

Approved
BRUNSWICK TOWN COUNCIL
June 3, 2019
Regular Meeting – 6:30 P.M.
Council Chambers
Town Hall
85 Union Street

Councilors Present: W. David Watson, Dan Jenkins, John M. Perreault, Christopher Watkinson, Jane F. Millett, James Mason, Kathy Wilson, and Dan Ankeles

Councilors Absent: Stephen S. Walker

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Ryan Leighton, Assistant Town Manager; Julia Henze, Finance Director; Matt Panfil, Director of Planning and Development; Jay Astle, Public Works Director; Jared Woolston, Town Planner; and TV video crew

Chair John Perreault called the meeting to order, asked for roll call, and called for the Pledge of Allegiance.

Adjustments to Agenda:

Chair Perreault requested to take up the Special Permit under Correspondence as item #74.

Public Comments/Announcements (for items not on the agenda) *[\(This item was discussed at 6:32 p.m.\)](#)*

Richard Fisco, 2 Lincoln Street, spoke about his interactions with people regarding taxes and their opposition to the increase. He provided quotes from people on the street.

Lucy Derbyshire, 154 Gurnet Road, spoke regarding the family with five children who are all still homeless.

MANAGER'S REPORT *[\(This item was discussed at 6:38 p.m.\)](#)*

a) School Budget Validation Referendum

Manager Eldridge provided this update.

b) Maine Street Pool Table Project

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

Town Council Minutes

June 3, 2019

Page 2

Ryan Leighton, Assistant Town Manager, spoke regarding this item.

c) Maine Street – Sidewalk Rehabilitation

Manager Eldridge provided this update.

d) Annual Paving Program and Pavement Ratings

Manager Eldridge provided this update.

e) Wal-Mart Tax Appeal

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

f) Graham Road Landfill

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

g) Town Auditors

Manager Eldridge provided this update.

h) River's Voice

Manager Eldridge provided this update.

PUBLIC HEARINGS

- 67. The Town Council will hear public comments on applications for special amusement licenses, and will take any appropriate action. (Town Manager Eldridge) ([*This item was discussed at 6:54 p.m.*](#))**

Special Amusement

**Moody's Black Pearl, Inc.
D/B/A: Moody's Black Pearl
32 Bath Road**

Scott Moody

**Dogged Company
D/B/A: Little Dog Coffee Shop
87 Maine Street**

Mason & Caroline Palmatier

Chair Perreault opened the public hearing.

Fran Smith, Town Clerk, introduced this item.

Town Council Minutes

June 3, 2019

Page 3

Mason Palmatier, spoke regarding this item

Chair Perreault closed the public hearing.

Councilor Watkinson moved, Councilor Wilson seconded, to approve special amusement licenses for the Black Pearl, 32 Bath Road, and Little Dog Coffee Shop, 87 Maine Street. The motion carried with eight (8) yeas.

- 68. The Town Council will hear public comments on an application for an alcoholic beverage license, and will take any appropriate action. (Town Manager Eldridge)**
[\(This item was discussed at 6:58 p.m.\)](#)

Full-Time Vinous & Malt

Flight Deck Brewing, LLC
D/B/A: Flight Deck Brewing
11 Atlantic Avenue

Nate Wildes & Jared Entwistle

Chair Perreault opened the public hearing.

Fran Smith, Town Clerk, introduced this item.

Nate Wildes, Flight Deck, spoke and answered questions from Councilor Millett and Councilor Jenkins.

Chair Perreault closed the public hearing.

Councilor Watkinson moved, Councilor Jenkins seconded, to approve an Alcoholic Beverage License application for Flight Deck Brewing, LLC, 11 Atlantic Avenue. The motion carried with eight (8) yeas.

- 69. The Town Council will hear public comments on proposed amendments to the Municipal Code of Ordinances regarding increases to fees in the Planning and Codes Departments, and will take any appropriate action. (Town Manager Eldridge)**
[\(This item was discussed at 7:05 p.m.\)](#)

Chair Perreault recused himself.

Councilor Mason, Vice Chair, opened the public hearing.

Matt Panfil, Director of Planning and Development, introduced this item and responded to questions from Councilor Millett, Councilor Mason, Councilor Wilson, Councilor Watson, and Councilor Watkinson.

Julia Henze, Finance Director, spoke regarding this item.

Town Council Minutes

June 3, 2019

Page 4

Councilor Mason closed the public hearing.

The Council consented unanimously to vote on this item tonight.

Councilor Mason, Councilor Wilson, Councilor Millett, Councilor Watkinson, Councilor Millett and Councilor Ankeles spoke regarding this item.

Councilor Ankeles moved, Councilor Wilson seconded, to approve proposed amendments to the Municipal Code of Ordinances and to the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B of the Municipal Code of Ordinances, regarding increases of fees in the Planning and Codes department, without the home occupancy fee. The motion carried with five (5) yeas. Councilor Watkinson and Councilor Millett were opposed. Chair Perreault abstained.

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

NEW BUSINESS

- 70. The Town Council will consider requests from Lemongrass Vietnamese Restaurant, 212E Maine Street, and Gelato Fiasco, 74 Maine Street, for Seller of Prepared Food on Public Ways licenses for outdoor seating, and will take any appropriate action. (Town Manager Eldridge) [*\(This item was discussed at 7:28 p.m.\)*](#)**

Ms. Smith introduced this item.

Councilor Millett moved, Councilor Mason seconded, to approve Sellers of Prepared Food on Public Ways licenses for outdoor seating for Lemongrass Vietnamese Restaurant, 212E Maine Street, and Gelato Fiasco, 74 Maine Street. The motion carried with eight (8) yeas.

- 71. The Town Council will direct the Recycling & Sustainability Committee to research potential alternatives to recycling collection and disposal options, and will take any appropriate action. (Councilor John Perreault and Councilor James Mason) [*\(This item was discussed at 7:30 p.m.\)*](#)**

Councilor Mason introduced this item.

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

Jay Astle, Public Works Director, and Ms. Smith spoke regarding this item.

Richard Fisco, 2 Lincoln Street, spoke regarding this item.

Town Council Minutes

June 3, 2019

Page 5

Councilor Mason moved, Councilor Wilson seconded, to direct the Brunswick Recycling and Sustainability Committee to research alternative methods for recycling collection and disposal, and to report back to Council by the end of the year. The motion carried with eight (8) yeas.

72. The Town Council will consider adopting, on an emergency basis, an amendment to the Brunswick Zoning Ordinance regarding the steep slope standard for the Rural Protection Zones 1 and 2, and setting a public hearing for June 17, 2019, for this amendment to be enacted on a regular and an emergency basis, and will take any appropriate action. (Councilor John Perreault and Councilor James Mason) [*\(This item was discussed at 7:52 p.m.\)*](#)

Chair Perreault introduced this item.

Councilor Watkinson, Councilor Millett, and Councilor Ankeles asked questions, to which Chair Perreault and Manager Eldridge responded.

Councilor Wilson, Councilor Ankeles, Councilor Millett, and Chair Perreault spoke regarding this item.

Jared Woolston, Town Planner, spoke regarding this item, and responded to questions from Councilor Mason, Councilor Wilson, and Councilor Watkinson.

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

Manager Eldridge spoke regarding this item.

There was a 10 minute recess.

The following people spoke regarding this item:

Alex Kemp, property owner on Damarin Lane

Kevin Clark, Sitelines, and 30 Island View Lane

Jeffrey Smith, 125 Howard Points Lane

Paul Clark, 15 Otter Trace Lane

First Motion:

Chair Perreault moved, Councilor Mason seconded, to set a public hearing for June 17, 2019, on an “Emergency Ordinance Amendment on the Setback from Slopes Over 15 Percent in Contiguous Land Over 5,000 Square Feet in the Rural Protection 1 (RP1) and Rural Protection 2 (RP2) Zoning Districts.”

This motion was withdrawn.

Second Motion:

Chair Perreault moved, Councilor Mason seconded, to set a joint public hearing with the Town Council and the Planning Board, for June 17, 2019, on an “Emergency Ordinance Amendment on the Setback from Slopes Over 15 Percent in Contiguous Land Over 5,000 Square Feet in the Rural Protection 1 (RP1) and Rural Protection 2 (RP2) Zoning Districts”.

Kristin Collins and Manager Eldridge spoke regarding the motion.

Councilor Ankeles, Councilor Wilson, Councilor Millett, Chair Perreault, Councilor Mason, and Councilor Watson spoke regarding this item.

Vote on Second Motion:

Chair Perreault moved, Councilor Mason seconded, to set a joint public hearing with the Town Council and the Planning Board, for June 17, 2019, on an “Emergency Ordinance Amendment on the Setback from Slopes Over 15 Percent in Contiguous Land Over 5,000 Square Feet in the Rural Protection 1 (RP1) and Rural Protection 2 (RP2) Zoning Districts”. The motion carried with eight (8) yeas.

Third Motion:

Chair Perreault moved, Councilor Millett seconded, to adopt on an emergency basis tonight an “Emergency Ordinance Amendment on the Setback from Slopes Over 15 Percent in Contiguous Land Over 5,000 Square Feet in the Rural Protection 1 (RP1) and Rural Protection 2 (RP2) Zoning Districts”.

Councilor Mason, Councilor Ankeles, Councilor Millett, Councilor Jenkins, Councilor Watkinson, Councilor Wilson, and Chair Perreault spoke regarding this motion.

Ms. Collins responded to questions from Councilor Mason and Councilor Ankeles.

Vote on Third Motion:

Chair Perreault moved, Councilor Millett seconded, to adopt on an emergency basis tonight an “Emergency Ordinance Amendment on the Setback from Slopes Over 15 Percent in Contiguous Land Over 5,000 Square Feet in the Rural Protection 1 (RP1) and Rural Protection 2 (RP2) Zoning Districts”. The motion carried with seven (7) yeas. **Councilor Mason was opposed.**

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

73. **The Town Council will consider appointments to the Town’s Boards and Committees, and will take any appropriate action. (Appointments Committee)**
(This item was discussed at 9:32 p.m.)

Councilor Mason made the following nominations:

Town Council Minutes

June 3, 2019

Page 7

Davis Fund Committee:

Don Knisely (reappointment) for a 3-year term to begin on 06/30/2019 and to expire on 06/30/2022

Sande Updegraph (reappointment) for a 3-year term to begin on 06/30/2019 and to expire on 06/30/2022

Trust Fund Advisory Committee:

Matt Orlando (reappointment) for a 3-year term to begin on 5/10/2019 and to expire on 5/10/2022.

Sewer District Board of Trustees:

Aubrey Strause for a 3-year term to begin on 04/01/2019 and expire on 04/01/2022.

John Foster for a 3-year term to begin on 04/01/2019 and expire on 04/01/2022.

Recycling and Sustainability Committee:

Michael Wilson (reappointment) for a 3-year term to begin on 01/01/2019 and to expire on 01/01/2022

The Council supported the slate unanimously.

- 74. (ADDED) The Town Council will consider exercising jurisdiction on a Special Permit Notice for Brunswick Landing Lot 14 – Expansion of a Legal Nonconforming Use, and take any appropriate action. (Chair Perreault) [*\(This item was discussed at 9:33 p.m.\)*](#)**

Manager Eldridge introduced this item.

Chair Perreault, Councilor Millett, and Councilor Watkinson spoke and asked questions, to which Mr. Panfil responded.

CORRESPONDENCE/COMMITTEE REPORTS [*\(This item was discussed at 9:44 p.m.\)*](#)

There was no correspondence and there were no committee reports.

CONSENT AGENDA [*\(This item was discussed at 9:45 p.m.\)*](#)

- a) Approval of the minutes of May 20, 2019
- b) Approval of a Utility Location Permit for Maine Natural Gas

Councilor Ankeles moved, Councilor Jenkins seconded, to approve the Consent Agenda. The motion carried with eight (8) yeas.

(A copy of supporting materials for CA-b will be attached to the official minutes.)

Town Council Minutes

June 3, 2019

Page 8

Councilor Watson moved, Councilor Mason seconded, to adjourn. The motion carried with eight (8) yeas.

[The meeting adjourned at 9:45 p.m.](#)

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

Frances M. Smith

Town Clerk

June 6, 2019

June 17, 2019

Date of Approval

Council Chair