor. Board of Directors, Brunswick Development Corporation [special-purpose (fiduciary) local development corporation].

1991-1995 Town Councilor, Town of Brunswick [two terms, non-partisan elected office].


1983-1989 Board of Directors, Natural Resources Council of Maine [environmental action group].


1975-present Maine “wannabe” [bless you, Neil Rolde.] and resident [44 years]; Brunswick resident [32 years].
Please type this form or it is available in a fillable form on line

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

Full Name: Stephen Wood  Date: 25Jun19
Street Address: 22 Havley Lane  Home Phone: 373-0858
Cell/mobile Phone: 215-5285  E-mail Address: swood88@outlook.com

I live in Council Dist. #: 2  I wish to be considered for appointment to the:

(NAME OF BOARD/COMMISSION/COMMITTEE)

Check one or both:
FULL MEMBERSHIP STATUS:   TERM BEGINS: 2019
and/or
ASSOC/ALT MEMBERSHIP STATUS:  TERM EXPIRES: 

Do you or any relative currently serve on any Town Board/Commission/Committee?   NO  If so, please state name of Board/Commission/Committee, the number of years of service, and the relationship to this applicant:

# of Years Date term exp. Relationship

Your occupation:
retired physician

Employer: Work Telephone #:  

List any civic organizations to which you belong:
Maine Auduban, Nature Conservancy, Natural Resources Council of Maine

Note any prior experience, knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:
none

Have you previously served on a Town board/commission/committee?   NO  If so, please list the board/commission/committee and years of service:

__________________________

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION

Applicants may submit a cover letter and resume with the application form.
Applications should be returned to the TOWN CLERK'S OFFICE, 25 Union Street, Brunswick, Me 04011.

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

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

PLEASE NOTE: This completion of this application allows a person to be considered for a Town/Board/Commission/Committee, but does not guarantee placement on a Board/Commission/Committee

__________________________

SIGNATURE

Stephen Wood
APPLICANT – PLEASE COMPLETE THE QUESTIONS BELOW

Board/Commission/Committee Applying For: Recycling & Sustainability Committee

Term Length: 3 yr.

1. Do you have any questions about what the Board/Commission/Committee does or on its charge?
   Can we work with MECM on their new statewide recycling program?

2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?
   No

3. Why would you like to be on the Board/Commission/Committee?
   Brunswick, Maine, and the Earth are drowning in plastic. We need to device ways to produce less by reusing plastic that already exists, and substitute paper based products where possible.

4. Are you aware of the time involved and would you be able to attend most of the meetings?
   I am willing to devote 16 hr./wk to this job. I am available to work/meet any time but Thursday evenings and Sunday mornings.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?
   No

6. Do you have anything you would like to add?
   Despite lack of direct experience in the recycling field, I have great interest in reducing human’s impact on the environment, and service here would be a perfect to help locally.

PLEASE REVIEW THE TOWN OF BRUNSWICK BOARD, COMMISSIONS, AND COMMITTEES APPOINTMENT POLICY PRIOR TO SUBMITTING THIS APPLICATION. YOU MAY VIEW THE POLICY AT http://www.brunswickme.org/departments/town- clerk/boards-committees/ OR OBTAIN A COPY FROM THE TOWN CLERK’S OFFICE.

Revised 12/13
CONSENT AGENDA - A
BACK UP MATERIALS
Councilors Present:  W. David Watson, Stephen S. Walker, Dan Jenkins, John M. Perreault, Christopher Watkinson, Jane F. Millett, Kathy Wilson, and Dan Ankeles

Councilors Absent:  Councilor James Mason

Town Staff Present:  John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Ryan Leighton, Assistant Town Manager; Julia Henze, Finance Director; Jay Astle, Public Works Director; Matt Panfil, Director of Planning and Development; Sally Costello, Economic Development Director; Tom Farrell, Director of Parks and Recreation; Ken Brilliant, Fire Chief; Dennis Wilson, Parks and Recreation Facilities Manager; and video crew.

Chair John Perreault called the meeting to order, asked for roll call, and led the Pledge of Allegiance.

Adjustments to Agenda:  See Public Comment

Public Comments/Announcements:  (for items not on the agenda)  (This item was discussed at 6:31 p.m.)

Representatives of Sunrise Bowdoin requested that the Council consider supporting a Climate Emergency Resolution.

Councilor Wilson moved, Councilor Walker seconded, to have a discussion regarding Sunrise Bowdoin’s request for the Council to support a Climate Emergency Resolution. The motion carried with seven (7) yeas. Councilor Watson was opposed.

MANAGER’S REPORT  (This item was discussed at 6:39 p.m.)

a)  Financial Update

Manager Eldridge provided this update.

b)  Holiday Trash Pick-up/Graham Road Landfill Hours

Manager Eldridge provided this update.

c)  Update on asylum seekers
Manager Eldridge, Ryan Leighton, Assistant Town Manager; and Tom Farrell, Parks and Recreation Director, provided this update, and responded to questions from Councilor Wilson, Councilor Millett, Councilor Walker, and Councilor Watson.

Councilor Ankeles, Chair Perreault, Councilor Walker, Councilor Watkinson, and Councilor Millett spoke regarding in this item.

Steve Levesque, Executive Director of MRRA, spoke regarding this item.

d) Charging Station

Manager Eldridge provided this update.

e) Pleasant/Mill/Stanwood Intersection

Manager Eldridge provided this update.

PUBLIC HEARING

156. The Town Council will hear public comments on an application for a special amusement license, and will take any appropriate action. (Town Manager Eldridge)
(This item was discussed at 7:10 p.m.)

Chair Perreault opened the public hearing.

Fran Smith, Town Clerk, introduced this item.

Councilor Millett, Chair Perreault, and Councilor Watkinson spoke regarding this item.

Chair Perreault closed the public hearing.

Councilor Wilson moved, Councilor Millett seconded, to approve a Special Amusement license for Aki, LLC, 94 Maine Street and as part of it they must keep area clean of cigarette butts. The motion carried with eight (8) yeas

157. The Town Council will consider proposed amendments to the parking ordinance Chapter 15 – Traffic and Vehicles, and will take any appropriate action. (Police Department) (This item was discussed at 7:15 p.m.)

Chair Perreault opened the public hearing.
Commander Waltz introduced this item, and responded to questions from Councilor Millett and Councilor Ankeles.

Benjamin Gatchell, owner of Dog Bar Jim on Union Street, spoke regarding this item.

Matt Panfil, Director of Planning and Development, spoke regarding this item.

Other members of the public speaking included:
Alex Chaiken, 233 Middle Bay
Alison Pols, 83 Spring Street,
David Bunge, 13 Belmont Street
David Vail and June Vail, 1 Oakland Street
Bobby Tucker, 6 Belmont Street
Richard Fisco, 2 Lincoln Street

Councilor Millett, Councilor Wilson, Chair Perreault, Councilor Jenkins, and Councilor Walker spoke regarding this item.

Chair Perreault closed the public hearing.

There was no objection to voting tonight.

Councilor Millett moved, Councilor Wilson seconded, to adopt Brunswick Police Department’s proposed parking changes to Chapter 15 – Traffic and Vehicles Ordinances, excluding the proposed imposition of a 2-hour parking limit on Noble Street. The motion carried with eight (8) yeas.

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

158. The Town Council will consider “An Ordinance Establishing the Compensation of the Town Council of the Town of Brunswick, Maine”, and will take any appropriate action. (Councilor Jane Millett) (This item was discussed at 7:48 p.m.)

Chair Perreault opened the public hearing.

Manager Eldridge introduced this item.

Richard Fisco, 2 Lincoln Street, spoke regarding this item.

Chair Perreault closed the public hearing.

MOTION:
Councilor Millett moved, Councilor Watkinson seconded, to adopt “An Ordinance Establishing the Compensation of the Town Council of the Town of Brunswick, Maine”, in the amount of $4,000 per councilor, with $4,500 for the Council Vice Chair and $5,000 for the Council Chair, effective for the council in place as of January 1, 2020.
Councillor Millett, Councillor Ankeles, and Councillor Walker spoked regarding this item.

**VOTE ON MOTION:**

Councillor Millett moved, Councillor Watkinson seconded, to adopt "An Ordinance Establishing the Compensation of the Town Council of the Town of Brunswick, Maine", in the amount of $4,000 per councilor, with $4,500 for the Council Vice Chair and $5,000 for the Council Chair, effective for the council in place as of January 1, 2020. The motion carried with seven (7) yeas. Councillor Ankeles was opposed.

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

**NEW BUSINESS**

159. The Town Council will consider a request from Steve Levesque, Executive Director of the Midcoast Regional Redevelopment Authority, for Tax Increment Financing (TIF) funds in the amount of $692,900, and will take any appropriate action. *(Town Manager Eldridge)* *(This item was discussed at 7:53 p.m.)*

Manager Eldridge introduced this item.

Steve Levesque, Executive Director of MRRA, spoke regarding this item, and responded to questions from Councillor Watkinson, Councillor Ankeles, Councillor Millett, Councillor Walker, and Councillor Watson.

Councillor Watkinson moved, Councillor Watson seconded, to approve TIF funds for MRRA, consistent with the provisions of the development program and financing mechanisms of the tax increment financing programs, in the amount of $692,900 to support MRRA’s 2020 Capital Improvement Budget. The motion carried with eight (8) yeas.

*(A copy of MRRA’s request for funding and adopted resolution to authorize the appropriation and payment of TIF revenues to MRRA are included in the packet.)*

160. The Town Council will hear a presentation and recommendations for the relocation of the Farmer’s Market from Tom Farrell, Parks & Recreation Director, and staff members of the Brunswick Farmers Market Site Investigation Workgroup, and will take any appropriate action. *(Town Manager Eldridge)* *(This item was discussed at 8:18 p.m.)*

Tom Farrell, Director of Parks and Recreation, and Jay Astle, Public Works Director, introduced this item.

Councillor Millett, Councillor Jenkins, Councillor Wilson, Councillor Ankeles, and Councillor Watkinson spoke regarding this item.
Abby Sadauckas, President of Brunswick Farmer’s Market Association, spoke and responded to questions from Councilor Watkinson and Chair Perreault.

Jim Townsend, who works for owner of properties on Park Row, spoke regarding this item.

Richard Fisco, 2 Lincoln Street, spoke regarding this item.

Nate Drummond, owner of a Farmer’s market business, spoke regarding this item.

Councilor Wilson, Chair Perreault, Councilor Watkinson, Councilor Ankeles, Councilor Watson, and Councilor Millett spoke regarding this item.

Manager Eldridge spoke regarding this item.

Councilor Millett moved, Councilor Wilson seconded, to direct staff to develop ordinance language and a project budget to implement the Park Row option, and set a public hearing to hear comments on the project. The motion carried with eight (8) yeas.

(Copies of a memo from Tom Farrell, Director of Parks and Recreation, and the PowerPoint presentation will be attached to the official minutes.)

161. The Town Council will consider setting a public hearing for December 2, 2019, on proposed zoning ordinance text amendments regarding marijuana use definitions, established in Section 1.7.2 – Definitions, and minor changes to business licensing provisions in Chapter 10, Sec. 10-26 – Licensing, and in the Master Schedule of Revenues, Charges, Fees and Fines, to clarify and to be more consistent with the State definitions, and will take any appropriate action. (Town Manager Eldridge) (This item was discussed at 9:33 p.m.)

Councilor Millett moved, Councilor Wilson seconded, to set a public hearing for December 2, 2019, for final adoption of the proposed Zoning Ordinance text amendments pertaining to existing marijuana use definitions established in Section 1.7.2 – Definitions, changes to Chapter 10, Sect. 10-26 – Licensing and in Appendix B - Master Schedule of Revenues, Charges, Fees and Fines. The motion carried with eight (8) yeas.

162. The Town Council will receive proposed updates to the Village Review Overlay District Design Guidelines, and will take any appropriate action. (Town Manager Eldridge) (This item was discussed at 9:37 p.m.)

This item was tabled until the next meeting.

163. (ADDED) The Town Council will have a discussion regarding Sunrise Bowdoin’s request for the Council to support a Climate Emergency Resolution and determine if any action is necessary. (This item was discussed at 9:39 p.m.)

Several members of Sunrise Bowdoin spoke a regarding this item.
Councilor Millett, Councilor Wilson, Councilor Walker, Councilor Watkinson, Chair Perreault, Councilor Ankeles, and Councilor Jenkins spoke regarding this item.

The proposed Climate Emergency Resolution will come back at the next meeting for the Council’s consideration.

**CORRESPONDENCE/COMMITTEE REPORTS** *(This item was discussed at 9:54 p.m.)*

None

**CONSENT AGENDA** *(This item was discussed at 9:55 p.m.)*

a) Approval of the minutes of November 4, 2019  
b) Approval of a “Small Business Saturday” Proclamation

Councilor Jenkins moved, Councilor Watson seconded, to approve the Consent Agenda. The motion carried with eight (8) yeas.

**EXECUTIVE SESSION**

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

Chair Perreault moved, Councilor Watson seconded, to go into executive session to discuss acquisition of real property per 1 M.R.S.A. §405(6)(C) and to adjourn after the session. The motion carried with eight (8) yeas.

The regular meeting adjourned at 9:55 p.m.

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

*Frances M. Smith*  
*Town Clerk*  
*November 25, 2019*

*December 2, 2019*  
*Date of Approval*

__________________________________  
Council Chair