

BRUNSWICK TOWN COUNCIL
Agenda
May 18, 2020
Regular Meeting 6:30 P.M.
MEETING VIA ELECTRONIC DEVICES

*THIS MEETING IS BEING CONDUCTED VIA ELECTRONIC DEVICES
WITH TOWN COUNCIL MEMBERS PARTICIPATING FROM REMOTE LOCATIONS*

*THERE IS NO OPPORTUNITY FOR THE PUBLIC TO VIEW THIS MEETING IN PERSON.
THE PUBLIC CAN VIEW OR LISTEN TO THE MEETING ON TV3 (Channel 3 on Comcast) or
VIA LIVE STREAM FROM THE TOWN'S WEBSITE*

<http://tv3hd.brunswickme.org/CablecastPublicSite/watch/1?channel=1>

The public may send e-mail messages to the Town Council at: towncouncil@brunswickme.org

HOW TO SUBMIT PUBLIC COMMENT

Public Comments must be submitted through the Zoom platform by dialing +1 646 876 9923 and entering the Meeting ID number **821 5565 2921** and the password **808130** when prompted. Please be advised message and data rates may apply. The Council Chair will make an announcement when it is time for public comment.

All Votes to be Taken Via Roll Call

Roll Call of Members

Acknowledgement of Meeting Notice

Pledge of Allegiance

Adjustments to Agenda

MANAGER'S REPORT

- a) Clayton Rose – Bowdoin College
- b) Financial update
- c) Graham Road Landfill
- d) Downtown Re-opening
- e) Municipal Partnership Initiative MPI
- f) Codes Enforcement
- g) Town Mall
- h) People Plus Parking Lot
- i) Absentee ballots

PUBLIC HEARING

69. The Town Council will hear public comments on options for adoption of a text amendment to

increase the maximum square foot building footprint established for Growth Mixed-Use 5 (GM5) Zoning District, or to exempt the building footprint in GM5 for municipal facilities, and will take any appropriate action. (Town Manager Eldridge)

HEARING/ACTION

NEW BUSINESS

70. The Town Council will receive a report from the Recycling & Sustainability Committee regarding its vision for short-term waste management, and will take any appropriate action. (Recycling & Sustainability Committee)

DISCUSSION/ACTION

71. The Town Council will discuss a memo from the Recycling & Sustainability Committee regarding a budget proposal to reduce costs associated with curbside collection of residential recyclables, and will take any appropriate action. (Recycling & Sustainability Committee)

DISCUSSION/ACTION

72. The Town Council will consider reinstatement of the usage of the Town's blue bags, and will take any appropriate action. (Town Manager Eldridge)

ACTION

73. The Town Council will consider setting a public hearing for June 1, 2020 to consider amendments to the Business Licensing Ordinance to extend the due date for payment for the licenses from June 30, 2020, until no later than December 31, 2020, and will take any appropriate action. (Town Clerk)

ACTION

74. The Town Council will consider granting an extension for redevelopment of a parcel at 4 Business Parkway, Gjoris LLC, Map 17 Lot 66, and will take any appropriate action. (Town Manager Eldridge)

ACTION

75. The Town Council will discuss the proposed budget, and will take any appropriate action. (Town Manager Eldridge)

DISCUSSION

CONSENT AGENDA

- a) Approval of the minutes of March 23, April 27, April 30 and May 4, 2020

Adjournment

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

**Brunswick Town
Council Agenda
May 18, 2020
Council Notes and Suggested Motions**

MANAGER'S REPORT

A copy of a memo from Manager Eldridge providing information on the following items is included in your packet. (There are supportive materials included for Item b).

- a) **Clayton Rose – Bowdoin College:** Clayton Rose, President of Bowdoin College, will give a brief presentation.
- b) **Financial update:** Copies of financial reports are included in the packet.
- c) **Graham Road Landfill**
- d) **Downtown Re-opening**
- e) **Municipal Partnership Initiative MPI**
- f) **Codes Enforcement**
- g) **Town Mall**
- h) **People Plus Parking Lot**
- i) **Absentee ballots**

PUBLIC HEARING

69. **Notes:** The Town Council reviewed a Planning Board recommendation at their May 4, 2020 meeting for a Brunswick Zoning Ordinance amendment to accommodate a proposed fire station exceeding the maximum building footprint in the Growth Mixed-Use (GMU5) Zoning District. Five (5) options were presented to the Council. The Planning Board expressed a preference for Option 4, while the Council preferred Option 3, which exempted municipal facilities from the building footprint in the growth area. Option 4, which increases the maximum building footprint to 30,000 square feet from 20,000 square feet per structure for corner lots within the GM5 zoning district, was included in the public notice. A copy of a memo from Matt Panfil, Director of Planning and Codes, and all information in the packet from last meeting are included in this meeting's 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 motions:

- 1. Motion to adopt amendments as proposed in Option 3, which exempts municipal facilities from the maximum building footprint in GM5.
- 2. Motion to adopt amendments as proposed in Option 4, which increases the maximum building footprint for corner lots within the GM5 zoning district.

NEW BUSINESS

70. **Notes:** The Town Council heard a presentation from members of the Recycling & Sustainability Committee on March 2, 2020. They are before you tonight to present their

vision for a short-term waste management plan and answer any questions. A copy of a memo from Town Manager Eldridge and the Recycling & Sustainability Committee's memo are included in the packet.

Suggested Motion:

There is no suggested motion.

71. **Notes:** With the cost of recycling having increased, the Town Manager proposed that, for the next year, Brunswick continue curbside collection of residential recyclables, but dispose of those materials at the lowest cost. The Recycling & Sustainability Committee has prepared, for consideration, options that would continue to send recyclable materials to a recycling facility. Staff and members of the Committee also met with representatives of Casella to discuss ways to reduce costs. Members of the Committee will be present at the meeting to present their recommendations and to answer any questions. A copy of a memo from Town Manager Eldridge and the Recycling & Sustainability Committee's recommendations are included in the packet.

Suggested Motion:

There is no suggested motion.

72. **Notes:** The Town Council ordered suspension of the requirement to use the Pay-As-You-Throw (PAYT) blue bags for curbside collection of trash at its meeting on March 30, 2020, due to the pandemic and the restrictions in movement. With the Governor's reopening plan and the easing of restrictions, the Town Council should consider reinstating the requirement of the use of the blue bags. Staff is requesting at least 2 weeks advance notice in order to inform and prepare the public for the transition. A copy of a memo from Town Manager Eldridge is included in the packet.

Suggested Motion:

Motion to reinstate the requirement to use the PAYT blue bags for residential refuse collection on _____.

73. **Notes:** This item asks the Council to set a public hearing for June 1, 2020 on an amendment to the Business Licensing Ordinance that would extend the payment due date for licenses, currently June 30, 2020, until December 31, 2020 (or another date the Council sets). The Business Licensing Ordinance includes food services and general licenses, including inns, movie theaters and bowling alleys. This amendment would allow additional time to pay their fees during this challenging time, and would also eliminate the late fee for this year. A copy of a memo from the Town Clerk is included in the packet.

Suggested Motion:

Motion to set a public hearing for June 1, 2020 to consider amendments to the Business Licensing Ordinance to extend the due date for license payment from June 30, 2020, until no later than December 31, 2020 (or until _____), on an emergency and regular basis.

74. **Notes:** Per the Brunswick Industrial Park covenants, the Town has the option to repurchase this lot at the price at which the Town sold it. Per the Council's February 4,

2019 vote, the lot owner, GJoris, LLC, had a one-year period for development, and is requesting an extension for another year to develop the parcel. A copy of a memo from the Town Manager, the deed, the covenants and related materials are included in your packet.

Suggested Motion:

Motion to authorize an extension of _____ for GJoris, LLC, to develop property known as Map 17 Lot 66, in the Brunswick Industrial Park.

75. **Notes:** The Town Council may discuss the proposed budget for the 2020-2021 fiscal year. (Town Manager Eldridge)

Suggested Motion:

There is no suggested motion.

CONSENT AGENDA

- a) **Approval of the minutes of March 23, April 27, April 30 and May 4, 2020:** Copies of the minutes are included in your packet.

Suggested motion:

Motion to approve the Consent Agenda.

Suggested Motion:

Motion to adjourn the meeting.

MANAGER'S REPORT -
ONLY BACK UP
MATERIALS FOR B



Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Town Council

FROM: John Eldridge
Town Manager

DATE: May 13, 2020

SUBJECT: Town Manager's Report
May 18, 2020 - Town Council Meeting

Clayton Rose - Bowdoin College (a)

Clayton Rose, President of Bowdoin College, will briefly address the Town Council on Bowdoin's response to COVID-19 and the College's plans and thoughts for the upcoming academic year.

Financial Update (b)

The April 30th expenditure and revenue reports are included in your packets. April is the first full month that reflects the effects of COVID-19. As previously reported, revenues have been very negatively impacted. Excise tax, the largest non-property tax municipal revenue, was \$93,305, which is more than \$245,000 less than the amount collected in April 2019. We expect that we will collect most of the shortfall once Town Hall reopens and the requirement to re-register vehicles is reinstated.

Julia Henze, Finance Director, will be providing more information about revenues and projection during your budget workshops.

Graham Road Landfill (c)

Woodard and Curran, the firm the Town employs for landfill engineering matters, continue to work on the design of the final closure of the landfill. As a reminder, the landfill is expected to close in 2021. Recent communications with the Maine Department of Environmental Protections (MDEP) have indicated that MDEP is considering requiring modifications to the closure design. We will be meeting with MDEP to discuss those changes and the potential impact on the cost, and the timing, of closure.

Downtown Re-Opening (d)

Like other Maine municipalities, Brunswick is exploring the possibility of creating more outdoor dining and retail space in the downtown. Brunswick Development Association (BDA) will be convening a working group to review the possibilities. Per the order of the Governor, restaurants and retailers cannot reopen in Cumberland County until June 1st.

To: Town Council
Re: Manager's Report – May 18, 2020
Date: May 14, 2020

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Municipal Partnership Initiative MPI (e)

As mentioned in previous communications, the Town plans to be an active applicant in the Maine Department of Transportation (MDOT) program known as Municipal Partnership Initiative (MPI), a program through which MDOT and municipalities share in the funding of eligible projects. Eligible projects generally receive 50% funding from MDOT. The Town has been notified that its 2020 application has been approved and that MDOT has awarded \$250,000 for paving of Pleasant Street between Stanwood Street and Maine Street. We appreciate MDOT's recognition of, and award for, this high-priority project. Thanks to Town Engineer Ryan Barnes for developing the application.

Codes Enforcement (f)

Julie Erdman, who works in the Planning and Development office, has passed the exams to qualify her as a municipal code enforcement officer. We have appointed her acting CEO. Julie has worked in the department for nearly ten years and has extensive knowledge of the Brunswick Zoning Ordinance and land use codes.

Town Mall (g)

The sidewalk extension on the east side of the Mall has been completed by Public Works at a cost of approximately \$20,000. The Parks and Recreation Department has been working to restore the grass. Some areas are being re-sodded and some re-seeded. Compaction, especially in the area of tree roots, is being addressed as well.

People Plus Parking Lot (h)

The parking lot reconstruction project at People Plus is nearly complete. The entire lot was rebuilt and additional drainage structures were installed. The project cost was approximately \$100,000.

Absentee Ballots (i)

Absentee ballots may be requested now by phoning the clerks' office or applying online. The ballots will be available around June 15th, and all requests received before then will be promptly mailed out.

MANAGER'S REPORT - B BACK UP MATERIALS

FOR 2020 10

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<u>00 Fill</u>							
19000 General Fund Transfers Out	2,193,000	3,100,000	3,100,000.00	.00	.00	.00	100.0%
TOTAL Fill	2,193,000	3,100,000	3,100,000.00	.00	.00	.00	100.0%
<u>10 General Government</u>							
11000 Administration	595,913	595,913	476,263.11	-1,051.37	345.00	119,304.89	80.0%
11100 Finance Department	774,536	774,536	609,937.92	59,839.17	70.00	164,528.08	78.8%
11150 Technology Services Dept	355,386	372,248	271,507.90	9,745.64	10,158.96	90,581.60	75.7%
11200 Municipal Officers	237,915	237,915	177,010.96	53,863.97	.00	60,904.04	74.4%
11210 Munic Bldg - 85 Union	177,899	177,899	140,617.83	9,858.49	.00	37,281.17	79.0%
11230 Risk Management	505,005	505,005	530,539.67	113,651.02	.00	-25,534.67	105.1%
11240 Employee benefits	0	0	-251,646.18	26,710.44	.00	251,646.18	100.0%
11250 Cable TV	92,001	92,001	65,835.23	5,887.67	.02	26,165.75	71.6%
11300 Assessing	299,905	300,453	203,868.14	21,651.72	1,150.00	95,434.86	68.2%
11600 Town Clerk & Elections	401,760	401,760	286,491.02	25,549.05	7,836.00	107,432.98	73.3%
11800 Engineering	256,566	256,566	184,993.43	17,253.92	.00	71,572.57	72.1%
11900 Planning Department	627,392	654,592	465,597.18	33,711.06	59,575.50	129,419.32	80.2%
11950 Economic Development Dept	129,906	129,906	88,808.95	9,218.04	.00	41,097.05	68.4%
TOTAL General Government	4,454,184	4,498,794	3,249,825.16	385,888.82	79,135.48	1,169,833.82	74.0%
<u>20 Public Safety</u>							
12100 Fire Department	3,837,278	3,837,278	3,152,828.32	270,835.63	26,424.65	658,025.03	82.9%
12150 Central Fire Station	46,600	46,600	26,598.81	1,631.20	504.89	19,496.30	58.2%
12160 Emerson Fire Station	61,675	61,675	47,825.87	2,485.87	2,604.90	11,244.23	81.8%
12200 Police Department	4,397,148	4,397,148	3,356,209.71	213,375.11	1,985.51	1,038,952.78	76.4%
12210 Police Special Detail	0	0	35,414.04	12,714.90	.00	-35,414.04	100.0%
12220 Emergency Services Dispatch	927,827	927,827	699,656.49	62,192.58	.00	228,170.51	75.4%
12250 Police Station Building	114,619	114,619	91,296.47	8,698.39	1,452.55	21,869.98	80.9%
12280 Marine Resources	120,082	120,082	77,418.71	6,833.74	1,500.00	41,163.29	65.7%
12310 Streetlights	216,000	216,000	167,339.59	16,719.14	.00	48,660.41	77.5%
12320 Traffic Signals	32,500	32,500	20,106.40	622.57	.00	12,393.60	61.9%
12330 Hydrants	550,000	550,000	412,654.80	139,095.88	.00	137,345.20	75.0%
12340 Civil Emergency Preparedness	2,000	2,000	1,070.00	.00	.00	930.00	53.5%

FOR 2020 10

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL Public Safety	10,305,729	10,305,729	8,088,419.21	735,205.01	34,472.50	2,182,837.29	78.8%
<hr/> 30 Public Works							
13100 Public Works Administration	361,004	386,408	308,474.31	28,289.33	.00	77,933.69	79.8%
13110 PW General Maintenance	1,882,842	1,882,842	1,399,830.75	107,267.59	70,436.13	412,575.12	78.1%
13130 Refuse Collection	654,554	654,554	426,352.77	44,652.63	.00	228,201.23	65.1%
13140 Recycling	479,491	479,491	334,268.98	42,917.38	.00	145,222.02	69.7%
13150 PW Central Garage	742,785	742,785	425,552.37	41,512.03	5,081.49	312,151.14	58.0%
TOTAL Public Works	4,120,676	4,146,080	2,894,479.18	264,638.96	75,517.62	1,176,083.20	71.6%
<hr/> 40 Human Services							
14100 General Assistance	195,411	195,411	216,446.09	22,239.22	29,432.45	-50,467.54	125.8%
14120 Health & Social Services	2,836	2,836	73,220.13	71,079.60	.00	-70,384.13	2581.8%
TOTAL Human Services	198,247	198,247	289,666.22	93,318.82	29,432.45	-120,851.67	161.0%
<hr/> 45 Education							
14500 School Department	40,153,709	40,153,709	27,812,895.85	2,592,744.43	.00	12,340,813.15	69.3%
TOTAL Education	40,153,709	40,153,709	27,812,895.85	2,592,744.43	.00	12,340,813.15	69.3%
<hr/> 50 Recreation and Culture							
15000 Recreation Administration	471,504	471,504	360,617.98	36,934.50	337.15	110,548.87	76.6%
15050 Rec Buildings and Grounds	984,929	1,014,109	620,783.21	61,969.97	53,626.20	339,699.59	66.5%
15250 Rec Building 211	248,877	293,270	150,529.02	1,019.53	44,179.50	98,561.91	66.4%
15300 Teen Center	18,051	18,051	18,051.00	.00	.00	.00	100.0%
15310 People Plus	136,553	136,553	137,082.40	694.86	.00	-529.40	100.4%
15400 Curtis Memorial Library	1,533,441	1,533,441	1,270,208.50	126,120.08	.00	263,232.50	82.8%
TOTAL Recreation and Culture	3,393,355	3,466,928	2,557,272.11	226,738.94	98,142.85	811,513.47	76.6%
<hr/> 60 Intergovernmental							

FOR 2020 10

60	Intergovernmental	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
16000	County tax	1,590,123	1,590,123	1,590,123.00	.00	.00	.00	100.0%
	TOTAL Intergovernmental	1,590,123	1,590,123	1,590,123.00	.00	.00	.00	100.0%
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70	Unclassified							
17000	Promotion and Development	282,840	278,340	265,104.15	3,525.15	.00	13,235.85	95.2%
17010	Additional School Assistance	10,000	10,000	.00	.00	.00	10,000.00	.0%
17020	Cemetery Care	3,200	3,200	500.00	.00	.00	2,700.00	15.6%
17030	Wage Adjustment Account	254,000	254,000	.00	.00	.00	254,000.00	.0%
	TOTAL Unclassified	550,040	545,540	265,604.15	3,525.15	.00	279,935.85	48.7%
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80	Debt Service							
18020	2006 CIP G/O Bonds	212,000	212,000	208,000.00	.00	.00	4,000.00	98.1%
18030	2011 GO CIP Bonds	210,045	210,045	205,995.00	.00	.00	4,050.00	98.1%
18040	Police Station Bond	378,125	378,125	327,937.51	.00	.00	50,187.49	86.7%
18050	2010 Elementary School Bond	0	0	181,045.31	181,045.31	.00	-181,045.31	100.0%
18070	2017 CIP GO Bonds	170,373	170,373	158,158.75	.00	.00	12,214.25	92.8%
	TOTAL Debt Service	970,543	970,543	1,081,136.57	181,045.31	.00	-110,593.57	111.4%
GRAND TOTAL		67,929,606	68,975,694	50,929,421.45	4,483,105.44	316,700.90	17,729,571.54	74.3%

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

FOR 2020 10

			ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
10 Taxes								
111190	41101	Property Taxes	43,099,741	43,099,741	43,559,174.35	1,929.02	-459,433.35	101.1%*
111190	41103	Deferred Property Tax	-200,000	-200,000	.00	.00	-200,000.00	.0%
111190	41104	Tax Abatements	-75,000	-75,000	-20,726.62	-400.31	-54,273.38	27.6%
111190	41105	Interest on Taxes	65,000	65,000	58,365.62	5,959.49	6,634.38	89.8%*
111190	41106	Tax Lien Costs Revenu	14,000	14,000	13,150.80	.00	849.20	93.9%*
111190	41107	Tax Lien Interest Rev	17,000	17,000	17,437.41	.00	-437.41	102.6%*
111190	41109	Payment in Lieu of Ta	380,000	380,000	45,655.34	.00	334,344.66	12.0%*
111190	41197	BETE reimbursement	778,816	778,816	779,148.00	332.00	-332.00	100.0%*
111190	41198	Homestead exemption r	1,112,441	1,112,441	846,719.00	.00	265,722.00	76.1%*
111190	41199	Miscellaneous tax adj	11,229	11,229	.00	.00	11,229.00	.0%*
111191	41110	Excise Tax - Auto	3,490,000	3,490,000	2,767,660.37	93,305.13	722,339.63	79.3%*
111191	41111	Excise Tax Boat/ATV/S	24,000	24,000	12,350.65	1,616.40	11,649.35	51.5%*
111191	41112	Excise Tax - Airplane	3,000	3,000	21,332.91	.00	-18,332.91	711.1%*
		TOTAL Taxes	48,720,227	48,720,227	48,100,267.83	102,741.73	619,959.17	98.7%
		TOTAL REVENUES	48,720,227	48,720,227	48,100,267.83	102,741.73	619,959.17	
20 Licenses & Fees								
121111	42207	Passport Fees	18,000	18,000	17,220.00	.00	780.00	95.7%*
121111	42209	Passport Picture Reve	6,000	6,000	4,785.00	15.00	1,215.00	79.8%*
121411	42100	Building Permits	236,000	236,000	162,064.96	16,526.40	73,935.04	68.7%*
121411	42101	Electrical Permits	46,500	46,500	34,396.02	4,231.04	12,103.98	74.0%*
121411	42102	Plumbing Permits	35,000	35,000	38,741.70	3,507.50	-3,741.70	110.7%*
121611	42200	Hunting & Fishing Lic	600	600	482.25	.00	117.75	80.4%*
121611	42201	Dog License Fee	2,750	2,750	2,652.00	8.00	98.00	96.4%*
121611	42202	Vital Statistics	47,500	47,500	35,053.20	1,303.80	12,446.80	73.8%*
121611	42203	General Licenses	32,875	32,875	21,703.00	687.50	11,172.00	66.0%*
121611	42204	Victulars/Innkeepers	22,685	22,685	7,322.50	107.50	15,362.50	32.3%*
121611	42205	Shellfish Licenses	36,675	36,675	29,125.00	28,475.00	7,550.00	79.4%*
121611	42206	Neutered/Spayed Dog L	4,840	4,840	4,826.00	14.00	14.00	99.7%*
121611	42210	Mooring fees	16,200	16,200	14,748.00	9,774.00	1,452.00	91.0%*
121611	42215	Marijuana Licenses	1,400	1,400	7,575.00	.00	-6,175.00	541.1%*
121911	42300	Planning Board Appl F	44,493	44,493	31,169.35	5,372.00	13,323.65	70.1%*
122121	42400	Fire Permits	2,000	2,000	2,935.00	490.00	-935.00	146.8%*
122221	42500	Conc Weapons Permits	400	400	285.00	.00	115.00	71.3%*
122221	42501	Parking Permit fee	300	300	200.00	75.00	100.00	66.7%*
123131	42600	Public Works Opening	30,000	30,000	10,175.00	375.00	19,825.00	33.9%*

FOR 2020 10

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
TOTAL Licenses & Fees	584,218	584,218	425,458.98	70,961.74	158,759.02	72.8%
TOTAL REVENUES	584,218	584,218	425,458.98	70,961.74	158,759.02	
<u>30 Intergovernmental</u>						
131132 43103 Highway Grant Fund	200,000	200,000	209,110.00	.00	-9,110.00	104.6%*
131142 43104 State General Assista	35,000	35,000	65,322.71	28,281.68	-30,322.71	186.6%*
131152 43108 IFW-MerePoint Boat La	9,999	9,999	9,999.99	.00	-.99	100.0%*
131190 43102 State Tax Exemption R	50,000	50,000	29,607.58	.00	20,392.42	59.2%*
131192 43101 State Revenue Sharing	1,800,000	1,800,000	1,496,473.55	81,158.92	303,526.45	83.1%*
131192 43106 Snowmobile Receipts	1,400	1,400	1,588.80	.00	-188.80	113.5%*
134546 43120 State Education Subsi	11,058,375	11,058,375	8,639,136.84	964,830.93	2,419,238.16	78.1%*
TOTAL Intergovernmental	13,154,774	13,154,774	10,451,239.47	1,074,271.53	2,703,534.53	79.4%
TOTAL REVENUES	13,154,774	13,154,774	10,451,239.47	1,074,271.53	2,703,534.53	
<u>40 Charges for services</u>						
141111 44110 Agent Fee Auto Reg	50,000	50,000	49,012.78	20.00	987.22	98.0%*
141111 44111 Agent Fee Boat/ATV/Sn	1,500	1,500	831.00	-19.80	669.00	55.4%*
141211 44121 Rental of Property	1,200	1,200	2,967.40	591.85	-1,767.40	247.3%*
141611 44131 Advertising Fees	0	0	2,219.85	.00	-2,219.85	100.0%*
142121 44155 Ambulance Service Fee	1,000,000	1,000,000	949,357.23	73,318.30	50,642.77	94.9%*
142121 44166 Special Detail - Fire	1,500	1,500	5,037.12	.00	-3,537.12	335.8%*
142221 44161 Witness Fees	2,000	2,000	1,024.30	800.00	975.70	51.2%*
142221 44162 Police Reports	3,500	3,500	5,518.77	165.00	-2,018.77	157.7%*
142221 44163 School Resource Offic	92,700	92,700	92,700.00	.00	.00	100.0%*
142221 44165 Special Detail - Poli	3,000	3,000	37,500.00	13,084.50	-34,500.00	1250.0%*
142221 44167 Dispatch Services fee	157,195	157,195	125,660.00	12,566.00	31,535.00	79.9%*
142221 44168 ACO Services fees	0	0	17,903.74	.00	-17,903.74	100.0%*
143131 44174 PW Labor & Materials	0	0	1,907.58	.00	-1,907.58	100.0%*
143431 44175 Recycling Revenue	15,000	15,000	14,779.45	897.45	220.55	98.5%*
144545 44100 School Tuition, etc	128,349	128,349	126,351.22	6,071.20	1,997.78	98.4%*
145051 44121 Rental of Property	2,000	2,000	850.00	850.00	1,150.00	42.5%*
TOTAL Charges for services	1,457,944	1,457,944	1,433,620.44	108,344.50	24,323.56	98.3%
TOTAL REVENUES	1,457,944	1,457,944	1,433,620.44	108,344.50	24,323.56	
<u>50 Fines & Penalties</u>						
151611 45108 Gen License Late Pena	225	225	990.00	.00	-765.00	440.0%*

FOR 2020 10

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
151611 45109 Mooring Fee Late Pena	500	500	350.00	.00	150.00	70.0%*
151611 45110 Victualers Lic Late P	270	270	1,050.00	.00	-780.00	388.9%*
151621 45103 Unlicensed Dog Fines	6,000	6,000	2,925.00	150.00	3,075.00	48.8%*
152121 45104 False Alarm Fire	1,000	1,000	.00	.00	1,000.00	.0%*
152221 45100 Ordinance Fines	200	200	1,290.00	336.00	-1,090.00	645.0%*
152221 45101 Parking Tickets	30,000	30,000	35,375.50	635.00	-5,375.50	117.9%*
152221 45102 Leash Law Fines	100	100	300.00	.00	-200.00	300.0%*
152221 45105 False Alarm Police	100	100	45.00	.00	55.00	45.0%*
TOTAL Fines & Penalties	38,395	38,395	42,325.50	1,121.00	-3,930.50	110.2%
TOTAL REVENUES	38,395	38,395	42,325.50	1,121.00	-3,930.50	
<hr/> 60 Interest earned						
161193 46100 Interest Earned	220,000	220,000	277,088.66	13,602.20	-57,088.66	125.9%*
TOTAL Interest earned	220,000	220,000	277,088.66	13,602.20	-57,088.66	125.9%
TOTAL REVENUES	220,000	220,000	277,088.66	13,602.20	-57,088.66	
<hr/> 70 Donations						
171012 47000 Contrib from Portland	0	0	35,000.00	.00	-35,000.00	100.0%*
171952 47000 BDC Contrib to Econ D	25,000	25,000	25,000.00	25,000.00	.00	100.0%*
TOTAL Donations	25,000	25,000	60,000.00	25,000.00	-35,000.00	240.0%
TOTAL REVENUES	25,000	25,000	60,000.00	25,000.00	-35,000.00	
<hr/> 80 Use of fund balance						
181100 48000 Unapprop General Fund	500,000	1,402,500	.00	.00	1,402,500.00	.0%*
181100 48001 Bal of State Revenue	112,000	112,000	.00	.00	112,000.00	.0%*
184500 48004 School Balance Forwar	2,111,364	2,111,364	.00	.00	2,111,364.00	.0%*
TOTAL Use of fund balance	2,723,364	3,625,864	.00	.00	3,625,864.00	.0%
TOTAL REVENUES	2,723,364	3,625,864	.00	.00	3,625,864.00	
<hr/> 90 Other						
191011 49000 Administration Miscel	0	0	418.00	.00	-418.00	100.0%*

FOR 2020 10

			ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
191111	49000	Finance Miscellaneous	3,000	3,000	9,134.34	443.37	-6,134.34	304.5%*
191111	49106	W/C Proceeds	0	0	8,532.50	.00	-8,532.50	100.0%*
191192	49100	Cable Television	275,000	275,000	142,676.41	.00	132,323.59	51.9%*
191194	49150	Gen Govt Asset Sales	0	0	41.28	.00	-41.28	100.0%*
191611	49000	Town Clerk Miscellane	2,200	2,200	1,684.00	56.00	516.00	76.5%*
191911	49000	Planning Miscellaneou	384	384	104.81	.00	279.19	27.3%*
192121	49000	Fire Miscellaneous	1,000	1,000	630.00	.00	370.00	63.0%*
192221	49000	Police Miscellaneous	0	0	25,709.32	.00	-25,709.32	100.0%*
193131	49000	Public Works Miscella	1,500	1,500	4,150.60	3,994.08	-2,650.60	276.7%*
194141	49103	General Assistance Re	0	0	865.80	865.80	-865.80	100.0%*
194545	49000	School Miscellaneous	83,000	83,000	81,430.21	10,919.60	1,569.79	98.1%*
195051	49000	Recreation Miscellane	1,000	1,000	.00	.00	1,000.00	.0%*
199980	48100	General Fund Transfer	638,600	638,600	638,600.00	.00	.00	100.0%*
TOTAL Other			1,005,684	1,005,684	913,977.27	16,278.85	91,706.73	90.9%
TOTAL REVENUES			1,005,684	1,005,684	913,977.27	16,278.85	91,706.73	
GRAND TOTAL			67,929,606	68,832,106	61,703,978.15	1,412,321.55	7,128,127.85	89.6%

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

ITEM 69
BACKUP

Town of Brunswick, Maine

DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Brunswick Town Council

FROM: Matt Panfil, AICP CUD, Director of Planning & Development

DATE: May 18, 2020

SUBJECT: Zoning Ordinance Amendment – Municipal Uses and Maximum Building Footprint Standards

I. INTRODUCTION

At their meeting on May 4, 2020 the Town Council reviewed the Planning Board recommendation for a Brunswick Zoning Ordinance amendment to accommodate a proposed fire station exceeding the maximum 20,000 square foot building footprint established for the Growth Mixed-Use (GM5) Zoning District in *Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts*. Of the five (5) options presented (Attachment A), the Planning Board recommended Option 4, which would increase the maximum 20,000 square foot building footprint per structure for all lots within the Growth Mixed-Use 5 (GM5) Zoning District to a 30,000 square foot building footprint per structure for lots with more than one (1) public frontage (corner and through lots). In recommending Option 4, the Planning Board found it consistent with the Town's 2008 Comprehensive Plan and the Commercial Connectors Planning Area established in Zoning Ordinance Appendix Section A.1.7 of the Zoning Ordinance.

Upon review of the Planning Board recommendation, the Town Council expressed a preference for Option 3, which exempts municipal facilities within the Growth Mixed-Use 5 (GM5) Zoning District from the Maximum Building Footprint per Structured Standard *Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts*. The language for Option 3 has remained the same, but the Town Council may opt to edit as deemed necessary. Finally, as recommended by the Town Manager, Option 4 was still included in the public notice should the Town Council opt to change their preferred solution.

II. PROPOSED ZONING ORDINANCE AMENDMENT

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

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Chapter 4 - Property Development Standards
Section 4.2 - Dimensional and Density Standards

4.2.3 Growth Area Dimensional and Density Standards

**Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]**

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

**Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]**

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

NOTES:

- [1] All new, enlarged, or redeveloped buildings and additions in the GM4 District subject to Development Review shall also be consistent with the Cook’s Corner Design Standards, unless such design standards are waived in accordance with Subsection 5.2.9.0 (Waiver Provisions).
- [2] Area of new disturbance per parcel shall not exceed 1% of total acreage, measured as of the effective date of this Ordinance.
- [3] 1 du per 20,000 sf of net site area for developments using subsurface wastewater disposal systems.
- [4] Except that lands north of Bath Road shall be limited to 8 du/ac.
- [5] Except that parcel between South Street and Longfellow Avenue shall be limited to 10 du/ac.
- [6] Applicable only to the first floor of buildings along Maine Street. Does not apply to buildings on Park Row.
- [7] Does not apply to buildings on Park Row.
- [8] Front setback averaging applies; See Subsection 4.2.5.B(4)
- [9] See Cook’s Corner Design Standards for maximum front setbacks applicable along Bath Rd., Gurnet Rd., proposed Perimeter Rd, Thomas Point Rd., and all public and private connector roads.
- [10] Applicable only to the first floor of buildings along Maine Street. For all other buildings in the GM6 District, the build-to zone is determined by the range of front setback of principal buildings on the nearest occupied lots on either side on the same block face. Does not apply to buildings on Park Row.
- [11] Limited to 50% impervious coverage and maximum building footprint of 20,000 sq. ft. north of Route 1.
- [12] Except that parcels fronting onto Park Row front setbacks shall be consistent with the established average front setback (see subsection 4.2.5.B (4)), shall have minimum side and rear setbacks of 15 feet in width; a minimum lot width of 60 feet; a maximum footprint of 7, 500 square feet and a maximum impervious coverage of 45%;
- [13] Minimum height is triggered if floor area is being increased by 50%, and must be met at front lot line.
- [14] Unless restricted to a lower height by Flight Path Overlay (FO) District regulations (see Subsection 2.3.7).
- [15] Except that lands north of U.S. Highway 1 shall have a maximum building height of 60 ft.
- [16] May be increased to up to 30,000 square feet for a community living facility as defined by 30-A M.R.S. § 4357-A, , as amended, with a Conditional Use Permit approved in accordance with Subsection 5.2.2 (Conditional Permits).
- [17] 10,000 square feet for multifamily dwellings, and 20,000 square feet for the Bowdoin College Edwards Center for Art and Dance building.
- [18] 300,000 square feet if the structure meets one of the conditions listed in Subsection 4.2.5.B(9).
- [19] See Subsection 4.2.5.B(4) for additional setback requirements.
- [20] See Subsection 4.2.5.B(7) for additional height requirements.
- [21] No building footprint restriction shall apply for properties located south of Route 1, along Cressey Road and Columbia Drive.
- [22] See Subsection 4.2.5.F for minimum dimensional requirements for lots located within the Shoreland Protection Overlay.
- [23] Except that municipal facilities shall have no maximum building footprint per structure.**

III. ACTION REQUESTED

It is recommended that the Town Council make a motion to approve the Town of Brunswick Zoning Ordinance text amendments as presented.

IV. ATTACHMENTS:

- A. Planning Board Public Hearing Memo from April 28, 2020

MEMORANDUM

TO: Planning Board

FROM: Matt Panfil, AICP CUD, Director of Planning & Development

DATE: April 28, 2020

SUBJECT: Public Hearing – Zoning Ordinance Update – Municipal Uses and Maximum Building Footprint Standards

I. INTRODUCTION:

At the direction of Brunswick Town Council (see Attachments A and B), the Planning Board held a workshop on April 14, 2020 to discuss a potential zoning ordinance amendment to accommodate a proposed fire station exceeding the maximum 20,000 square foot building footprint established for the Growth Mixed-Use 5 (GM5) Zoning District in *Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts*. Five (5) options were presented to the Planning Board at the workshop and Department of Planning and Development staff were asked to provide additional information pertaining to the different options prior to a public hearing.

1. Additional Information from the Brunswick Fire Department

A representative from the Fire Department will be available to answer questions during the public hearing.

2. Contact Maine Municipal Association and the Regional Council of Governments to Identify How Other Maine Municipalities Conduct Development Review for Municipal Structures

Staff contacted the Maine Municipal Association and Brunswick's regional council of governments (COG) the MidCoast Economic Development District (although adjacent to the Androscoggin Valley Council of Governments, Brunswick is not a member). At the time of writing, staff has not received a response from either entity.

Staff also sent an email to the Maine Association of Planners (MAP) e-mail group for information. Responses varied from at least partial exemption to an interpretation that there is no room for exemption within the M.R.S.A. Responses are included in Attachment C. An email from the Town Attorney expressing their opinion on the matter is included as Attachment D.

3. Identify Corner Lots within the GM5 Zoning District

Maps of the corner lots, and their dimensions, within both GM5 Zoning Districts are included as Attachment E.

For Planning Board reference, all five (5) zoning ordinance amendment options are provided in the subsequent pages.

II. PROPOSED ZONING ORDINANCE AMENDMENTS:

Option 1: Basic Exemption of Municipal Facilities from Development Standards

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Chapter 4 - Property Development Standards
Section 4.1 - Applicability of Property Development Standards

4.1 Applicability of Property Development Standards

4.1.1 Generally

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

----- OR -----

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

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Chapter 4 - Property Development Standards
Section 4.1 - Applicability of Property Development Standards

4.1 Applicability of Property Development Standards

4.1.1 Generally

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

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

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

4.1.3 Exemption of Essential Services

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

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

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

----- OR -----

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

New Text in Bold Underline

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Chapter 4 - Property Development Standards
Section 4.2 - Dimensional and Density Standards

4.2.3 Growth Area Dimensional and Density Standards

**Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]**

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

**Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]**

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

NOTES:

- [1] All new, enlarged, or redeveloped buildings and additions in the GM4 District subject to Development Review shall also be consistent with the Cook’s Corner Design Standards, unless such design standards are waived in accordance with Subsection 5.2.9.0 (Waiver Provisions).
- [2] Area of new disturbance per parcel shall not exceed 1% of total acreage, measured as of the effective date of this Ordinance.
- [3] 1 du per 20,000 sf of net site area for developments using subsurface wastewater disposal systems.
- [4] Except that lands north of Bath Road shall be limited to 8 du/ac.
- [5] Except that parcel between South Street and Longfellow Avenue shall be limited to 10 du/ac.
- [6] Applicable only to the first floor of buildings along Maine Street. Does not apply to buildings on Park Row.
- [7] Does not apply to buildings on Park Row.
- [8] Front setback averaging applies; See Subsection 4.2.5.B(4)
- [9] See Cook’s Corner Design Standards for maximum front setbacks applicable along Bath Rd., Gurnet Rd., proposed Perimeter Rd, Thomas Point Rd., and all public and private connector roads.
- [10] Applicable only to the first floor of buildings along Maine Street. For all other buildings in the GM6 District, the build-to zone is determined by the range of front setback of principal buildings on the nearest occupied lots on either side on the same block face. Does not apply to buildings on Park Row.
- [11] Limited to 50% impervious coverage and maximum building footprint of 20,000 sq. ft. north of Route 1.
- [12] Except that parcels fronting onto Park Row front setbacks shall be consistent with the established average front setback (see subsection 4.2.5.B (4)), shall have minimum side and rear setbacks of 15 feet in width; a minimum lot width of 60 feet; a maximum footprint of 7, 500 square feet and a maximum impervious coverage of 45%;
- [13] Minimum height is triggered if floor area is being increased by 50%, and must be met at front lot line.
- [14] Unless restricted to a lower height by Flight Path Overlay (FO) District regulations (see Subsection 2.3.7).
- [15] Except that lands north of U.S. Highway 1 shall have a maximum building height of 60 ft.
- [16] May be increased to up to 30,000 square feet for a community living facility as defined by 30-A M.R.S. § 4357-A, , as amended, with a Conditional Use Permit approved in accordance with Subsection 5.2.2 (Conditional Permits).
- [17] 10,000 square feet for multifamily dwellings, and 20,000 square feet for the Bowdoin College Edwards Center for Art and Dance building.
- [18] 300,000 square feet if the structure meets one of the conditions listed in Subsection 4.2.5.B(9).
- [19] See Subsection 4.2.5.B(4) for additional setback requirements.
- [20] See Subsection 4.2.5.B(7) for additional height requirements.
- [21] No building footprint restriction shall apply for properties located south of Route 1, along Cressey Road and Columbia Drive.
- [22] See Subsection 4.2.5.F for minimum dimensional requirements for lots located within the Shoreland Protection Overlay.
- [23] Except that municipal facilities shall have no maximum building footprint per structure.**

PLANNING BOARD RECOMMENDATION ----- OR -----

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

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4.2.3 Growth Area Dimensional and Density Standards

**Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]**

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

**Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]**

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

NOTES:

- [1] All new, enlarged, or redeveloped buildings and additions in the GM4 District subject to Development Review shall also be consistent with the Cook’s Corner Design Standards, unless such design standards are waived in accordance with Subsection 5.2.9.0 (Waiver Provisions).
- [2] Area of new disturbance per parcel shall not exceed 1% of total acreage, measured as of the effective date of this Ordinance.
- [3] 1 du per 20,000 sf of net site area for developments using subsurface wastewater disposal systems.
- [4] Except that lands north of Bath Road shall be limited to 8 du/ac.
- [5] Except that parcel between South Street and Longfellow Avenue shall be limited to 10 du/ac.
- [6] Applicable only to the first floor of buildings along Maine Street. Does not apply to buildings on Park Row.
- [7] Does not apply to buildings on Park Row.
- [8] Front setback averaging applies; See Subsection 4.2.5.B(4)
- [9] See Cook’s Corner Design Standards for maximum front setbacks applicable along Bath Rd., Gurnet Rd., proposed Perimeter Rd, Thomas Point Rd., and all public and private connector roads.
- [10] Applicable only to the first floor of buildings along Maine Street. For all other buildings in the GM6 District, the build-to zone is determined by the range of front setback of principal buildings on the nearest occupied lots on either side on the same block face. Does not apply to buildings on Park Row.
- [11] Limited to 50% impervious coverage and maximum building footprint of 20,000 sq. ft. north of Route 1.
- [12] Except that parcels fronting onto Park Row front setbacks shall be consistent with the established average front setback (see subsection 4.2.5.B (4)), shall have minimum side and rear setbacks of 15 feet in width; a minimum lot width of 60 feet; a maximum footprint of 7, 500 square feet and a maximum impervious coverage of 45%;
- [13] Minimum height is triggered if floor area is being increased by 50%, and must be met at front lot line.
- [14] Unless restricted to a lower height by Flight Path Overlay (FO) District regulations (see Subsection 2.3.7).
- [15] Except that lands north of U.S. Highway 1 shall have a maximum building height of 60 ft.
- [16] May be increased to up to 30,000 square feet for a community living facility as defined by 30-A M.R.S. § 4357-A, , as amended, with a Conditional Use Permit approved in accordance with Subsection 5.2.2 (Conditional Permits).
- [17] 10,000 square feet for multifamily dwellings, and 20,000 square feet for the Bowdoin College Edwards Center for Art and Dance building.
- [18] 300,000 square feet if the structure meets one of the conditions listed in Subsection 4.2.5.B(9).
- [19] See Subsection 4.2.5.B(4) for additional setback requirements.
- [20] See Subsection 4.2.5.B.(7) for additional height requirements.
- [21] No building footprint restriction shall apply for properties located south of Route 1, along Cressey Road and Columbia Drive.
- [22] See Subsection 4.2.5.F for minimum dimensional requirements for lots located within the Shoreland Protection Overlay.
- [23] Except for lots that have more than one (1) public frontage may be increased to up to 30,000 square feet maximum building footprint per structure.**

----- OR -----

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

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4.2.3 Growth Area Dimensional and Density Standards

**Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]**

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

**Table 4.2.3: Dimensional and Density Standards for Growth Area Zoning Districts
[Unless separate standards approved in Common Development Plan]**

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

NOTES:

- [1] All new, enlarged, or redeveloped buildings and additions in the GM4 District subject to Development Review shall also be consistent with the Cook's Corner Design Standards, unless such design standards are waived in accordance with Subsection 5.2.9.0 (Waiver Provisions).
- [2] Area of new disturbance per parcel shall not exceed 1% of total acreage, measured as of the effective date of this Ordinance.
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- [12] Except that parcels fronting onto Park Row front setbacks shall be consistent with the established average front setback (see subsection 4.2.5.B (4)), shall have minimum side and rear setbacks of 15 feet in width; a minimum lot width of 60 feet; a maximum footprint of 7, 500 square feet and a maximum impervious coverage of 45%;
- [13] Minimum height is triggered if floor area is being increased by 50%, and must be met at front lot line.
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- [19] See Subsection 4.2.5.B(4) for additional setback requirements.
- [20] See Subsection 4.2.5.B(7) for additional height requirements.
- [21] No building footprint restriction shall apply for properties located south of Route 1, along Cressey Road and Columbia Drive.
- [22] See Subsection 4.2.5.F for minimum dimensional requirements for lots located within the Shoreland Protection Overlay.

III. ATTACHMENTS

- A. Memorandum from John Eldridge, Town Manager, to the Town Council, dated March 11, 2020
- B. Cost analysis (via Email from Rob Frank of WBRC Architects and Engineers to John Eldridge) of a one-story versus two-story structure, dated February 28, 2020
- C. Email responses from various members of the Maine Association of Planners (MAP)
- D. Town Attorney's opinion pertaining to the exemption of municipal facilities from development review.
- E. Maps of corner lots within the GM5 Zoning Districts

ITEM 70
BACKUP

Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Town Council

FROM: John Eldridge
Town Manager

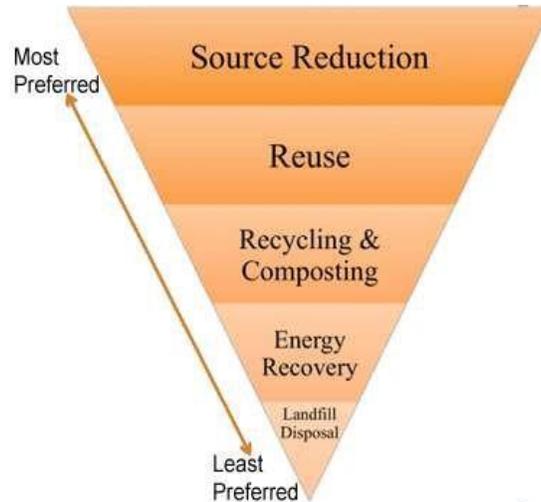
DATE: May 13, 2020

SUBJECT: Brunswick Solid Waste Vision Statement &
Short-Term Waste Management Plan

At your March 2nd meeting the Town Council heard a presentation from the Recycling and Sustainability Committee. Following the presentation, the Committee indicated that it would present the Town Council with its vision for a short-term waste management plan. Attached is a copy of that plan. Members of the Committee will attend your meeting in order to present the plan and respond to questions.

attachment

(iii) recycling (including finding outlets for additional recyclable materials), and (iv) organic waste recycling (e.g. composting and/or anaerobic digestion). This is consistent with the first guiding principle of the framework we presented March 2, which is to ***“make solid waste decisions based on the Maine solid waste hierarchy.”***



There were seven Guiding Principles included in the framework document, which are included as Appendix A. The recommendations to follow are based on these statements of principle.

When applying the guiding principles, there are a limited number of things to consider. These include:

1. While the coronavirus is a major contemporary health threat, the world (including Brunswick) is confronted with a long-running, deepening climate crisis. This has been recognized by the Town Council several times, including the Climate Change Resolution adopted on December 2, 2019. The latest resolution ***“urges all governments and people to initiate social and economic mobilization to reverse global warming.”*** This overriding reality should be applied to solid waste management, like all other town activities. All solid waste decisions should be viewed through this lens and the net effect on greenhouse gas (GHG) emissions considered.
2. Solid waste management accounts for a major portion of a community’s GHG footprint. Due to the physical characteristics of the Graham Road landfill, and the difficulty of controlling its GHG emissions, ceasing landfilling solid waste at this location will reduce Brunswick’s overall generation of GHG immensely¹. All future options for Brunswick’s

¹ Brunswick’s 2009 Climate Action Plan, as presented to the Town Council, included an inventory of GHG emissions from municipal operations (including schools). Inventoried emissions totaled 5,303 metric tons per year of CO₂ equivalents (MT CO₂e). Notably missing from that analysis was the Town’s landfill. Using EPA data, the Town’s landfill presently adds an estimated additional 3,230 MT CO₂e per year (not including waste accepted from other communities). It is by far the largest source of GHG emissions generated by municipal operations in the Town.

solid waste offer far less GHG emissions than continuing to landfill solid waste at the Town's landfill. Each future option can be evaluated in this respect and there is a straightforward approach to compare the GHG footprint of various options based on an established EPA model. A preliminary review of Brunswick's potential options and each option's associated GHG footprint is included in **Appendix E** of this report.

3. There are major solid waste data gaps (volume, cost, and environmental impact) that need to be filled in order to make medium and long-term management recommendations for Brunswick's solid waste. Obtaining this essential contextual data should be a major objective over the next year, providing a factual foundation for medium and long-term Committee recommendations and town decisions.
4. Currently there are a very limited number of recycling, composting, incineration (waste-to-energy), and landfilling options available to Brunswick. Over time, it may be feasible to expand these options through both cooperative regional and public education initiatives, making it important not to foreclose any future options in the short-term.
5. Most of the solid waste management options available to Brunswick will depend on a local (or nearby regional) transfer station to create vendor contract options and manage total costs. In this respect the Graham Road location is a valuable town asset, as it has many of the required permits and some of the infrastructure necessary to be a diversified waste stream transfer station. Its permits are worth preserving.

Brunswick Solid Waste Vision Statement

The Committee thinks it would be useful to have the town articulate a vision of its solid waste future. Our recommendation is to base such a vision on Maine's solid waste hierarchy, which the Town of Brunswick, and most of its residents, already have embraced. Therefore we propose the Town of Brunswick adopt the following solid waste vision statement:

To fulfill on a town-wide commitment to (i) reduce waste at its source; and (ii) reuse, recycle and compost an increasing percentage of the waste generated; making continuous progress toward a future with minimal waste-to-energy or landfill disposal.

A further explanation of this vision statement is included at Appendix B.

Brunswick Short-Term Solid Waste Management Plan (Key Elements)

Based on current realities – notably (i) the intent to close the Graham Road landfill in the spring of 2021, (ii) the prospect of reduced municipal revenues and budget pressures from the effects of the coronavirus and other factors (e.g., school construction), and (iii) the need for better data to plan a rational future – the Committee thinks the short-term solid waste management plan essentially should be a “holding action.” This means closing the Graham Road landfill as scheduled and holding everything else in place, essentially buying more time to explore and document the best options for the medium and long-term.

Key elements of a short-term plan that would mark such an approach are:

- 1. Enter into a one-year contract extension with Pine Tree Waste (Casella) for collection of trash and Single Stream Recyclables pickup for FY 2020-2021, with provisions for the trash to go to Juniper Ridge Landfill when the town landfill closes.***

This is consistent with the “holding action” strategy. As we understand it, it would entail taking a one-year extension option on the current contract with Pine Tree Waste.

- 2. Initiate the process of Graham Road landfill closure (spring 2021).***

This is self-explanatory. It is continuing to implement the Graham Road landfill closure plan.

- 3. Maintain the existing Graham Road scale, scale-house, and supporting infrastructure.***

The Committee understands the landfill closure process can proceed while continuing to have access to and use of the existing scale and scale-house, for recycling and potentially other purposes. We think it is essential to protect this asset, at least for the time being, to maximize the Town’s options going forward. This is a key element in the “holding action” strategy and would result in minimal, if any, cost to the Town.

- 4. Maintain all permits and operations at Graham Rd for the short-term (1-2 years).***

This is another essential aspect of the “holding action” strategy, necessary to maximize the medium and long-term options available to the town, specifically relating to the use and potential scope of operations at this location. This site’s potential use as a local and/or regional transfer station must not be discarded.

- 5. Continue the existing single-stream recycling program with Pine Tree (Casella) for the next year, possibly with thoughtful adjustments to reduce costs, and maintain other existing material recycling, and green waste composting activities, at the Graham Road and Public Works sites.***

Even though it is tempting to eliminate recycling to save money in the current budget crisis, this is no time to be backsliding or abandoning recycling efforts, either temporarily or permanently. However, we do believe it is possible to make clear and thoughtful adjustments in the Town's recycling program to reduce costs in this period of unusual budget pressure. There are also strong indications that demand for several recycled materials are increasing the price for certain commodities (e.g., cardboard and paper) due to already planned changes already occurring in US manufacturing. The Town and its citizens should be redoubling their recycling efforts, not going backwards. The Committee does, however, acknowledge some adjustments may have to be made to contain costs.

6. *Initiate educational programs to improve the quality of single-stream recyclables, and reduce the volume (and cost) of solid waste going to landfill (e.g., composting).*

Brunswick residents have demonstrated a high commitment to recycling, despite limited amount of public education through our current Town systems (e.g. the Town website) and processing contract. Experience around the country indicates high-quality public education about recycling has a major impact on cost reduction. This undoubtedly will be a key component of any solid waste management plan. The Town can and should take initial, simple steps during the coming year to start improving practices in this area. The Committee concludes this could be accomplished by reducing the amount (and cost) of contamination in the single-stream recycling program, and introducing residents to new and improved ways to reduce and recycle materials out of the landfilled stream, further reducing overall the Town's solid waste costs.

7. *Complete a clear analysis of Brunswick's current residential, municipal, and public-school solid waste management costs.*

Current data on the Town's specific activities and costs are not centralized and must be aggregated. We need more accurate, transparent information on the volumes and components of solid waste of all municipal sectors (residential, town, and school waste generators); GHG emissions and other environmental impacts of various solid waste management options; and most assuredly financial revenues and costs. This information is essential to make smart, long-term decisions about solid waste. All stakeholders should dedicate themselves to improving the scope and quality of the data we have during the next two years.

8. *Issue a Request for Information (RFI) to the limited number of entities which provide Municipal Solid Waste disposal services [incineration (waste-to-energy) and landfill disposal] and the processing of single-stream recyclables.*

It is imperative to get the best contemporary information possible on the very limited number of options available to the Town of Brunswick, once the Town's Graham Road landfill closes. These options include only a few (2-3) waste-to-energy plants, two (2)

landfills, and two (2) single stream recyclables facilities (see Appendix C). This non-binding request would be for information only, including data on tip fees, contract terms, energy production, greenhouse gas emissions, commodity market outlooks, and other basic information. A draft RFI document is attached as Appendix D.

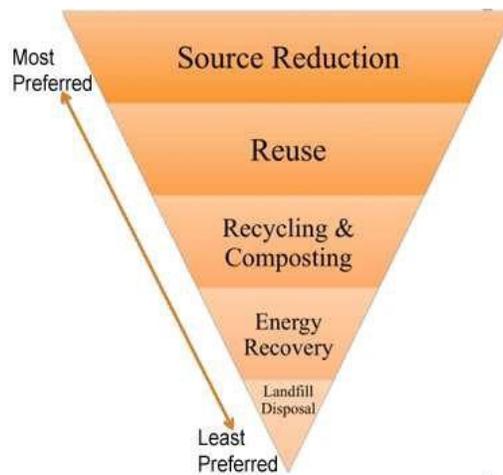
Implemented decisively and thoughtfully, the Committee thinks the above Actions will lead to the best integrated plan for waste reduction, recycling and consistency with the Town's proposed solid waste management vision statement (see above), and the need for long-term environmental and economic sustainability.

This is the essential task to move beyond a short-term “holding action.” The Committee considers this one of its essential tasks, working in close collaboration with the Director of Public Works and Town Manager. Obtaining the data specified above, defining all benefits and costs of various options, and assisting the town in making good economic decisions consistent within State of Maine climate and solid waste management goals is our mutual challenge moving forward.

Appendix A

GUIDING PRINCIPLES FOR TOWN-WIDE WASTE MANAGEMENT PLAN

1. Make Solid Waste Decisions Based on the Maine Solid Waste Hierarchy - All solid waste decisions should first be passed through the filter of the Maine Solid Waste Hierarchy (see: www.maine.gov/dep/sustainability/sw-hierarchy.html) which recommends the following order of consideration 1. *Reduce* 2. *Reuse* 3. *Recycle* 4. *Compost* 5. *Waste to Energy* 6. *Landfill*. Consider a ranking system for decisions impacting our solid waste management efforts, so decisions do not get based solely on short term cost implications.



2. Embrace Waste Reduction as a Foundation of the Town’s Waste Management Plan - To make fact-based decisions, we should not just consider how much we recycle, but most importantly, how much we reduce the amount generated. Consider tracking not just waste recycled, but percent waste **diversion** (waste not made) from a benchmark year of 2018 from the “end of life” disposal options of incineration and landfilling. Support efforts locally and at the state level to reduce the creation of all forms of waste.
3. Focus on Waste Separation at the Source – Despite recent shifts in the commodities markets, separation of recyclables, organics and other wastes at the source (at homes, businesses, institutions) has proven to be an extremely resilient approach to waste recovery. Although several mixed-waste processing facilities have been developed in the U.S. to sort recyclable materials from the trash stream, few have proven to operate at scale with high recovery rates.

4. **Support Community Education Efforts** - Outside of the Brunswick School Department almost no community solid waste education effort exists in Brunswick today. A portion of the solid waste management budget should be dedicated each year to sustained and defined outreach efforts, such as website maintenance, workshops, community education events, etc.
5. **Develop “Whole Community” Options** – Although this Plan is focused on the residential, municipal and public school sectors, other parts of the Brunswick community (e.g. Bowdoin College, Brunswick Landing, businesses) should be part of our long-term thinking. Economies of scale for certain programs may help with affordability, etc.
6. **Support State Initiatives** – Monitor and support policies and legislation that align with Brunswick’s Guiding Principles, including support of the Maine Solid Waste Hierarchy, waste reduction, expansion of recycling programs, and material or product bans where appropriate.
7. **Control Our Destiny** – Consider solid waste reduction and management options and approaches that allow us flexibility and the ability to take advantage of options and innovation over time.

Appendix B

EXPLANATORY NOTES PERTAINING TO THE VISION STATEMENT

This vision is consistent with the priorities of Maine’s Solid Waste Management Hierarchy. Fulfilling on this vision will require a serious, long-running, effective process of community education, to get widespread commitment to the actions required. Over time, this means getting commitment to this vision from all waste generators in Brunswick, including (i) residential, (ii) municipal, (iii) public school, (iv) commercial, and (v) institutional sectors. It means supporting public policy initiatives, both in Brunswick and the wider world, consistent with this vision that will enable Brunswick to move along this path.

It means planning and implementing creative programs to facilitate waste reduction, reuse, and recycling of all kinds at a sustainable cost. It means retaining the flexibility (and control) of our waste stream so we can continuously innovate and improve the portion of our waste stream being reused beneficially. It will require a shift in our consciousness about “waste,” and our responsibility to manage it in **both** an environmentally and economically sustainable manner.

Appendix C

SOLID WASTE FACILITY OPTIONS

Single Stream Recycling (SSR) Facilities

1. Pine Tree Recycling (Casella), Lewiston
2. Ecomaine Materials Recovery Facility, Portland

Waste-to-Energy (WTE) Facilities (for Municipal Solid Waste)

1. Mid-Maine Waste Action Corporation (MMWAC), Auburn
2. Ecomaine WTE Facility, Portland
3. Penobscot Energy Recovery Facility Company (PERC), Orrington

Landfills (for Municipal Solid Waste)

1. Waste Management Crossroad Landfill, Norridgewock
2. Juniper Ridge Landfill, Old Town

Appendix D

DRAFT REQUEST FOR INFORMATION

Town of Brunswick

Request for Information

Municipal Solid Waste Disposal & Single Stream Recycling Services

May ____, 2020

I. Intent

The Town of Brunswick's Recycling & Sustainability Committee is evaluating options for both the disposal of Municipal Solid Waste (MSW) and the processing of Single Stream Recyclables (SSR). This is prompted by several factors, including the expected closure of the Town's Graham Road Landfill in the spring of 2021. The Recycling & Sustainability Committee will use information gained from this Request for Information process to inform the Committee, Town officials and the public about the costs and benefits associated with various options for the two (2) identified material streams.

The purpose of this Request for Information is to gain preliminary information only and is non-binding on all parties. Interested proposers do not have to guarantee any future pricing, terms, service and/or intent to respond to any future Town solicitations.

Interested proposers may provide questions in writing to the Director of Public Works, Mr. Jay Astle at jastle@brunswickme.org

II. Background

In 2018, the Town generated approximately 5,534 tons of MSW from residential curbside collection and municipal facilities (including public schools). In addition, residential curbside collection and municipal facilities generated approximately 2,519 tons of SSR. This Request for Information specifically does not consider or include any waste or recycling from the commercial sector.

The Committee is evaluating disposal and processing options for the potential future transfer of the two identified material streams from its Graham Road Facility (or other location in the Brunswick Area) to qualified disposal or processing facilities in the state.

For the purposes of this Request for Information, proposers do not need to consider the cost of transfer or transport of the material to their disposal and/or processing location(s). The Committee will develop the cost associated with transfer and transport of the materials separately. This Request for Information is only seeking the cost per ton at the Proposer's designated disposal or recycling facility (the "Tip Fee").

III. Information Requested

A. Tip Fees at Proposer’s Facility

Complete the chart below based on the contract term indicated assuming the approximate annual tonnages indicated in the Background section are delivered to your Facility.

	Facility Name/Location	Contract Term			
		1 Year	3 Year	5 Year	10 Year
MSW Tip Fee (Per Ton)					
SSR Tip Fee (Per Ton)					

B. Price Escalators

Please provide the proposed escalator or index if willing to enter into a multi-year agreement.

C. Energy Recovery from MSW

If the proposer’s disposal facility for MSW includes any form of energy recovery for electricity generation from MSW, please provide the expected kw-hours per ton of MSW disposed or processed. Any figure provided should be based on an average of at least three (3) years actual operating data.

D. SSR Processing Information

Please provide information on the following details related to SSR processing and pricing:

- i. SSR pricing formula based upon the Average Commodity Revenue per ton (ACR), contamination rate, and/or other regularly measurable indicators.
- ii. Detail exactly which specific single stream recyclable materials are acceptable today at the Proposer’s facility. Please be as specific as possible (e.g. types of plastics, grades of paper, etc.).
- iii. Name the disposal facility where any residuals or rejected material from SSR processing will be disposed.
- iv. Detail exactly what services your company will provide to support community education efforts to reduce SSR contamination, adjust to changeable market conditions for commodities, and encourage overall waste reduction.
- v. Expected residuals (contamination) rate based upon implementation of the Proposer’s expected community education program.
- vi. Your company’s outlook for recovered commodities over the next 2-5 years. Be brief but as specific as possible based on your firm’s experience and knowledge.

IV. Due Date

Please provide your response no later than 5 PM, May ____, 2020. Responses should be e-mailed to Mr. Jay Astle, Director of Public Works at jastle@brunswickme.org

APPENDIX E

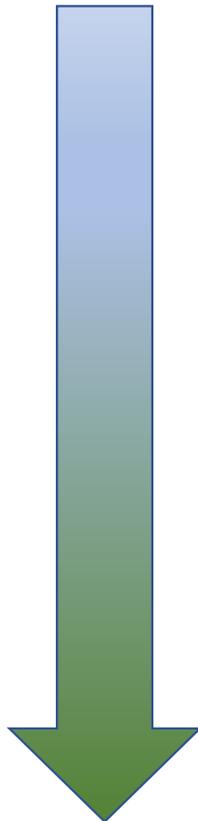
Municipal Solid Waste (Trash) & Single Stream Recycling Options

GREENHOUSE GAS (GHG) EMISSIONS ANALYSIS SUMMARY

PRELIMINARY DRAFT

Option #	Municipal Solid Waste (MSW) Disposal Facility / Location	Single Stream Recycling (SSR) Facility / Location	Total GHG Emissions (CO2 eq MTPY) ¹	Improvement From Baseline (CO2 eq MTPY) ¹
Current (Baseline)	Brunswick Landfill	Casella, Lewiston	3,230	
1A	Juniper Ridge Landfill/Casella, Old Town	Casella, Lewiston	(927)	4,157
1B	Juniper Ridge Landfill/Casella, Old Town	Ecomaine, Portland	(1,857)	5,087
2A	Waste Management Landfill, Norridgewock	Casella, Lewiston	(2,175)	5,405
2B	Waste Management Landfill, Norridgewock	Ecomaine, Portland	(3,104)	6,334
3A	Mid-Maine Waste-to-Energy Facility, Auburn	Casella, Lewiston	(3,282)	6,512
3B	Mid-Maine Waste-to-Energy Facility, Auburn	Ecomaine, Portland	(4,212)	7,442
4A	Ecomaine Waste-to-Energy Facility, Portland	Casella, Lewiston	(3,454)	6,684
4B	Ecomaine Waste-to-Energy Facility, Portland	Ecomaine, Portland	(4,384)	7,614

HIGHEST EMISSIONS



LOWEST EMISSIONS

1. CO2 MT eq MTPY = Carbon Dioxide Metric Tons Equivalent per Year

ITEM 71
BACKUP

Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Town Council

FROM: John Eldridge
Town Manager

DATE: May 13, 2020

SUBJECT: Brunswick Recycling Program

As the Council is aware, the net cost of recycling has skyrocketed over the past few years as the market for recycled materials has drastically changed. Only a few years ago, the brokered sale of recycled materials was sufficient to cover the costs associated with collecting and processing of items that could be recycled.

In delivering the proposed 2020-21 municipal budget, I proposed that, for the next year, Brunswick continue curbside collection of residential recyclables and then dispose of those materials at the lowest cost. Pine Tree Waste (Casella) takes Brunswick recyclables to its Lewiston processing facility, where those items are sorted and then sold to recycling brokers. The current cost of processing and brokering those recyclables is approximately \$140 per ton. The Town could deliver those materials to the Graham Road Landfill at \$80 per ton.

At the time I made my budget proposal, I realized it would be controversial. Brunswick has a long history of recycling. As a matter of fact, Brunswick was one of the first Maine municipalities to initiate a recycling program. The Recycling and Sustainability Committee reached out to me to see if we could develop a plan to lower the cost of our current recycling program. Recently, there have been several meetings, resulting in the Committee's recommendations. Those are attached.

Today, staff and two Committee members met with a representative of Casella to discuss ways to reduce costs. We expect a follow up meeting with Casella later this week or early next week. I extend thanks to the Committee members for preparing their report and for participating in our meeting with Casella. Members of the Committee will be present at your Monday meeting to discuss its recommendations.

attachment

residential customer to stay in the SSR curbside collection program; otherwise all the resident's material would go in the Blue Bags and would be landfilled. At \$25 per household, a 60% participation rate would generate \$75,000; lower participation rates would result in a smaller amount of recyclable materials so recyclers would be paying for any additional cost of continuing the recycling program under any scenario of actual participation. A detailed proposal for this program is attached to this memo.

3. Consider Adjustments to the Current SSR Program. Consider limited changes in the list of recyclable materials, being careful not to eliminate any materials due solely to short-term price changes for recycled commodities. A perfect example is glass, which is ~15% of SSR in Maine programs. Glass is heavy and likely not recycled at all. We should engage our SSR processing partner to update the list of truly recyclable materials to ensure we are focused on those that have long-term markets and value.
4. Public Education. We can do more to better educate the public on proper recycling practices at minimal cost to the Town. Our collection contractor should be assisting with curbside auditing to ensure residents are not putting unrecyclable materials in the SSR containers. Other public education efforts should include improvements to the Town's website, and targeted campaigns in the media to build awareness about reducing SSR contamination.

In closing, the Committee believes it would be extremely short-sighted to eliminate the SSR program, and even worse to collect recyclables and landfill them, even if only temporarily. The SSR program was a solid economic value for the Town for many years, but current low commodity prices the last two years have challenged the program and brought other significant issues to light that were simply not being addressed (e.g. high contamination rates). Commodity prices have been trending up and, coupled with other structural program changes that need to be made, the SSR program can again become both an economic and environmental benefit to the Town.

We look forward to engaging the Council on this topic at the May 18th meeting.

Proposed Brunswick Recycling Fund

May 11, 2020

The Brunswick Recycling Fund is a crisis response to keep the Town's Single Stream Recycling (SSR) program going for the next year or two. It is meant to be a bridge to a time when the cost to the Town's taxpayers of maintaining a curbside single-stream recycling program will be less than the cost of incinerating or landfilling materials that can be recycled, with vastly lower greenhouse gas emissions (waste-to-energy). Recycling met this test for years, until the commodity price of many recyclables crashed in 2018. Now the COVID-19 virus has decimated our economy and negatively affected the Town's revenue sources. Recycled materials markets were starting to come back anyway, and we will recover from the virus pandemic.

To initiate the Brunswick Recycling Fund, the Town would establish a voluntary "tag-for-fee" program. Residential curbside solid waste collection customers would be able to continue participating in the Town's single-stream recycling (SSR) program for a fee of \$25.00 for the year. If they choose to participate, they would get a colorful tag that identifies them as "Brunswick Recyclers", and they would continue to participate in the SSR program essentially as they do now. Participants could put out any amount of recyclables they have as long as a tagged container is visible. Those who do not choose to participate in the program would have all their curbside solid waste put in a town "blue bag" and sent to disposal – none would be recycled.

Participation would be voluntary and the fee for the tag would be \$25.00 per year. This is meant to be a temporary program for a limited number of years until the recycling program can be improved, and markets for recycled materials recover sufficiently to be able to discontinue the tag-for-fee program while continuing a great recycling program. This program will ensure the extra costs to the town of running an SSR program are covered by the Fund.

The Town would advertise this new option, produce and sell the tags, and amend the contract with the waste and recyclables collection contractor to implement this program. To encourage people to recycle for whom this new fee would be a burden, an additional feature to consider would be a check-off box whereby people who choose to participate could become a "Recycling Buddy" and pay in an additional \$25.00. This would be used to pay the fee for another town resident who applies for a hardship exception.

Brunswick R+S Committee Notes on Brunswick Recycling Fund 5-11-20 – Submitted by Weems

ITEM 72
BACKUP

Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Town Council

FROM: John Eldridge
Town Manager

DATE: May 13, 2020

SUBJECT: Pay-As-You-Throw (PAYT) Program

On March 30th, the Town Council ordered suspension of the requirement to use the Pay-As-You-Throw (PAYT), i.e. blue bags for curbside collection. We have been asked when the Town would be reinstating that requirement. Given that it will take some time to inform the public prior to reinstating the requirement, we would like the Town Council to establish a date. We think the public would benefit from at least two weeks advance notice.

ITEM 73
BACKUP

Town of Brunswick, Maine

OFFICE OF THE TOWN CLERK

MEMORANDUM

TO: Town Council
FROM: Fran Smith, Town Clerk
DATE: May 13, 2020
SUBJECT: Amendments to the Business Licensing ordinance

As the Council may be aware, the Clerk's Office license a variety of businesses, with different due dates depending on the license type. The payment for all food service licenses and several other types, including movie theatres, bowling alleys, second hand dealers, tattoo artists, and inns, are due by June 30th in order to avoid a late fee. Clearly, with the restrictions of the pandemic, many businesses are closed or have reduced income. We are proposing to allow businesses to have the fee payment extended to no later than December 31, 2020, and waive the late fee.

This will require an ordinance change that the Town Attorney is drafting, and will be provided prior to the meeting. We are requesting the Council set a public hearing for June 1, 2020, and to enact the amendments on an emergency and a regular basis that evening once the hearing is held.

As a point of information, the fees that were generated in these licenses last year were as follows:

Food Service Licenses: \$23,785
General Licenses: \$23,000

ITEM 74
BACKUP

Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Town Council

FROM: John Eldridge
Town Manager

DATE: May 13, 2020

SUBJECT: Brunswick Industrial Park
4 and 6 Business Parkway
Map 17 Lots 66 and 67

At its March 18, 2019, the Town Council voted not to exercise its option to purchase two lots (Map 17 Lots 66 and 67) in the Brunswick Industrial Park. In waiving its right to purchase these lots, the Town Council required that development commence on those lots within one year of the filing of a waiver. The owner of one of those lots is requesting a one-year extension of the waiver.

Background

The Town was the developer of the Brunswick Industrial Park. As the developer, the Town established deed covenants for the lots it sold. One of the covenants allows the Town to repurchase any undeveloped lot.¹ There is no expiration on the Town's ability to exercise that option.

In January 2008, the Town sold Lots 66 and 67 to Allied Composites, LLC ("Allied") for \$270,000. Those lots remain undeveloped. In 2019, Allied notified the Town of its intent to sell lot 66. As the Town had not exercised its option to re-purchase the lots, Allied requested that he Town waive its option to repurchase so that the lot 66 could be sold. Based on the prorated acreage of the two lots, the Town could repurchase lot 66 for \$155,200.

Recommendation

The current owner says that he has been unable to commence construction on lot 66 due to delays which now include those related to COVID-19. The Town has had an opportunity to repurchase these properties for more than ten years and has not exercised its option. I recommend that the Council waive the option, on the same terms, for another year.

Attachments

Letter April 25, 2019 J Eldridge to J Howard Re: Lots 66 & 67
Covenants – Brunswick Industrial Park
Map of Industrial Park Lots
Property Assessment Cards

¹ Section 5 - BRUNSWICK INDUSTRIAL PARK, BRUNSWICK, MAINE
DECLARATION OF COVENANTS AND RESTRICTIONS – February 12, 1981



Town of Brunswick, Maine

INCORPORATED 1739

OFFICE OF THE TOWN MANAGER

85 UNION STREET

BRUNSWICK, MAINE 04011-2418

TELEPHONE 207-725-6659

FAX 207-725-6663

April 25, 2019*

James Howard
Allied Composites Center, LLC
c/o Priority Real Estate Group
2 Main Street
Topsham, ME 04086

Re: 4 and 6 Business Parkway aka Tax Map 17 Lots 66 and 67

Dear Mr. Howard:

As you know the Town Council, at its March 18, 2019 meeting adopted the following motion:

Councilor Wilson moved, Councilor Ankeles seconded, to authorize the execution and recording of a waiver of the Town's option to repurchase property known as Map 17 Lots 66 and 67, in the Brunswick Industrial Park, as allowed under the conveyance from the Town to Allied Composites, LLC, with the condition that the waiver is to include a requirement that the seller and purchaser agree that construction of a principle building on the parcel is to be commenced within one year of the waiver and completed as per the requirements of the existing covenants. The motion carried with seven (7) yeas. Councilor Walker and Councilor Mason were opposed.

With this vote, the Town reserved its right to repurchase the lots, in accordance with the Industrial Park covenants that were referenced in the deeds that convey the lots from the Town to Allied Composites Center, LLC. I have discussed, with the Town Attorney, how to proceed given the reservation of the Town's rights voted by the Town Council. We have agreed as follows:

- You should disclose to the purchaser of Lot 66, who shall close on the sale within thirty (30) days, that construction of a building must commence within one year of the purchase and must be completed in the time frames required by the Industrial Park covenants.
- You should disclose to the purchaser of Lot 66 that failure to commence and complete construction within these time frames mean that the Town may exercise its rights to repurchase the property from the purchaser at the price the parcel was sold to Allied Composites Center, LLC.
- Assuming the purchaser of Lot 66 meets the requirements set forth in the Town Council's March 18, 2019 vote, the Town will record a waiver on Lots 66 and 67.

I trust this will allow you to move forward with the sale of Lot 66. Please feel free to contact me if you need anything else or have any questions or concerns.

Sincerely,


John S. Eldridge
Town Manager

*Corrected letter on May 2, 2019 to reflect that the lot being sold is lot 66, not 67.

3710

BRUNSWICK INDUSTRIAL PARK
BRUNSWICK, MAINE

DECLARATION OF COVENANTS AND RESTRICTIONS

The Inhabitants of the Town of Brunswick, owners of a certain parcel of land described in deeds from Derrill O. Lamb recorded in the Cumberland County Registry of Deeds in Book 4550, Page 212; Dennis G. Baribeau recorded in said Registry in Book 4550, Page 211; Wesley M. Gott and Mildred F. Gott recorded in said Registry in Book 4550, Page 220; Robert E. Dionne and Anita E. Tracy recorded in said Registry in Book 4550, Page 223; Roland A. Dionne recorded in said Registry in Book 4553, Page 24; Bertrand R. Dionne recorded in said Registry in Book 4553, Page 179 are prepared to sell and convey ownership of certain lots and parcels of land from the aforementioned premises.

These parcels are shown and identified on a Plan of land entitled "SUBDIVISION PLAN OF BRUNSWICK INDUSTRIAL PARK FOR TOWN OF BRUNSWICK JUNE 26, 1980" hereinafter referred to as "Plan", "Development" or "Park", which Plan is recorded in the Cumberland County Registry of Deeds in Plan Book 130, Page 16. The word Plan shall also refer to any subsequent revisions of said Plan which may be recorded from time to time.

In order to preserve the industrial qualities of the Development without injuring the natural beauty and rural qualities of adjacent or nearby land and in order to provide each owner of a parcel of land purchased pursuant to the Plan with assurances that the lots and parcels of land surrounding his parcel will be subject to reasonable safeguards against acts and uses which could harm the nature and value of his property, the Inhabitants of the Town of Brunswick (hereinafter sometimes referred to as "Developer") impose upon the lots and parcels of land described on the Plan certain mutual and beneficial easements, covenants and restrictions.

NOW, THEREFORE, the Developer hereby declares that each and every lot or parcel of land shown on the Plan, shall be conveyed subject to, and with benefit of, easements, covenants and restrictions set forth in this Declaration, and all of the provisions of this Declaration shall be deemed to be incorporated and included therein as if set forth in full in the deed. All of the provisions of this Declaration shall be deemed to be reciprocal covenants running with the land.

Definitions: As used in this Declaration:

- (a) The word "Developer" shall mean and refer to the

Inhabitants of the Town of Brunswick and their agents, nominees, successors and assigns.

(b) When referring to parties against whom this Declaration may be enforced, the words "owner" or "lot owner" shall mean and refer to any person having record title to a lot or parcel of land shown on the Plan and/or any person who has a legal or equitable interest (possessory or otherwise), or claim therein (including but not limited to interests created by lease, will, contract, adverse possession or prescription). In all other instances the words "owner" or "lot owner" shall refer to title holders and owners of record.

(c) The word "parcel" shall mean and refer to any premises, lot or parcel of land shown on the Plan, or part or combination thereof.

(d) The word "Park" shall mean and refer to the development as shown on the Plan in its developed, partially developed or undeveloped state.

(e) Whenever and wherever the context of this Declaration so requires, the singular shall include the plural and gender shall be modified to correspond with the appropriate gender.

(f) The word "person" shall, where the context hereof may require, mean and refer to any natural born person and any legal entity, including but not limited to, corporations, partnerships, trusts and associations.

1. Covenants and Enforceability.

A. The following covenants, restrictions and easements shall run with the land designated on the Plan, the land conveyed pursuant to the Plan and the land in the Park retained by the Developer. Any subsequent conveyances, leases, mortgages or other dispositions of such land or any part thereof shall be subject to these covenants and restrictions and easements.

B. The covenants, restrictions and easements set forth in this Declaration shall not terminate or otherwise expire until January 1, 2021.

C. The covenants, restrictions and easements shall be jointly and severally enforceable by the Developer and its assigns and by its grantees, their successors and assigns; provided, however, only the Developer shall have the right to exercise the discretionary powers hereinafter reserved to it. The violation or attempted violation of any covenant, restriction or easement in the Declaration is hereby declared a nuisance which may be remedied

by any appropriate legal proceeding. If any landowner shall attempt to violate, violate, or permit any violation of any of the covenants, restrictions or easements described in this Declaration, the Developer or any owner of a parcel may commence proceedings at law or equity, either to recover damages or other awards for attempts or violations, or to enjoin the furtherance or continuation of such attempts or violations, or both.

By accepting delivery of a deed to a parcel of land shown on the Plan each owner of record covenants that if a judgment is rendered against such owner as a result of an action or actions brought on this Declaration, to pay all reasonable costs, including reasonable attorney's fees, incurred in the prosecution of said claim. By acceptance of a deed to a parcel subject to the provisions of this Declaration, each owner covenants and agrees to abide by all such provisions.

D. In the event of a violation or breach of any of the covenants, restrictions, easements or agreements set forth in this Declaration, and if such breach or violation has not been remedied or corrected within thirty (30) days after delivery of notice of such violation or breach by the Developer to the occupant of the parcel on which the violation or breach has occurred, [or in the alternative, within thirty (30) days after mailing such notice to the record owner of such parcel at his last known address] the Developer shall have, in addition to other remedies and rights it enjoys, the following remedy and right: The Developer may enter upon the parcel as to which such violation or breach has occurred or exists and summarily abate and remove any erection or thing or correct any condition which constitutes such violation or breach. Actions taken by the Developer pursuant to this paragraph including reasonable attorney's fees shall be at the expense of the owner of such parcel, which expense shall be an encumbrance and lien on such parcel, notice of which shall be recorded in the Cumberland County Registry of Deeds.

2. Land Use.

A. Prior to any development of a lot the owner or prospective owner, with the consent of the Developer and on behalf of the Developer, shall submit to the Department of Environmental Protection, for review and approval, a plan for such lot's development. The plan shall include, and not be limited to, the type and size of industry, location of all structures, types and volumes of wastes to be generated and disposed of, the location and nature of disposal, the types and volume of traffic anticipated, and individual lot landscaping and/or visual screening plans.

B. Each parcel shall be used for only those uses permitted in an Industrial Park Zone and if none, an Industrial Zone,

defined by the Town of Brunswick Zoning Ordinance then in effect, and no parcel set forth on the Plan may be used for any purpose other than those purposes permitted in said Zone. Any uses for which special exceptions are required in said Zoning Ordinance are prohibited unless such special exception is properly granted and such use is approved in writing by the Developer. Any uses which are generally considered to be noxious or offensive, including but not limited to, tanneries, evisceration plants and junkyards are prohibited.

C. Fish, shellfish and food processing or treatment and preparation of any animal or vegetable materials for human or animal use or consumption (hereafter referred to as food processing) present unique problems of liquid and solid waste, storage, removal, disposal and treatment, and potentially unhealthful and noxious nuisances and odors. Lots numbered 1, 6, 7 and 14 may not be used for any industry engaged in food processing; and, food processing is a prohibited use on the remaining interior lots except that the Developer may, at its sole discretion, on a time by time and lot by lot basis, permit such use on any one of the interior lots on such specific conditions and subject to such additional restrictions as it shall deem proper.

D. The Developer reserves the right to further limit or restrict the use of any particular parcel; and, such further limitations or restrictions shall be contained in the deed of the Developer conveying said parcel and shall apply to only the parcel(s) to which such restrictions are specifically directed in said deed.

E. No use will be made of any parcel and no materials or products may be manufactured, processed or stored thereon which cause or constitute, or in the opinion of the Developer may cause or constitute, an undue fire hazard, a nuisance, the emission of noxious odors, gases or smoke or cause noises or vibrations or other conditions which may have a detrimental effect on the surrounding environment or other lot owners in the Park.

F. The drainage way on the northern portion of Lot 11 as indicated on the Plan and as found on the land shall be maintained as a permanent feature of the landscape and no disturbance of natural ground cover shall occur within a twenty (20) foot perimeter of the crest of the drainage way until such time as the use of the railroad necessitates an alteration or elimination of this feature.

3. Setbacks, Plans and Specifications.

A. (1) No building, any part thereof, or projection therefrom, shall be erected on, within or extend over a strip of land fifty

(50) feet in width from any road, or "future road" shown on the Plan, and twenty (20) feet of any boundary line of a parcel on which a building is erected unless the Developer gives written consent, in recordable form, to a lot owner in an instance where a setback need not be met due to abutting rail spurs and/or common loading facilities; provided, however, in the event title to two or more contiguous parcels are owned by the same person the twenty (20) foot setback restrictions shall not apply to interior boundary lines between the contiguous parcels. All parcels which abut residential property and lots numbered 6 and 14 on said Plan shall have and maintain a fifty (50) foot wide buffer zone along any bound which is common with residential property and Greenwood Road, which buffer zone shall not be utilized for building or parking as long as the abutting property is used for residential purposes and, in the case of the buffer zones along Greenwood Road, they shall not be utilized for building or parking as long as the property directly across Greenwood Road from the affected parcel is used for residential purposes. At the expiration of said residential uses, applicable setback restrictions shall continue in force.

(2) Lots 1, 2, 7, 8 and 9 on said Plan are subject to an additional buffer zone which runs in width from the thread of an unnamed brook to a line fifty (50) feet beyond (toward the interior of each lot) and parallel with the top of the bank of said brook, and the length of said buffer zone extends along said line parallel with and fifty (50) feet from the top of the bank for the length of said bank. Said buffer zone is more particularly determined by the contour of the land. That portion of the buffer zone which lies between the thread of the brook and the top of the bank may not be used or altered by the owner or occupant of any parcel except with prior written approval of the Developer. The portion of said buffer zone lying between the top of the bank and the inside bound of the buffer zone shall not have any structure erected upon it or extend over it; provided, however, said portion of the buffer zone may be used for parking and drainage.

(3) Any of the aforementioned setback areas,

residential buffer zones and the buffer zone from the top of the bank of said stream to the interior of lots 1, 2, 7, 8 and 9 may be landscaped for beautification and erosion prevention.

B. No building, fence, wall, sign, loading facility, outside storage facility, parking area, landscaping, facility for industrial waste or sewage disposal, nor any other improvement shall be commenced, erected or constructed, nor shall any addition thereto or change or alteration therein be made (except to the interior of a building), nor shall any change in the use of any premises be made, until the plans and specifications therefor, showing the nature, kind, shape, heights, materials, color scheme, and lighting, of the exterior of the structure and location on the lot of the proposed improvements, grading, landscaping or alterations and the proposed use or change in the use of the premises, shall have been submitted to and approved in writing by the Developer and a copy of such plans and specifications as finally approved lodged permanently with the Developer. The Developer shall have the right to refuse to approve any such plans or specifications or proposed use of the premises for any reason which the Developer, in its sole discretion, may deem in the best interest of the Park and the owners or lessees or prospective owners or lessees of other properties therein.

C. Parking is prohibited on all roads and "future roads" as shown on said Plan. Each lot owner shall provide, subject to the setback and buffer restrictions, necessary and adequate parking facilities and private driveways, subject to the Developer's approval.

D. The construction, alteration and use of any and all improvements within the Park shall be in accordance with the requirements of all applicable state and local building, zoning, health and other statutes, codes, ordinances and regulations.

E. No lot or parcel may be subdivided or resubdivided unless the smallest lot produced thereby has a minimum lot size of two (2) acres or more.

4. Construction and Maintenance.

A. All exterior construction on any building or structure shall be completed within two (2) years from the date construction (including excavation) begins unless the Developer extends such period in writing.

B. During construction it shall be the responsibility of each lot owner to insure that construction sites are kept free

of unsightly accumulations or rubbish and scrap materials, and that construction materials, trailers, sheds, and the like are kept in a neat and orderly manner.

C. Each lot owner shall at all times keep his premises, buildings, improvements and appurtenances in a safe, clean, neat and sanitary condition and shall comply with all laws, ordinances and regulations pertaining to health and safety. Each lot owner shall provide for the removal of trash and rubbish from his premises.

D. The Developer will maintain all undeveloped land owned by it within the Park in a manner compatible with the provisions of this paragraph 4.

5. Repurchase Options.

A. If a purchaser, or his successors and assigns, of a parcel has not begun, in good faith, the construction of an acceptable building within two (2) years from the date of execution of a purchase and sale agreement for the parcel with the Developer [and if none two (2) years from the date of execution of the deed from the Developer to purchaser] or construction of a building or structure has not been completed pursuant to paragraph 4.A. of this Declaration, the Developer shall have the option, at its discretion, to enter onto the premises, take possession of the parcel, enforce the issuance of a deed to the Developer and refund the original purchase price (that price which was originally paid to Developer) without interest to the then owner.

B. Developer shall have a right of first refusal in the event of any proposed transfer or sale of a parcel as follows:

In the event any owner of record of a parcel of land within the Park desires to sell all or part of that portion of a parcel which is unimproved, separate and apart from the improved portion of the parcel, then the Developer shall have the prior right and option to purchase the unimproved portion of the parcel at the same price and terms paid by the original owner of record to Developer for said parcel when originally acquired; said repurchase price to be based on prorated square footage.

C. Prior to any proposed sale of all or part of a parcel of land within the Park which parcel has come under the terms of paragraph B above, the owner of record of the parcel shall notify the Developer of its intention to sell, assign or transfer the parcel by a signed written notice to the Developer. The notice shall accurately describe the premises to be sold and Developer shall have forty-five (45) days from the date of receipt of said notice to exercise its option to purchase. Developer shall exercise its option to purchase by serving a written notice on the record owner within said forty-five (45) day period; and, in the absence

of written notice of Developer's intent to exercise its option the record owner shall be free to sell to any person at any price. If the Developer seasonably exercises its option to purchase, Developer shall have forty-five (45) days from the date of its notice of exercise within which to tender the purchase price established pursuant to paragraphs A and B above. If the Developer does not exercise its option to purchase and the subject parcel is acquired by any purchaser other than Developer such new owners shall comply with the rules and regulations established pursuant to paragraph 9.A. regardless of prior compliance by the prior owner of the parcel.

6. Waiver.

Any delay or failure to enforce, any provision of these covenants, restrictions and easements in a particular situation shall not be deemed a waiver or abandonment of such provision as it may apply to the same or another situation or the same or similar situation at any other location in the Park or of any other provision of these covenants, restrictions and easements. The failure to enforce any provision of this Declaration on any occasion shall in no event be deemed a waiver of the right to do so thereafter as to the original breach or violation or any subsequent breach or violation. The invalidation of any provision of this Declaration by a court of competent jurisdiction shall not affect the validity of any other provision of this Declaration and all such other provisions hereof shall remain in full force and effect.

7. Nominees, Agents and Successors of Developer.

The Developer may from time to time assign and/or delegate any or all of its rights, powers, discretion and duties hereunder to such agent or nominee as it may appoint or nominate. It may also permanently assign any or all of its powers and duties (including discretionary powers and duties), obligations, rights, title, easements and estates reserved to it by deed or this Declaration to any one or more corporations, associations or persons that will accept the same. Any such assignment shall be in a recorded writing and the assignee shall join thereafter for the purpose of evidencing its acceptance of the same, and such assignee shall thereupon have the same rights, title, powers, obligations, discretion and duties as are herein reserved to the Developer and the Developer shall thereupon be released therefrom.

8. General Standards.

A. No more than fifty percent (50%) of any parcel shall

be covered by buildings.

B. All parking areas are to be paved.

C. No material, supplies, or products shall be stored or permitted to remain on the premises outside a permanent structure without the prior written consent of the Developer. Approval of outside storage will be temporary and will be granted only where storage is screened from view.

D. All setback areas facing roads between the building and the curb, with the exception of driveways, sidewalks and other walkways shall be used exclusively for the planting and growing of trees, shrubs, lawns and other ground covering or material as approved by the Developer.

E. The Developer may, from time to time, enter onto a parcel or lot to inspect the same for compliance with this Declaration and Operating Rules and Regulations.

F. Occupants of the Park shall not cause or make any excessive noise, odors, harmful sewage, vibration or nuisance that would conflict with the purposes or restrictions of the Park.

G. All unused land area that is planned for future building expansion or other purposes shall be maintained and kept free of unsightly plant growth, stored material, rubbish and debris.

H. All buildings and grounds shall be maintained in good condition and repair.

9. Administrative and Operating Regulations.

A. The Developer may, from time to time, adopt and amend such administrative rules and regulations for the sale and development of parcels within the Park, the review of proposals, plans and uses, and the carrying out of its responsibilities and duties set forth in this Declaration, as it shall deem fit and necessary. The Developer may require that an owner of a lot provide evidence of financial responsibility and/or post a performance bond prior to lot development to guarantee the owner's compliance with these covenants and any additional standards or restrictions placed on the owner or lot.

B. The Developer may, from time to time, adopt and amend such operating rules, regulations and additional General Standards governing the use and operation of the Park.

10. Notice.

All notices required hereby shall be in writing and served on the intended recipient by Certified Mail.

11. Separability.

If any provisions of these covenants are declared to be invalid, that declaration does not affect the remainder of the covenants.

IN WITNESS WHEREOF, the said Developer has caused this instrument to be sealed with its corporate seal and signed in its corporate name by ~~REGINALD G. PINKHAM~~, EDWARD F. WILSON, MARTIN L. WILK, VERN WARREN, DAVID L. WHITE, REGINALD G. PINKHAM, GARLAND J. DAVIS, ROBERT C. SHEPHERD and STEPHEN H. McCAUSLAND, ~~thenceforth~~ therunto duly authorized this *twelfth* day of *February*, 1981, as a majority of its Municipal Officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

INHABITANTS OF THE TOWN OF BRUNSWICK

John P. Wilson
To all eight

Sam McCausland
David L. White
Reginald G. Pinkham
Edward F. Wilson
Vern Warren
Garland J. Davis
Robert C. Shepherd
Stephen H. McCausland

STATE OF MAINE
Cumberland, ss.

February 12, 1981

Then personally appeared the above-named REGINALD G. PINKHAM and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said body corporate.

Before me,
Sharon L. Eastman Belanger
Justice of Peace/Notary Public

FEB 13 1981

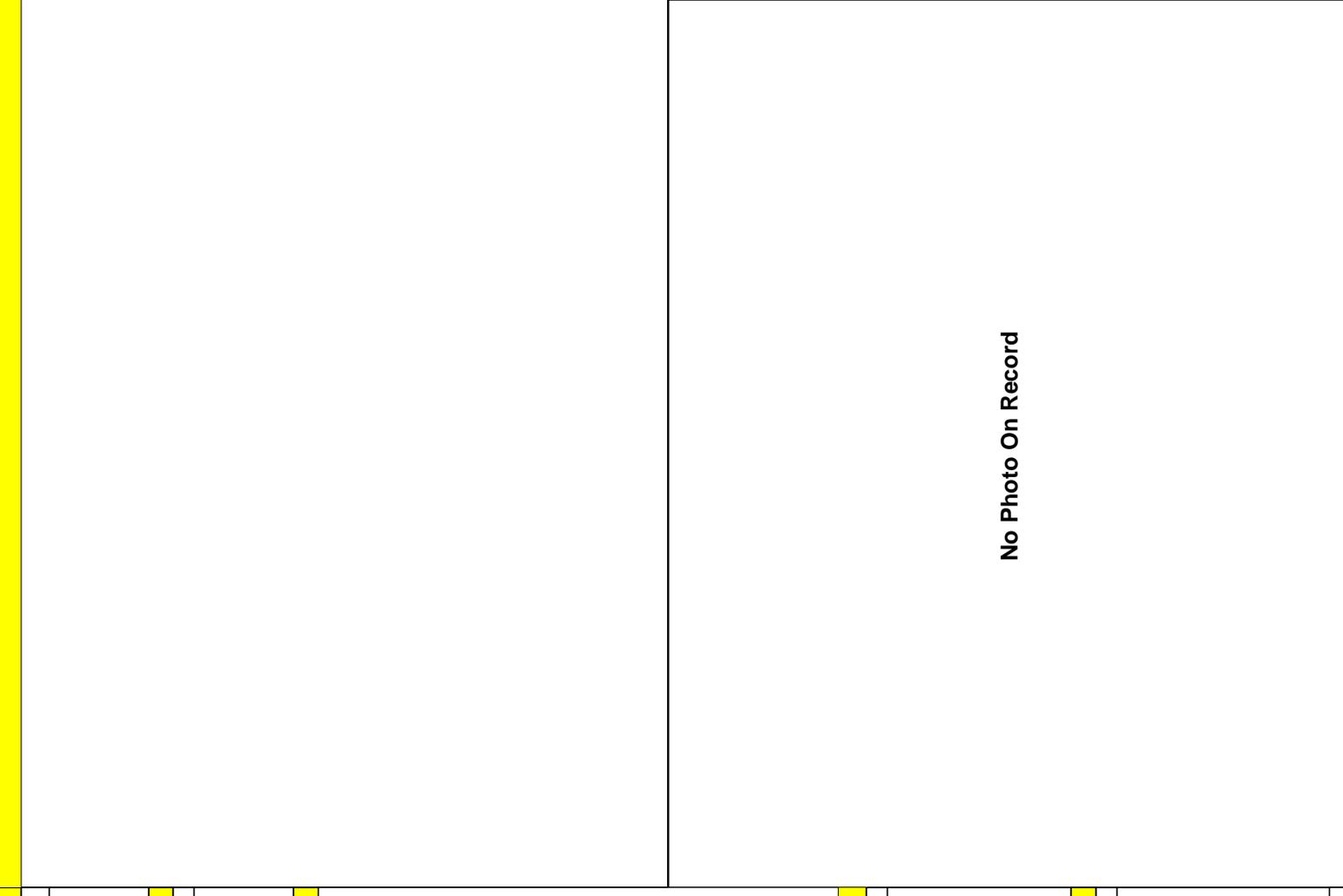
REGISTRY OF DEEDS CUMBERLAND COUNTY, MAINE
Received at 2 11:26 AM, and recorded in

BOOK *4739* PAGE *302* *Edward J. Weinstein* Registrar



CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)												
Element	Cd.	Ch.	Element	Cd.	Ch.	Description								
Model	00	Vacant												
MIXED USE														
	Code	Description	Percentage											
	3900	Com Develop Land	100											
COST/MARKET VALUATION														
Adj. Base Rate: 0.00														
AYB														
Dep Code														
Remodel Rating														
Year Remodeled														
Dep %														
Functional Obslnc														
External Obslnc														
Cost Trend Factor														
Condition														
% Complete														
Overall % Cond														
Apprais Val														
Dep % Ovr 0														
Dep Ovr Comment														
Misc Imp Ovr 0														
Misc Imp Ovr Comment														
Cost to Cure Ovr 0														
Cost to Cure Ovr Comment														
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)														
Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr	Gde	Dp	Rt	Cnd	%Cnd	Apr	Value
BUILDING SUB-AREA SUMMARY SECTION														
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprc. Value								
		0	0	0	0	0								
Ttl. Gross Liv/Lease Area:														

No Photo On Record



No Photo On Record

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)											
Element	Cd.	Ch.	Element	Cd.	Ch.	Description							
Model	00		Vacant										
MIXED USE													
Code	3900		Com Develop Land			Percentage 100							
COST/MARKET VALUATION													
Adj. Base Rate: 0.00													
AYB													
Dep Code													
Remodel Rating													
Year Remodeled													
Dep %													
Functional Obslnc													
External Obslnc													
Cost Trend Factor													
Condition													
% Complete													
Overall % Cond													
Apprais Val													
Dep % Ovr													
Dep Ovr Comment													
Misc Imp Ovr													
Misc Imp Ovr Comment													
Cost to Cure Ovr													
Cost to Cure Ovr Comment													
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)													
Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr	Gde	Dp	Rt	Cnd	%Cnd	Apr Value
BUILDING SUB-AREA SUMMARY SECTION													
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Unit Cost	Undeprc.	Value					
Ttl. Gross Liv/Lease Area:		0	0	0	0	0							

ITEM 75
NO BACKUP

CONSENT AGENDA - A BACK UP MATERIALS

Draft
BRUNSWICK TOWN COUNCIL
Special Meeting
March 23, 2020
Meeting – 6:30 P.M.
MEETING VIA ELECTRONIC DEVICES

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

Councilors Absent: None

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Ryan Leighton, Assistant Town Manager; Ken Brilliant, Fire Chief; Jeff Emerson, Deputy Fire Chief; Julia Henze, Finance Director; Jody Durisko, Human Resources Manager; and TV video crew

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

Adjustments to Agenda: None

NEW BUSINESS

- 1. The Town Council will consider changing the property tax due date from April 15th to May 15th (Town Manager) (This item was discussed at 6:34 p.m.)**

Manager Eldridge introduced this item.

Councilor Wilson and Chair Perreault spoke regarding this item.

Councilor Mason moved, Councilor Watson seconded, to move the property tax due date from April 15 to May 15, 2020. The motion carried with nine (9) yeas.

- 2. The Town Council will receive and discuss the latest updates on the COVID-19 pandemic, and will take any appropriate action. (Town Manager) (This item was discussed at 6:43 p.m.)**

Manager Eldridge spoke regarding this item.

Ken Brilliant, Fire Chief, spoke regarding this item.

Councilor Mason, Councilor Watkinson, Councilor Ankeles, and Chair Perreault asked questions, to which staff responded.

Councilor Mason, Councilor Watkinson, Councilor Walker, Councilor Wilson, Councilor Ankeles, Councilor McGrath, and Councilor Watson spoke regarding this item.

Town Council Minutes

March 23, 2020

Page 2

Kristin Collins, Town Attorney, responded to questions from Councilor McGrath and Councilor Mason.

Councilor Mason moved, Councilor Watkinson seconded, to adopt an emergency resolution like the one discussed tonight and to authorize the Town Manager to work with the Town Attorney to develop language so it can be in place tomorrow, and to have it expire in 7 days. The motion carried with nine (9) yeas.

Manager Eldridge spoke regarding the lifting of the ban on single-use bags, and there was no objection from the Council to do that.

The meeting adjourned at 7:56 p.m.

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

Frances M. Smith
Town Clerk
April 30, 2020

May 18, 2020
Date of Approval

Council Chair

**Draft
Brunswick Town Council
Special Meeting Minutes
April 27, 2020
6:30 pm**

MEETING VIA ELECTRONIC DEVICES

All Votes Taken Via Roll Call

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

Councilors Absent: None

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Ryan Leighton, Assistant Town Manager; Sally Costello, Director of Economic Development; Tom Farrell, Parks and Recreation Director; and video crew.

Chair Perreault opened the meeting.

1. The Town Council will discuss the issues related to the coronavirus pandemic, and will take any appropriate action.

Manager Eldridge introduced this item with the adding of non-essential retail businesses with curbside type services to the proposed new Order.

Councilor Mason, Chair Perreault, Councilor Walker, Councilor Watkinson, Councilor Ankeles, Councilor Wilson, and Councilor Jenkins, spoke regarding this item.

Public Comments:

Dustan Larsen, Hatch on Maine, 96 Maine Street

Jenna Vanni, Woods and Water, 12 Pleasant Street

Martha Densmore, 15 Pasture Way

Hannah Field, 14 Laurel Road

Ken Brilliant, Fire Chief, spoke on this issue.

Manager Eldridge spoke regarding this item.

Councilor Walker, Councilor Watson, Councilor Wilson, Councilor Ankeles, Councilor McGrath, Councilor Jenkins, Councilor Watkinson, and Chair Perreault spoke regarding this item.

Steve Langsdorf, Town Attorney, spoke regarding this item.

Town Council Minutes

April 27, 2020

Page 2

Councilor Mason and Manager Eldridge spoke regarding this item.

The Council discussed a requirement for members of the public to wear masks. They took a straw vote with Councilor Wilson, Councilor Watson, Councilor Walker, and Councilor Jenkins supporting it and Councilor Ankeles, Councilor McGrath, Councilor Mason, Councilor Watkinson, and Chair Perreault opposed.

Chair Perreault moved, Councilor Jenkins seconded, to adopt the Proclamation as drafted with changes to Item 7 as read by Manager Eldridge and to add language that the Town of Brunswick strongly recommends all members of the public wear face coverings when entering into indoor public spaces. The motion carried with nine (9) yeas.

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

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

The meeting adjourned at 8:40 p.m.

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

*Frances M. Smith
Town Clerk
May 11, 2020*

May 18, 2020
Date of Approval

**Draft
Brunswick Town Council
Special Meeting Minutes
April 30, 2020
4:00 pm**

MEETING VIA ELECTRONIC DEVICES

All Votes Taken Via Roll Call

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

Councilors Absent: None

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Ryan Leighton, Assistant Town Manager; Ken Brilliant Fire Chief; and video crew.

Chair Perreault opened the meeting.

- 1. The Town Council will discuss the Governor's announcement of a phased plan for reopening businesses, as it relates to the Town's Emergency Order and any other considerations, and will take any appropriate action.**

Chair Perreault introduced this item.

Manager Eldridge spoke regarding this item.

Kristin Collins, Town Attorney, spoke regarding this item.

Councilor Ankeles, Councilor Wilson, Councilor Watkinson, Councilor Jenkins, Councilor Walker, Councilor McGrath, and Councilor Mason spoke regarding this item.

Chair Perreault moved, Councilor Watson seconded, to adopted proposed resolution. The motion carried with nine (9) yeas.

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

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

The meeting adjourned at 4:30 p.m.

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

Town Council Minutes
April 30, 2020
Page 2

Frances M. Smith
Town Clerk
May 11, 2020

May 18, 2020
Date of Approval

Draft
BRUNSWICK TOWN COUNCIL
Minutes
May 4, 2020
Regular Meeting – 6:30 P.M.

MEETING VIA ELECTRONIC DEVICES

All Votes Taken Via Roll Call

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

Councilors Absent: None

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Ryan Leighton, Assistant Town Manager; Ken Brillant, Fire Chief; Julia Henze, Finance Director; Jared Woolston, Town Planner; Matt Panfil, Director of Planning and Development; Jeff Emerson, Deputy Fire Chief; and TV video crew

Chair John Perreault opened the meeting.

Adjustments to Agenda: None

MANAGER'S REPORT *(This item was discussed at 6:34 p.m.)*

a) Mid Coast Parkview Health

Lois Skilling and Dr. Bowe, MidCoast Hospital, made a presentation and responded to questions from Councilor Walker, Manager Eldridge, Councilor Watkinson, Chair Perreault, and Councilor Ankeles.

b) Municipal Budget and CIP

Manager Eldridge provided this update and responded to questions from Councilor Watkinson.

c) Farmers Markets

Manager Eldridge provided this update.

PUBLIC HEARING

- 61. The Town Council will hear public comments on an amendment to the Shoreland Protection Overlay (SPO) map regarding a change in mapped wetland boundary to reflect field-verified conditions, and will take any appropriate action. (Planning Board)** *(This item was discussed at 7:18 p.m.)*

Town Council Minutes
May 4, 2020
Page 2

Chair Perreault opened the public hearing.

Jared Woolston, Town Planner, introduced this item and responded to questions from Chair Perreault, Manager Eldridge, and Councilor Wilson.

Chair Perreault closed the public hearing.

There was no objection to voting on this item tonight.

Chair Perreault moved, Councilor Ankeles seconded, to adopt proposed amendments to the Shoreland Protection Overlay (SPO) regarding a change in mapped wetland boundary to reflect verified field conditions. The motion carried with nine (9) yeas.

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

62. The Town Council will hear public comments regarding a Community Development Block Grant (CDBG) for Natural Selection, Inc., d/b/a Wild Oats, and will take any appropriate action. (Town Manager Eldridge) (This item was discussed at 7:38 p.m.)

Chair Perreault opened the public hearing.

Sally Costello, Director of Economic Development, spoke regarding this item and responded to questions from Manager Eldridge and Chair Perreault.

(A copy of a memo from Ms. Costello will be attached to the official minutes.)

Chair Perreault closed the public hearing.

Councilor Watkinson moved, Councilor Walker seconded, to approve a Community Development Block Grant application for Natural Selection, Inc., doing business as Wild Oats. The motion carried with nine (9) yeas.

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

63. The Town Council will hear public comments regarding amendments to Chapter 7, “Fire Prevention and Protection”, of the Brunswick Town Ordinance, and will take any appropriate action. (Town Manager Eldridge) (This item was discussed at 7:46 p.m.)

Chair Perreault opened the public hearing.

Jeff Emerson, Deputy Fire Chief, introduced this item.

Chair Perreault closed the public hearing.

There was no objection to voting on this item tonight.

Chair Perreault moved, Councilor Wilson seconded, to adopt proposed changes to Chapter 7, “Fire Prevention and Protection” of the Brunswick Code of Ordinances. The motion carried with nine (9) yeas.

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

- 64. The Town Council will hear public comments on amendments to Chapter 11 – Marine Activities, Structures and Ways regarding student licensing definitions, to be enacted on a regular and emergency basis, and will take any appropriate action. (Town Clerk) (This item was discussed at 7:48 p.m.)**

Chair Perreault opened the public hearing.

Fran Smith, Town Clerk, introduced this item.

Chair Perreault closed the public hearing.

There was no objection to voting on this item tonight.

Chair Perreault moved, Councilor Watson seconded, to adopt amendments to Chapter 11 – Marine Activities, Structures and Ways relative to student licensing definitions, to be enacted on a regular and emergency basis. The motion carried with nine (9) yeas.

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

- 65. The Town Council will hear public comments on Shellfish licensing authorizations for the 2020-21 Licensing period, to be enacted on an emergency basis, and will take any appropriate action. (Town Clerk) (This item was discussed at 7:54 p.m.)**

Chair Perreault opened the public hearing.

Fran Smith, Town Clerk, introduced this item.

Chair Perreault closed the public hearing.

There was no objection to voting on this item tonight.

Chair Perreault moved, Councilor Walker seconded, for 2020-21 licensing year, to authorize the Town Clerk to implement measures to allow for shellfish harvesters to apply for and/or pick up licenses in methods other than in person if the Town Clerk and Town Manager deem this to be the best for public safety and if town hall were to be closed to the public, to be enacted on an emergency basis. The motion carried with nine (9) yeas.

NEW BUSINESS

- 66. The Town Council will consider setting a public hearing for May 18, 2020 regarding adoption of a text amendment to increase the maximum square foot building footprint established for Growth Mixed-Use 5 (GM5) Zoning District, and will take any appropriate action. (Town Manager Eldridge) (This item was discussed at 8:00 p.m.)**

Manager Eldridge introduced this item.

Matt Panfil and Manager Eldridge responded to questions from Councilor Walker, Councilor Mason, Councilor Ankeles, Chair Perreault, Councilor Watkinson, and Councilor Jenkins.

Councilor Watson, Councilor Wilson, Councilor Watkinson, Councilor Jenkins, Councilor Ankeles, Chair Perreault, and Councilor Walker spoke regarding this item.

Jean Powers, 44 Redwood Lane, spoke regarding this item.

Councilor Watson moved, Councilor Wilson seconded, to set a public hearing for May 18, 2020, regarding adoption of a text amendment to increase the maximum square foot building footprint established for Growth Mixed-Use 5 (GM5) Zoning District and to have an option to exempt municipal facilities buildings footprint in GM58:40. The motion carried with nine (9) yeas.

- 67. The Town Council will consider setting a public hearing for June 1, 2020 for the 2020-2021 budget and the 2021-2025 Capital Improvement Program, and will take any appropriate action. (Town Manager Eldridge) (This item was discussed at 8:40 p.m.)**

Manager Eldridge introduced this item.

Councilor Watkinson moved, Councilor Watson seconded, to set a public hearing for the 2020-2021 budget and the 2021-2025 CIP for June 1, 2020. The motion carried with nine (9) yeas.

- 68. The Town Council will discuss ideas to promote absentee voting at the July and November elections, and will take any appropriate action. (Chair John Perreault) (This item was discussed at 8:41 p.m.)**

Chair Perreault spoke regarding this item.

Fran Smith spoke and responded to questions from Councilor Ankeles, Councilor Watson, and Councilor Watkinson.

Chair Perreault moved, Councilor Wilson seconded, to provide return postage for absentee ballots for the July 14th election. The motion carried with nine (9) yeas.

Town Council Minutes
May 4, 2020
Page 5

CONSENT AGENDA *(This item was discussed at 9:06 p.m.)*

- a) Approval of a proclamation for Arbor Week**
- b) Approval of a Utility Location Permit for Sills Drive**
- c) Approval of a proclamation for Town Commons Day**
- d) Approval of renewal of Cumberland County HOME Consortium**

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

(A copy of supporting materials for a, b, c and d will be attached to the official minutes.)

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

The meeting adjourned at 9:09 p.m.

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

Frances M. Smith
Town Clerk
May 10, 2020

May 18, 2020
Date of Approval
