

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, JUNE 6, 2023
STANDISH MUNICIPAL CENTER
6:00 PM**

CALL TO ORDER

Chair Gab called the meeting to order and the Pledge of Allegiance was recited.

ROLL CALL

Councilors present: Butler, Gaba, LeClerc, Libby, Macri, Paul and Watson.

MINUTES OF PREVIOUS MEETING (S)

Minutes were not presented for approval at this meeting.

PETITIONS AND COMMUNICATIONS

There were no petitions or communications presented at this meeting.

REPORT OF THE TOWN MANAGER

Manager Tasha Pinkham presented the following information:

- The town was awarded a \$625,000 grant from ManeDOT for improvements to the 114/35 intersection
- The town was awarded Maine Municipal Association grant funding for Public Safety Department and Recreation Department gear
- Recently an 8th grade clan from BEMS spent time at the Standish Municipal Center to learn about the town departments

The Fire Chief provided an update to information that was presented recently at a meeting regarding the Fire Department boat that was acquired approximately a year ago.

The Chief clarified that there was partial funding in the 10-Year Capital Plan reserved to acquire a boat for the department, the 10-year funding amount was to be \$100,000. Last year, five years into the plan, a boat 2002 became available from the Portland Water District. The purchase price of the boat was \$8,247, improvements to the boat to make the vessel suitable for the department's use were made mostly through donations and fundraising. The Chief explained that as soon as the boat was purchased the \$100,000 CIP line was removed from the plan. The Chief noted that town funds spent on this boat to date are under \$15,000. A dedication for the boat will be held in the next few weeks. He noted that the boat will be moored at the Portland Water District launch.

The Town Manager noted the Fire Chief did a lot of the work on the boat.

PUBLIC HEARINGS

24-23 Amendments to the Standish Town Code, Chapter 3, Administration of Government, Article XVI, §3-69 through §3-74 [LeClerc]

Moved by Butler seconded by Watson and voted to dispense with the reading of ordinance.
(Unanimous)

Councilor Leclerc stated this ordinance amendment dissolves the Recreation Committee that was established prior to the establishment of a full-time Recreation Director.

Parks and Recreation Director, Jen Derice explained that the committee during her 8 years here has served as special events coordinators not as committee described in the code.

Chair Gaba called for additional Council comments, hearing none, she called for public comments, hearing none, she called for the roll call vote and the hearing was closed.

The Town of Standish hereby ordains the following amendments to Chapter 3, Administration of Government, Article XVI, §3-69 through §3-74 (additions are underlined and deletions are struck out):

CHAPTER 3 – ADMINISTRATION OF GOVERNMENT

ARTICLE XVI

Parks and Recreation Department

§ 3-69 Establishment; department head.

- B. Duties of the Director. The Director shall ~~work in conjunction with the Recreation Committee and shall:~~

~~§ 3-70 Recreation Committee.~~

~~There shall be a nine member Recreation Committee (hereinafter "Committee") which shall be appointed by the Town Council. Members shall be appointed for three year staggered terms or until their successor is appointed and qualified. Committee members shall reside in the Town during their term of office.~~

~~§ 3-71 Vacancies.~~

~~If a seat on the Committee becomes vacant, the vacancy shall be filled by appointment by the Town Council for the unexpired term.~~

~~§ 3-72 Powers and duties.~~

~~The Recreation Committee shall provide input to the Director for the operation of the parks and recreation program within the limitations of statutory authority and the Town Charter. The Committee's powers and duties include the following:~~

- ~~A. Advise the Town Manager in the appointment and performance of the Director;~~
- ~~B. Advise the Director in the number, type and scope of recreational and community activities offered to the residents;~~
- ~~C. Inquire into the conduct of any activities of the Department.~~
- ~~D. Engage in fund-raising activities on behalf of the community to provide recreational opportunities. Funds raised for these purposes shall be allowed to remain under the control of the Committee and may be donated for specific recreational activities, provided that appropriate accounting procedures are maintained.~~

~~§ 3-73 Compensation.~~

~~Committee members shall receive no compensation for their services.~~

~~§ 3-74 Meetings.~~

- ~~A. Chairperson. At the first meeting in July the Committee shall elect by majority vote of the entire Committee one of its members to serve for the ensuing year as Chairperson and one as Vice Chairperson (Vice Chairperson). The Committee may fill for an unexpired term any vacancy in the office that may occur. The Chairperson shall preside at the meetings of the Committee and shall be recognized as head of the Committee for all ceremonial purposes. The Vice Chairperson shall serve as Chairperson in the temporary absence or disability of the Chairperson. The Vice Chairperson shall preside at any Committee meeting in the absence of the Chairperson. The Vice Chairperson shall have all the powers of Chairperson during such temporary absence or disability of the Chairperson.~~
- ~~B. Regular meetings. The Committee shall establish by rules and regulations a regular place and time for holding its regular meetings and shall meet regularly at least once a month. It shall also provide a method for calling special meetings. The Director or a designee shall record actions of the Committee, and a copy thereof shall be filed with the Town Clerk within a reasonable time after such action is taken.~~
- ~~C. Attendance at meetings. Whenever a Committee member shall be absent for more than three consecutive regular meetings of the Committee without suitable reason therefor satisfactory to the Committee, the Chairperson of the Committee shall notify the absent member and the Town Council that a vacancy exists, and the Council shall fill such vacancy in the manner herein provided.~~
- ~~D. Quorum. A majority of the Committee shall constitute a quorum for the transaction of business. If a quorum is not present, and those who are present adjourn the meeting with the intent to reconvene when a quorum will be present, at least 24 hours' notice of the reconvening shall be given to all members who were not present at the meeting which was adjourned. Notice shall also be given in the same manner to media representatives.~~

VOTE: 7 YEAS

25-23 Amendments to the Standish Town Code, Chapter 181, Land Use, For Compliance with State Housing Law 30-A M.R.S.A. §4364 [LeClerc]

Councilor Leclerc explained that this will open and diversify the housing opinions available in town.

Zach Mosher, the Director of Planning, explained that the state law requires that municipalities have the standard provided under these new housing provisions in place by July 1. He highlighted the provisions that will expand housing opportunities throughout town.

Moved by Libby seconded by LeClerc and voted to dispense with the reading of the ordinance. (Unanimous)

Councilor Macri noted that these amendments will bring the town code up to the state's requirements.

Moved by Butler seconded by Watson and voted to take the votes on orders 25-23 and 26-23 together. (Unanimous)

Chair Gaba called for additional Council comments, hearing none, she called for public comments, hearing none, she called for the roll call vote and the hearing was closed.

The Town of Standish hereby ordains the following amendments to Chapter 181, Land Use, Part 1, Zoning, Article II, Definitions, and Article IV, General Standards, add §181-28.2 (Additions are underlined and deletions are struck out):

CHAPTER 181 – LAND USE
PART 1
ZONING

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ARTICLE II
Definitions

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AFFORDABLE HOUSING DEVELOPMENT – A residential development as defined in 30-A M.R.S.A. § 4364(1), as may be amended.

• • •

ARTICLE IV
General Standards

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§181-28.2 Affordable housing developments

A. Administration

- (1) Affordable housing developments shall require Site Plan and Subdivision review and approval.
- (2) Affordable housing developments are permitted when the area where the project is proposed meets both of the following criteria:
 - (a) It is in a growth area as identified in the Town of Standish's Comprehensive Plan; and
 - (b) It is zoned to permit three-family or multi-family dwellings.

B. Allowed Density

- (1) Outside of the FBCVDs, affordable housing developments may have 2.5 times the density allowed by the base zoning for the district, provided that it must comply with minimum lot size requirements established by 12 M.R.S.A § 423-A, as applicable, and that a majority of the units in the development must be designated as affordable.

C. Required Parking

- (1) Notwithstanding any other provision of Chapter 181 to the contrary, affordable housing developments are required to have 1.5 off street parking spaces per dwelling unit.

D. Long term affordability. Prior to the issuance of an occupancy permit the owner of the affordable housing development shall provide the town evidence that they have executed a restrictive covenant, recorded in the appropriate registry of deeds, for the benefit of and enforceable by a party acceptable to the Town, to ensure that for at least 30 years after completion of construction:

- (1) For rental housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and
- (2) For owned housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

E. Proof of water and wastewater. Prior to the issuance of an occupancy permit the owner of an affordable housing development shall provide written verification that each unit is served by adequate water and wastewater services. This verification must include:

- (1) If a housing unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system;
- (2) If a housing unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under 30-A M.R.S.A. § 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under 22 M.R.S.A. § 42;
- (3) If a housing unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
- (4) If a housing unit is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

26-23 Amendments to the Standish Town Code, Chapter 181, Land Use, For Compliance with State Housing Law 30-A M.R.S.A. §4364-A and §4364-B [LeClerc]

The Town of Standish hereby ordains the following amendments to Chapter 181, Land Use, Part 1, Zoning, Article II, Definitions; Article III, District Regulations and Article IV, General Standards (Additions are underlined and deletions are struck out):

CHAPTER 181 – LAND USE PART 1 ZONING

• • •

ARTICLE II Definitions

• • •

~~ACCESSORY APARTMENT~~DWELLING UNIT – Separate living accommodations located within and subordinate to an existing ~~single family dwelling~~ primary residential use or located within a detached structure that meets building code requirements for a dwelling unit but that is subordinate to an existing ~~single family dwelling~~ primary residential use. An accessory ~~apartment~~dwelling unit requires Code Enforcement Officer approval and is subject to the standards contained herein under § 181-35.5.

ACCESSORY BUILDING – A subordinate building incidental to and located on the same lot with the main building which is customarily a garage, workshop, bunkhouse and the like. A detached accessory ~~apartment~~dwelling unit shall not be considered an accessory building.

• • •

DWELLING, MULTI-FAMILY – A building ~~designed or used as the living quarters for on a single lot containing more than four dwelling units~~ three families. This term excludes motels, rooming houses, mobile homes, and dwelling units with ~~family apartments or accessory apartments~~ dwelling units.

DWELLING, THREE OR FOUR-FAMILY – A building on a single lot containing ~~three or four~~ three or four dwelling units. ~~This term excludes motels, rooming houses, mobile homes and dwelling units with accessory apartments. each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to the dwelling units.~~

DWELLING, TWO-FAMILY – A building on a single lot containing two dwelling units, ~~each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except~~

~~for a common stairwell exterior to both dwelling units. This term excludes motels, rooming houses, mobile homes and dwelling units with accessory apartments.~~

• • •

~~FAMILY APARTMENT—A separate single residence located within and subordinate to an existing single family dwelling. A family apartment requires Code Enforcement Officer (CEO) approval and is subject to the standards contained herein under § 181-35.6.~~

• • •

ARTICLE III District Regulations

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§ 181-4. RR – Rural Residential Districts.

• • •

B. Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only.

(1) Accessory ~~apartment~~dwelling unit.

• • •

- ~~(5) Family apartments.~~
- ~~(6)~~(5) Forestry management.
- ~~(7)~~(6) Home Care Services.
- ~~(8)~~(7) Home occupations, Level 1.
- ~~(9)~~(8) Manufactured housing units.
- ~~(10)~~(9) Solar energy system, roof-mounted.
- ~~(11)~~(10) Solar energy system, small-scale.
- ~~(12)~~(11) Timber harvesting.

• • •

§ 181-5. RU – Rural Districts.

• • •

B. Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only.

(1) Accessory ~~apartment~~dwelling unit.

• • •

- ~~(6) Family apartments.~~
- ~~(7)~~(6) Forestry management.
- ~~(8)~~(7) Home Care Services.
- ~~(9)~~(8) Home occupations, Level 1.
- ~~(10)~~(9) Manufactured housing units.
- ~~(11)~~(10) Solar energy system, roof-mounted.
- ~~(12)~~(11) Solar energy system, small-scale.
- ~~(13)~~(12) Timber harvesting.

• • •

§ 181-6. R – Residential Districts.

• • •

A. Land uses in this district shall require written approval from the authority, as indicated, prior to issuance of a permit by the Code Enforcement Officer. Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only.

(1) Accessory ~~apartment~~ dwelling unit.

• • •

~~(6) Family apartments.~~

~~(7)~~(6) Forestry management.

~~(8)~~(7) Home Care Services.

~~(9)~~(8) Home occupations, Level 1.

~~(10)~~(9) Manufactured housing units.

~~(11)~~(10) Solar energy system, roof-mounted.

~~(12)~~(11) Solar energy system, small-scale.

~~(13)~~(12) Timber harvesting.

• • •

§ 181-7. VC – Village Center Districts.

• • •

B. Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only.

(1) Accessory ~~apartment~~ dwelling unit.

• • •

~~(6) Family apartments.~~

~~(7)~~(6) Forestry management.

~~(8)~~(7) Home Care Services.

~~(9)~~(8) Home occupations, Level 1.

~~(10)~~(9) Solar energy system, roof-mounted.

~~(11)~~(10) Solar energy system, small-scale.

~~(12)~~(11) Timber harvesting.

• • •

C. Permitted uses requiring site plan review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 of this chapter.

• • •

(8) Dwelling, three or four-family.

• • •

§ 181-7.1. Form Based Code Village Districts (FBCVD).

• • •

A. Terms defined. As used in this section, the following terms shall have the meanings indicated:

• • •

SINGLE-FAMILY HOME – A structure containing one primary dwelling unit. A “single family home” may include accessory dwelling units ~~and/or family apartments~~ as defined in § 181-3 subject to all relevant standards of this ordinance.

• • •

E. Standish Corner District Standards

• • •

(1) Town Center (TC) standards

~~(a)~~ For structures or additions to structures created after June 7, 2011, residential uses are prohibited on the ground floor.

~~(b)~~(a) Maximum building floor area: none

~~(c)~~(b) Parking drives must be a minimum of 16 feet in width or as required by the Standish Fire Department. Shared drives are encouraged between adjacent lots to minimize curb cuts. On corner lots, parking drive shall not be located on the primary SCD street unless shared with a non-corner lot.

~~(d)~~(c) SCD street space standards (TC)

• • •

~~(e)~~(d) Lot width and block length (TC).

• • •

~~(f)~~(e) Supplemental Planning Board review triggers (TC).

• • •

~~(g)~~(f) Town Center (TC) allowed land uses and permit requirements (TC).

• • •

[3] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory dwelling units.

[b] Accessory uses and buildings.

~~[b]~~[c] Agriculture.

~~[c]~~[d] Dwelling, one unit. (must comply with § 181-7.1 E)(1)(a)

~~[d]~~[e] Dwelling, two units. (must comply with § 181-7.1 E)(1)(a)

~~[e]~~[f] Home occupation Level 1.

~~[f]~~[g] Home occupation Level 2.

~~[g]~~[h] Home occupation Level 3.

~~[h]~~[i] Home retail sales.

~~[i]~~[j] Outdoor display and sales.

~~[j]~~[k] Solar energy system, roof-mounted.

~~[k]~~[l] Solar energy system, small-scale.

~~[l]~~[m] Tradesman.

~~[m]~~[n] Yard or garage sale.

• • •

[4] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter

• • •

[g] Dwelling, multi-family. (must comply with § 181-7.1 E)(1)(a)

[h] Dwelling, three or four-family. (must comply with § 181-7.1 E)(1)(a)

• • •

~~(h)~~(g) SCD streetscape standards (TC).

• • •

(2) Town Main (TM) standards.

~~(a) For structures or additions to structures created after June 7, 2011, residential uses are prohibited on the ground floor.~~

~~(b)~~(a) Maximum building floor area not to exceed 40,000 square feet.

~~(c)~~(b) Parking drives must be a minimum of 16 feet in width or as required by the Standish Fire Department. Shared drives are encouraged between adjacent lots to minimize curb cuts. On corner lots, parking drive shall not be located on the primary SCD street unless shared with a non-corner lot.

~~(d)~~(c) SCD street space standards (TM)

• • •

~~(e)~~(d) Lot width and block length (TM).

• • •

~~(f)~~(e) Supplemental Planning Board review triggers (TM).

• • •

~~(g)~~(f) Town Main (TM) allowed land uses and permit requirements (TM).

• • •

[3] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory dwelling units.

[b] Accessory uses and buildings.

~~(b)~~[c] Agriculture.

~~(c)~~[d] Dwelling, one unit. (must comply with § 181-7.1 E)(2)(a)

~~(d)~~[e] Dwelling, two units. (must comply with § 181-7.1 E)(2)(a)

~~(e)~~ Family apartment (grandfathered single-family home only).

• • •

[4] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[j] Dwelling, multi-family. (must comply with § 181-7.1 E)(2)(a)

[k] Dwelling, three or four-family. (must comply with § 181-7.1 E)(2)(a)

• • •

~~(h)~~(g) SCD streetscape standards (TM).

• • •

~~(4)~~(3) Town Avenue (TA) standards.

~~(a) For structures or additions to structures created after June 7, 2011, residential uses are prohibited on the ground floor.~~

~~(b)~~(a) Maximum building floor area not to exceed 30,000 square feet

~~(c)~~(b) Parking drives must be a minimum of 16 feet in width or as required by the Standish Fire Department. Shared drives are encouraged between adjacent lots to minimize curb cuts. On corner lots, parking drive shall not be located on the primary SCD street unless shared with a non-corner lot.

~~(d)~~(c) SCD street space (TA).

• • •

~~(e)~~(d) Lot width and block length (TA).

• • •

~~(f)~~(e) Supplemental Planning Board review triggers (TA).

• • •

~~(g)~~(f) Town Avenue (TA) allowed land uses and permit requirements (TA).

• • •

[3] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory dwelling units.

[b] Accessory uses and buildings.

~~[b]~~[c] Agriculture.

~~[e]~~[d] Dwelling, one unit. ~~(must comply with § 181-7.1 E)(3)(a)~~

~~[d]~~[e] Dwelling, two units. ~~(must comply with § 181-7.1 E)(3)(a)~~

~~[e]~~ Family apartment (grandfathered single-family home only).

• • •

[4] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[f] Dwelling, multi-family. ~~(must comply with § 181-7.1 E)(3)(a)~~

[g] Dwelling, three or four-family. ~~(must comply with § 181-7.1 E)(3)(a)~~

• • •

~~(h)~~(g) SCD streetscape standards (TA).

• • •

~~(54)~~ Town Gateway (TG) standards

~~(a)~~ For structures or additions to structures created after June 7, 2011, residential uses are prohibited on the ground floor.

~~(b)~~(a) Maximum building floor area: 40,000 square feet

~~(e)~~(b) Parking drives must be a maximum of 24 feet in width or as required by the Standish Fire Department. Shared drives are encouraged between adjacent lots to minimize curb cuts. On corner lots, parking drive shall not be located on the primary SCD street unless shared with a non-corner lot.

~~(d)~~(c) SCD street space (TG).

• • •

~~(e)~~(d) Lot width and block length (TG).

• • •

~~(f)~~(e) Supplemental Planning Board review triggers (TG).

• • •

~~(g)~~(f) Town Gateway (TG) Zone allowed land uses and permit requirements (TG).

• • •

[3] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartment~~ dwelling unit.

• • •

~~[f]~~ Family apartment.

~~[g]~~[f] Home occupation Level 1.

~~[h]~~[g] Home occupation Level 2.

~~[i]~~[h] Home occupation Level 3.

~~[j]~~[i] Home retail sales.

~~[k]~~[j] Outdoor display and sales.

~~[l]~~[k] Solar energy system, roof-mounted.

~~[m]~~[l] Solar energy system, small-scale.

~~[n]~~[m] Tradesman.

~~[o]~~[n] Yard or garage sale.

• • •

[4] Permitted uses requiring site plan or subdivision review shall be as follows.
Such uses shall require Planning Board approval, in accordance with § 181-7.1 and Part 2 and Part 3 of this chapter:

• • •

[k] Dwelling, three or four-family

• • •

~~(h)~~(g) SCD streetscape standards (TG). These standards are applicable when varying from existing standards for site plan review.

• • •

~~(65)~~ Town Residential (TR) standards.

• • •

(f) Town Residential (TR) allowed land uses and permit requirements (TR).

• • •

[3] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartment~~dwelling unit.

• • •

~~(f)~~ Family apartment.

~~(g)~~(f) Home occupation Level 1.

~~(h)~~(g) Home occupation Level 2.

~~(i)~~(h) Home occupation Level 3.

~~(j)~~(i) Home retail sales.

~~(k)~~(j) Solar energy system, roof-mounted.

~~(l)~~(k) Solar energy system, small-scale.

~~(m)~~(l) Tradesman.

~~(n)~~(m) Yard or garage sale.

• • •

[4] Permitted uses requiring site plan or subdivision review shall be as follows.
Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[g] Dwelling, three or four-family

• • •

F) Sebago Lake Village District standards.

• • •

(1) SLV Core (SLVC) standards

~~(a) For structures or additions to structures created after August 12, 2014, residential uses may not occupy the portion of the ground floor facing the primary SLVD street.~~

~~(b)~~(a) Maximum building footprint: 5,000sqft

~~(c)~~(b) Parking drives must be a minimum of 16 feet in width or as required by the Standish Fire Department. Shared drives are encouraged between adjacent lots to minimize curb cuts.

~~(d)~~(c) SLVCD street space standards (SLVC)

• • •

~~(e)~~(d) Lot width and block length

• • •

~~(f)~~(e) Supplemental Planning Board review triggers SLVC

• • •

~~(g)~~(f) Sebago Lake Village Core (SLVC) allowed land uses and permit requirements (SLVC).

• • •

[4] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartments~~dwelling unit.

• • •

- [d] Dwelling, one unit. ~~(must comply with § 181-7.1 F)(1)(a)~~
- [e] Dwelling, two unit. ~~(must comply with § 181-7.1 F)(1)(a)~~
- [f] Family apartment. ~~(must comply with § 181-7.1 F)(1)(a)~~
- [g][f] Home occupation Level 1.
- [h][g] Home occupation Level 2.
- [i][h] Home occupation Level 3.
- [j][i] Home retail sales.
- [k][j] Outdoor display and sales.
- [l][k] Solar energy system, roof-mounted.
- [m][l] Solar energy system, small-scale.
- [n][m] Tradesman.
- [o][n] Yard or garage sale.

• • •

- [5] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

- [k] Dwelling, three or four-family. (must comply with § 181-7.1 F)(1)(a)

• • •

- ~~(h)(g)~~ SLVD streetscape standards (SLVC).

• • •

- (2) SLV Fringe (SLVF) standards.

• • •

- (e) Sebago Lake Village Fringe (SLVF) allowed land uses and permit requirements (SLVF).

• • •

- [4] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

- [a] Accessory ~~apartments~~ dwelling unit.

• • •

- ~~[f] Family apartment.~~
- [g][f] Home occupation Level 1.
- [h][g] Home occupation Level 2.
- [i][h] Home occupation Level 3.
- [j][i] Home retail sales.
- [k][j] Outdoor display and sales.
- [l][k] Solar energy system, roof-mounted.
- [m][l] Solar energy system, small-scale.
- [n][m] Tradesman.
- [o][n] Yard or garage sale.

• • •

- [5] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

- [m] Dwelling, three or four-family.

• • •

- (3) SLV Gateway (SLVG) standards.

• • •

- (e) Sebago Lake Village Gateway (SLVG) allowed land uses and permit requirements (SLVG).

• • •

- [4] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

- [a] Accessory ~~apartments~~ dwelling unit.

• • •

- ~~[f] Family apartment.~~
- [g][f] Home occupation Level 1.
- [h][g] Home occupation Level 2.
- [i][h] Home occupation Level 3.
- [j][i] Home retail sales.

~~[k][i]~~ Outdoor display and sales.
~~[H][k]~~ Solar energy system, roof-mounted.
~~[m][l]~~ Solar energy system, small-scale.
~~[n][m]~~ Tradesman.
~~[o][n]~~ Yard or garage sale.

• • •

[5] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[k] Dwelling, three or four-family.

• • •

(4) SLV Residential Connector (SLVRC) standards.

• • •

(e) SLVD Residential Connector allowed land uses and permit requirements (SLVRC).

• • •

[4] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartments~~ dwelling unit.

• • •

~~[f] Family apartment.~~
~~[g][f]~~ Home occupation Level 1.
~~[h][g]~~ Home occupation Level 2.
~~[i][h]~~ Home occupation Level 3.
~~[j][i]~~ Home retail sales.
~~[k][j]~~ Outdoor display and sales.
~~[H][k]~~ Solar energy system, roof-mounted.
~~[m][l]~~ Solar energy system, small-scale.
~~[n][m]~~ Tradesman.
~~[o][n]~~ Yard or garage sale.

• • •

[5] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[f] Dwelling, three or four-family

• • •

(5) SLV Residential (SLVR) standards.

• • •

(e) SLV Residential allowed land uses and permit requirements (SLVR).

• • •

[4] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartments~~ dwelling unit.

• • •

~~[f] Family apartment.~~
~~[g][f]~~ Home occupation Level 1.
~~[h][g]~~ Home occupation Level 2.
~~[i][h]~~ Home occupation Level 3.
~~[j][i]~~ Home retail sales.
~~[k][j]~~ Outdoor display and sales.
~~[H][k]~~ Solar energy system, roof-mounted.
~~[m][l]~~ Solar energy system, small-scale.
~~[n][m]~~ Tradesman.
~~[o][n]~~ Yard or garage sale.

• • •

[5] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[e] Dwelling, three or four-family

• • •

§ 181-8. BC – Business and Commercial Districts.

• • •

B. Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only.

(1) Accessory ~~apartment~~dwelling unit.

• • •

~~(4) Family apartments.~~

~~(5)~~(4) Forestry management.

~~(6)~~(5) Home care services.

~~(7)~~(6) Home occupation, Level 1.

~~(8)~~(7) Single-family dwellings with ~~two-hundred-foot setback from public right-of-way and two-acre-per-dwelling-unit~~ minimum lot size.

~~(9)~~(8) Solar energy system, roof-mounted.

~~(10)~~(9) Solar energy system, small-scale.

• • •

C. Permitted uses requiring site plan review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 of this chapter.

• • •

(10) Dwelling, two-family with two-acre-per-dwelling-unit minimum lot size.

~~(10)~~(11) Finished wood products.

~~(11)~~(12) Fueling station.

~~(12)~~(13) Funeral home.

~~(13)~~(14) Health care facility.

~~(14)~~(15) Heavy-duty repair garage.

~~(15)~~(16) Heavy-duty repair facility.

~~(16)~~(17) Home occupation, Level 2.

~~(17)~~(18) Home occupation, Level 3.

~~(18)~~(19) Home retail sales.

~~(19)~~(20) Inn.

~~(20)~~(21) Kennel.

~~(21)~~(22) Manufacturing, Light with not more than 10,000 square feet of gross floor area. Exterior storage or assembly of materials or products is prohibited.

~~(22)~~(23) Mechanical repair garage.

~~(23)~~(24) Meteorological tower and small wind energy systems, as defined in § 181-49.21.

~~(24)~~(25) Motels.

~~(25)~~(26) Motor vehicle sales.

~~(26)~~(27) Private clubs.

~~(27)~~(28) Public utilities.

~~(28)~~(29) Recycling center.

~~(29)~~(30) Research facilities.

~~(30)~~(31) Residential care facility.

~~(31)~~(32) Restaurants with drive-through.

~~(32)~~(33) Restaurants without drive-through.

~~(33)~~(34) Retail businesses under 10,000 square feet.

~~(34)~~(35) Road and rail distribution.

~~(35)~~(36) Social events center.

~~(36)~~(37) Solar energy system, medium-scale.

~~(37)~~(38) Solar energy system, large-scale.

~~(38)~~(39) Timber harvesting.

~~(39)~~(40) Tradesman.

~~(40)~~(41) Veterinary clinics.

~~(41)~~(42) Warehousing and outdoor storage under 10,000 square feet.

~~(42)~~(43) Wholesale businesses under 10,000 square feet.

• • •

§ 181-9. WOC – Water-Oriented Commercial Districts.

• • •

A. Land uses in this district shall require written approval from the authority, as indicated, prior to issuance of a permit by the Code Enforcement Officer:

- (1) Accessory dwelling units
- (2) Accessory uses and buildings.
- ~~(2) Family apartments.~~

• • •

C. Permitted uses requiring site plan review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 of this chapter.

• • •

- (5) Dwelling, two family
- (6) Enclosed storage.
- ~~(6)(7)~~ Hotels and motels.
- ~~(7)(8)~~ Marinas and boat storage.
- ~~(8)(9)~~ Meteorological tower and small wind energy systems, as defined in § 181-49.21.
- ~~(9)(10)~~ Municipal uses.
- ~~(10)(11)~~ Restaurants.
- ~~(11)(12)~~ Retail businesses.
- ~~(12)(13)~~ Solar energy system, medium-scale.
- ~~(13)(14)~~ Solar energy system, large-scale.

• • •

§ 181-14. Lots

A. General Provisions

• • •

- ~~(2) No more than one principal structure shall be located on a lot unless at least one of the following conditions has been met:~~
 - ~~(a) The development was approved in accordance with the provisions of § 181-28 (Elderly housing); or~~
 - ~~(b) The development was approved in accordance with the provisions of § 181-28.1 (Village housing); or~~
 - ~~(c) The street frontage requirement, without the need for a variance, is met for each principal structure located on the lot, and the placement of the structures will allow division of the lot in conformance with the space and bulk regulations of the zoning district in which the property is located.~~

• • •

C. Back lots. Back lots ~~used solely for single family purposes~~ shall be permitted, subject to the following:

• • •

- (4) Construction of private way

• • •

- (b) The issuance of a building permit ~~for a single family dwelling~~ on a back lot shall in no way be construed to imply the acceptance of any accessway for the purpose of maintenance, improvements or snow removal by the Town of Standish.

• • •

ARTICLE IV General Standards

• • •

§ 181-27 Cluster Development.

• • •

D. Standards

• • •

~~(7) For lots created outside the Standish Corner District, all deeds shall contain the following language: "Lot uses in this cluster subdivision are limited solely to those single family residential uses that do not require a site plan review and approval."~~

• • •

§ 181-27.1. Conservation Development.

• • •

G. Plan notations/requirements

• • •

(2) The final plan shall bear the following notation: "This subdivision was approved as a conservation subdivision development pursuant to § 181-27.1 of the Zoning Ordinance, as may be amended from time to time. Uses on the lots are limited solely to ~~those single family residential uses that do not require a site plan review~~, excepting that home occupations as approved by the Planning Board may be permitted. Any lot to be improved with a dwelling unit shall be deed restricted from further subdivision."

• • •

§181-28.3 Growth area residential uses.

A. Up to four units allowed: "Dwelling unit, three or four family" as herein defined shall be considered a permitted use on any property located in a growth area as designated by the Town's Comprehensive Plan and which is zoned to allow residential uses. If "dwelling, three or four family" is not listed as an allowed use in the base zone it will be considered a use requiring Planning Board approval, and shall require Planning Board approval in accordance with Part 2 of this chapter.

B. Standards: Three or four unit dwellings shall be held to all standards of the base zone including lot area per dwelling unit.

• • •

§ 181-35.2.1 Home occupation Level 1.

• • •

B. Not more than one full-time equivalent person outside the dwelling unit shall be employed in the home occupation, and no more than one such individual shall be on the premises at any given time. ~~For the purposes of a home occupation Level 1, persons living in a family apartment shall not be considered living in the household/dwelling unit.~~

• • •

§ 181-35.2.2 Home occupation Level 2.

• • •

B. Not more than two people outside the home shall be employed in the home occupation. Not more than one of the nonhousehold employees shall be actively working on the property at any one time; provided, however, that in the Form Based Code Village Districts, not more than two of the nonhousehold employees shall be actively working on the property at any one time. ~~For the purposes of home occupation Level 2, persons living in a family apartment shall not be considered to be living in the household/dwelling unit.~~

• • •

§ 181-35.2.3 Home occupation Level 3.

• • •

- B. Not more than three people outside the household shall be employed in the home occupation. ~~For the purposes of home occupation Level 3, persons living in a family apartment shall not be considered living in the household/dwelling unit.~~

• • •

§ 181-35.5. Accessory Apartments~~Dwelling Units~~

- A. Purpose. The purpose of the provisions concerning an accessory ~~apartment~~dwelling unit is to increase the variety of housing opportunities available to the Town's diverse population and to help contain sprawl by absorbing growth within existing lots and structures, thus precluding some of the pressure to further subdivide existing lots.
- B. Approval. An accessory ~~apartment~~dwelling unit requires approval from the Code Enforcement Officer. It shall be the duty of the Code Enforcement Officer to review all applicable standards and approve an accessory ~~apartment~~dwelling unit if the accessory ~~apartment~~dwelling unit meets the applicable standards.
- C. Performance standards.
- (1) The accessory ~~apartment~~dwelling unit must be located within the same building as the existing ~~single-family residence~~one or two-family dwelling or within a detached structure that meets building code requirements for a dwelling unit. The accessory ~~apartment~~dwelling unit must contain its own cooking, eating, bathroom and sleeping facilities.
 - (2) Either the existing ~~single-family residence~~one or two-family dwelling or the accessory ~~apartment~~dwelling unit must be owner-occupied. "Owner-occupied" means that ~~either the existing single-family residence~~a dwelling unit on the property, which may be ~~or the accessory apartment~~the accessory dwelling unit, is occupied by a person who has a legal or equitable ownership interest in the property and bears all or part of the economic risk of decline in value of the property and who receives all or part of the remuneration, if any, derived from the lease or rental of the property.
 - (3) Ownership of the existing ~~single-family residence~~one or two-family dwelling use and the accessory ~~apartment~~dwelling unit must be the same.
 - (4) Only one accessory ~~apartment~~dwelling unit is allowed on a lot.
 - ~~(5) Accessory apartment are not allowed on nonconforming lots, except that for purposes of this section only, frontage requirements shall not be considered in determining whether the lot is nonconforming.~~
 - ~~(6)~~(5) An accessory ~~apartment~~dwelling unit located outside of the Shoreland Zone and that complies with the requirements of this section shall not be considered a dwelling unit when calculating lot area per dwelling unit for the purposes of this chapter, for the private way construction thresholds of § 181-14 (4), or when calculating parking requirements for the purposes of this chapter. For all other purposes, an accessory ~~dwelling unit~~apartment shall be considered a dwelling unit. ~~Accessory apartments are not allowed in the Shoreland Zone.~~
 - ~~(7) No dwelling unit that is served by an on-site subsurface wastewater disposal system shall be modified to create an accessory apartment until a site evaluation has been conducted by a Maine-licensed soil evaluator that demonstrates that a lawful subsurface wastewater disposal system may be utilized in support of both the single-family residence and the accessory apartment, and such system is approved by the Town.~~
 - (6) Prior to the issuance of an occupancy permit for any accessory dwelling unit the applicant must provide written verification that the accessory dwelling unit is connected to adequate water and wastewater services. Written verification under this subsection must include:

- (a) If an accessory dwelling unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the accessory dwelling unit and proof of payment for the connection to the sewer system;
 - (b) If an accessory dwelling unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under 12 M.R.S.A § 42;
 - (c) If an accessory dwelling unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the accessory dwelling unit, proof of payment for the connection and the volume and supply of water required for the accessory dwelling unit;
 - (d) If an accessory dwelling unit is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.
- ~~(8) The number of occupants of the accessory apartment is limited to four, with a maximum of two bedrooms.~~
- ~~(9)~~(7) Accessory apartmentdwelling unit shall contain a minimum of 190 square feet and a maximum of 1,000 square feet of living space. For purposes of this section, "living space" means the total floor area designated for occupancy and exclusive use as an accessory apartmentdwelling unit, expressed in square feet, measured from the center lines of adjoining partitions and exteriors of outside walls.
- ~~(10) Adequate off street parking shall be provided as required by § 181-24 for both the single family residence and the accessory apartment.~~
- ~~(11)~~(8) The accessory apartmentdwelling unit must comply with all applicable building and fire safety codes in effect at the time of the application.
- ~~(12) An accessory apartmentdwelling unit shall be designed to maintain the architectural design, style, appearance, and character of the building as a single family residence. Any exterior alteration shall preserve the formal, front entrance of the building in order to maintain the single family appearance and architectural style of the original building. Exterior stairs shall be enclosed and are restricted to the rear or sides of the building wherever practicable.~~
- ~~(13)~~(9) A home occupation or tradesman use may be conducted, subject to existing regulations, as an accessory use to either the accessory apartmentdwelling unit or existing single-family residence, but not to both.
- ~~(14)~~(10) Any application to the Code Enforcement Officer for an accessory apartmentdwelling unit shall be accompanied by the registration of accessory apartmentdwelling unit form (available in the Code Enforcement Office) filled in by the owner(s) of the existing single-family residence. Upon approval of the application by the Code Enforcement Officer, the applicant shall record the registration of accessory apartmentdwelling unit form in the Cumberland County Registry of Deeds within 30 days of the date of approval. No building or occupancy permits for the accessory apartmentdwelling unit shall be issued until proof of recording of the registration at the Registry has been received by the Code Enforcement Officer.
- ~~(15)~~(11) An occupancy permit must be issued by the Code Enforcement Officer prior to occupancy of an accessory apartmentdwelling unit created or modified pursuant to this section.
- ~~(16)~~(12) Should the owner(s) of the building that contains the accessory apartmentdwelling unit be found in noncompliance with the standards contained

in this section, the noncompliance shall be considered a violation of this chapter, and the accessory ~~apartment~~dwelling unit use shall be discontinued.

• • •

§ 181-35.6 ~~Family apartment standards.~~ (Reserved)

~~A. Purpose. The purpose of the provisions concerning a family apartment is to provide a means for family members to inhabit a separate residence, co-located with a primary dwelling unit, while protecting the single-family character of residential neighborhoods.~~

~~B. Definition. A separate residence located within and subordinate to an existing single-family dwelling. A family apartment requires CEO approval and is subject to the standards contained herein.~~

~~C. Approval. A family apartment requires approval from the Code Enforcement Officer. It shall be the duty of the CEO to review all applicable standards and approve a family apartment if, in the opinion of the CEO, the family apartment meets applicable standards.~~

~~D. Performance standards:~~

~~(1) A family apartment shall not be permitted as a nonconforming structure nor in conjunction with any existing nonconforming structure, unless granted a variance by the Board of Appeals.~~

~~(2) A family apartment shall only be allowed as an accessory use of an existing single-family residence. A family apartment is specifically disallowed as an accessory use to a duplex, or any multifamily dwelling.~~

~~(3) A family apartment shall only be occupied by a direct family member, by blood, adoption or marriage. If a family apartment has been approved by the Town and a family member no longer lives in the apartment, then the Town approval shall be considered void. This specifically disallows usage of said apartment by nonfamily members.~~

~~(4) Adequate off-street parking, as determined by the CEO, is required for both residences.~~

~~(5) The family apartment shall not exceed 30% of the floor area of the main dwelling unit. Floor area measurements shall not include unfinished attic, basement or cellar spaces, nor public hallways or other common areas.~~

~~(6) Any request for a family apartment shall conform to all provisions of the Maine State Plumbing Code. No dwelling that is served by an on-site wastewater disposal system shall be modified to create a family apartment until a site evaluation has been conducted by a licensed soil evaluator which demonstrates that a lawful wastewater system will be utilized, in support of both the primary residence and family apartment.~~

~~(7) Any structural changes must meet applicable building codes. No open or enclosed outside stairways shall be permitted above the first story.~~

~~(8) (Reserved)~~

~~(9) Additional land area and/or frontage are not required for a family apartment, provided that the standards contained herein are met and maintained.~~

Chair Gaba called for additional Council comments on orders 25-23 and 26-23, hearing none, she called for public comments, hearing none, she called for the roll call vote and the hearings were closed.

VOTE ON ORDERS: 25-23 and 26-23: 7 YEAS

COMMITTEE REPORTS

Councilor Butler – Economic Development – No report.

Councilor LeClerc – Ordinance Committee – Continues to review food-truck ordinance revisions.

Councilor Watson – Personnel Committee – No report.

Councilor Libby – Finance Committee - No report.

Councilor Macri – Appointments Committee – No report.

Councilor Paul – Capital Improvements Committee – Has agenda items at this meeting.

CONSENT CALENDAR

There were no Consent Calendar items on this agenda

UNFINISHED BUSINESS

14-23 Amendments to the Standish Town Code, to add Chapter 247, Ordinance Prohibiting Outdoor Shooting Ranges (Substitute Order)(First Reading) [Macri]

Moved by Macri seconded by Butler and voted to dispense with the reading of the ordinance. (Unanimous)

Councilor Macri reviewed the timeline of this ordinance and noted that at last month's meeting two potential amends were proposed, one was of them was incorporated into the ordinance's language, which amended the definition of firearm to reference the state statute. That amendment was not considered a substantive amendment. The second proposed amendment was regarding the definition describing the components an outdoor shooting range, this amendment was not seconded.

Chair Gaba called for Council comments.

Councilor Watson provided photographs to the attendees which presented the setup for a safe residential shooting area; he also provided a photo of an incidental target. He said through research on the topic he provided information a bullet being stopped when a berm versus an incidental paper target is being used. It was his opinion that this ordinance will allow for recreational shooting in a less safe manner. He said that he may support an ordinance would limit where residential shooting can take place based on safety. He voiced concerns regarding the way that this ordinance was introduced, how it affected an application before the Planning Board, and what future ordinances might be presented in this manner that may affect the use of resident's property.

Chair Gaba called for additional Council comments, hearing none, she called for public comments.

Philip Pomerleau, resident – voiced his concerns that they dispensed with the reading of the ordinance noting that the public that may be watching wouldn't know what the Council is discussing.

Jennifer Cote, resident – She recently has had to call non-emergency 911 to report gun shots in her residential area.

Beth Maila – property owner – Said that this ordinance will no help with noise issues, it will ban shooting ranges. She noted that the group that had submitted a shooting range plan pulled their application. She encouraged them to allow safe shooting on private property.

Sandra Thurston, resident – Said that irresponsible people will shoot unsafely whether there is an indoor/outdoor shooting range available.

Chair Gaba called for additional public comments, hearing none called for additional Council comments.

Councilor Macri said that the ordinance was read in its entirety last month, however he then proceeded to pertinent sections of the ordinance. He said this is for outdoor shooting ranges, not prohibiting residents shooting on their property. He said that this is an important ordinance for the town.

Councilor Libby said that the way this is written it refers to "residents" of the of the property, that would prohibit his grandson from shooting on his property. He said that it's written too vaguely.

Philip Pomerleau, resident – Said that the ordinance should have provisions for others to shoot on resident's property.

Jennifer Cote, resident – Voiced noise concerns.

Maurie Hill, resident – Supported the ordinance to prohibit outdoor ranges.

Councilor Watson said that this ordinance will make the town less safe.

Brenda Glasgow, resident – Said that she was not opposed to gun owners, she was concerned about the idea that an outdoor range will make the town safer. She said that the proposed location of the outdoor range was not opposed out of spite, she said that it had environmental concerns regarding lead containment, wetland issues, concerns with its proximity to homes and noise.

Deborah Boxer, resident – Supported a ban on outdoor ranges.

Sandra Thurston, resident – Said that the petition was not done out of spite, it was done to protect property owners' enjoyment of their property.

Bruce Cochran, resident – Agreed that ordinance needs to specify that residents can have guests on their property to shoot.

Council Macri said that for a property to be considered to be a shooting range it would have to have all the components of a range. It doesn't prohibit teaching someone how to shoot safely.

Chair Gaba called for additional Council comments, hearing none, she called for public comments, hearing none, she called for the roll call vote to move this to public hearing.

VOTE TO PUBLIC HEARING: 5 YEAS – 2 NAYS, Libby and Watson

NEW BUSINESS

36-23 Approve Warrant for Annual Town Meeting [Gaba]

Chair Gaba called for council comments, hearing none, she called for public comments, hearing none she called for the roll call vote.

ORDERED that the warrant for the Annual Town Meeting is approved by the Town Council, said meeting will be held on June 17, 2023 beginning at 9:00 am at the Standish Municipal Center.

VOTE: 7 YEAS

37-23 Town Council Appointments to Various Boards and Committees [Macri]

Moved by Gaba seconded by Butler and voted to dispense with the reading of the order.
(Unanimous)

Councilor Macri noted that this is the annual order that is needed to appoint board/committee and town seats.

Chair Gaba noted that there is a need for a Capital Improvements Committee meeting prior to the July meeting so there is a temporary Chair appointment to that committee until such a time that the new Town Council Chair makes standing committee appointments.

Chair Gaba called for council comments, hearing none, she called for public comments, hearing none she called for the roll call vote.

ORDERED that the following Town Council Appointments are made through the dates given:

SEAT

APPEALS BOARD
APPEALS BOARD
ASSESSMENT REVIEW BOARD
ASSESSMENT REVIEW BOARD
ASSESSOR
CATERING FUNCTION AUTHORITY

CANDIDATE

Terence Christy
Michael Blanck
William Cassidy
Margaret Welch
Joseph Merry
Mary Chapman

CATERING FUNCTION AUTHORITY – Alt	Tashia Pinkham	J
CEMETERY EXPLORATORY COMMITTEE (Ad-Hoc) 2 Members	TBD by New Council	J
EMERGENCY MANAGEMENT DIRECTOR	Robert Caron	J
FAIR HEARING AUTHORITY	Terence Christy	J
FINANCE DIRECTOR	Scott Gesualdi	J
TAX COLLECTOR	Scott Gesualdi	J
TREASURER	Scott Gesualdi	J
GENERAL ASSISTANCE ADMINISTRATOR	Ruth LaBrecque	J
CDBG MUNICIPAL OVERSIGHT COMMITTEE	Zachary Mosher	J
HISTORIC PRESERVATION COMMISSION	Vacant	J
HISTORIC PRESERVATION COMMISSION	Vacant	J
HISTORIC PRESERVATION COMMISSION-Alternate Mbr	Vacant	J
HISTORIC PRESERVATION COMMISSION	Vacant	J
HISTORIC PRESERVATION COMMISSION-Alternate Mbr	Vacant	J
HISTORIC PRESERVATION COMMISSION	Vacant	J
HISTORIC PRESERVATION COMMISSION	Vacant	J
OLD RED CHURCH LIAISON	TBD by New Council	J
PUBLIC ACCESS OFFICER	Mary Chapman	J
PUBLIC ACCESS OFFICER-alt	Ruth LaBrecque	J
PUBLIC SAFETY COMMITTEE-Council Rep	TBD by New Council - Council Rep	J
PUBLIC SAFETY COMMITTEE-Citizen Rep	Kathleen Schofield	J
PUBLIC SAFETY COMMITTEE-Citizen Rep	Ian Moriarty	J
PUBLIC SAFETY COMMITTEE-Citizen Rep	Isabel Higgins	J
PUBLIC SAFETY COMMITTEE-Citizen Rep	Jack Smith	J
RECYCLING COMMITTEE	Isabel Higgins	J
RECYCLING COMMITTEE	Robert Kearney	J
SACO RIVER CABLE COMMITTEE	Tony Vigue	J
SACO RIVER COMMUNITY TV BOARD OF DIRECTORS	Maurie Hill	J
SACO RIVER COMMUNITY TV BOARD OF DIRECTORS-Alt	Jennifer Cote	J
TOWN AUDITOR	Berry Talbot Royer	J
WATCHIC LAKE LIAISON	TBD by New Council	J
WELFARE DIRECTOR	Tashia Pinkham	J

FURTHER ORDERED that the Town Council Chair will appoint Councilor LeClerc, Councilor Macri and Councilor Watson to the Capital Improvements Committee from June 17, 2023 until the new Town Council Chair makes their appointments in July 2023.

Note: Additional Appointments will be made by the Council Chair will take place when the new Council is seated.

VOTE: 7 YEAS

38-23 Confirmation of Town Manager's Appointments to Various Town Positions [Macri]

Councilor Macri noted that this is the annual order that is needed to appoint town positions.

Chair Gaba called for council comments, hearing none, she called for public comments, hearing none she called for the roll call vote.

ORDERED that the following Town Manager's appointments are confirmed through the date given:

Robert Caron	Director of Public Safety (Fire Chief and EMS Chief)	June 30, 2024
James Paul	Code Enforcement Officer	June 30, 2024
James Paul	Building Inspector	June 30, 2024

James Paul	Local Plumbing Inspector	June 30, 2024
James Paul	Electrical Inspector	June 30, 2024
Jacklyn Dyer	Code Enforcement Officer-Alt	June 30, 2024

FURTHER ORDERED that the following Fire Chief nominations are confirmed by the Town Manager:

Richard Guilbault	Animal Control Officer	June 30, 2024
William Watson	Animal Control Officer-Alt	June 30, 2024
Robert Caron	Harbor Master	June 30, 2024

VOTE: 7 YEAS

39-23 Confirmation of Town Clerk's Appointment of Election Warden [Macri]

Councilor Machi noted Sandy has done a wonderful job.

Chair Gaba called for council comments, hearing none, she called for public comments, hearing none she called for the roll call vote.

ORDERED that the Town Clerk's appointment of Sandra Osterrieder to serve as Election Warden through June 30, 2024 is confirmed by the Town Council.

VOTE: 7 YEAS

40-23 Approve Renewal of Waste of Hauler Licenses [Gaba]

Chair Gaba explained that this is an annual order to renew the licenses.

Chair Gaba called for council comments, hearing none, she called for public comments, hearing none she called for the roll call vote.

ORDERED that the following Waste Hauler License application renewals, upon approval of the Director of Public Works are approved by Council to expire June 30, 2024:

Casella Waste

RW Herrick

Troiano Waste Services, Inc.

Waste Management Portland

VOTE: 7 YEAS

41-23 Receive List of Delinquent Personal Property Accounts from Finance Director as Required by the Personal Property Tax Collection Policy [Libby]

**Moved by Libby seconded by Gaba to dispense with the reading of the order.
(Unanimous)**

Finance Director, Scott Gesualdi, said that this is one of the steps required by the Personal Property Tax Collection Policy. The next step is to send the accounts to collections or small claims court.

Chair Gaba called for council comments.

Councilor LeClerc said that he was not in favor of this order. He said that many of the amounts were small and he was not in favor of this action.

Scott Gesualdi explained that a few years ago he was ridiculed publicly regarding this matter and policy was established shortly thereafter.

Chair Gaba asked Scott for clarification on the tax law.

Scott Gesualdi explained that by state law any unpaid taxes are included in the Annual Town Report.

Chair Gaba called for council comments, hearing none, she called for public comments, hearing none she called for the roll call vote.

WHEREAS Town Council order 37-15 adopted the *Outstanding Personal Property Tax Collection Policy* which provides the procedural outline for the Finance Department staff to follow in collection of unpaid personal property taxes, and

WHEREAS in April the Finance Department has reviewed the outstanding accounts and sent letters to taxpayers in question as required in the policy, and

WHEREAS in May the Finance Director sent second letters to the taxpayers in question per council order as required in the policy, and

WHEREAS the policy requires that the following list of delinquent taxpayers is then presented to the Town Council at their June meeting:

SEE THE ATTACHED LIST**

NOW BE IT ORDERED that the Town Attorney and/or the Finance Director are authorized to take all necessary actions, including filing civil lawsuits, to collect all delinquent personal property taxes, including interest and costs of suit, for the municipal tax year 2021 against those named on the attached list to collect as recommended by the Finance Committee.

**The list is on file at the Finance Director's Office

VOTE: 6 YEAS – 1 NAY, LeClerc

42-23 Resolution to Designate July as Parks and Recreation Month in The Town of Standish [Gaba]

Moved by Macri seconded by Libby and voted to dispense with the reading of the order.
(Unanimous)

Recreation Director, Jen Derice explained that on July 6 a family fun day event is scheduled at Johnson Field to celebrate the designation July as Parks and Recreation Month. She continued to explain that the Summer Spectacular will start on August 4th kicking off with fireworks at dusk. The Recreation Department is still looking for volunteers to help with various parts of the event. Jen DeRice extended kudos to Heidi Watson for her fundraising efforts for the event.

Chair Gaba thanked Jen Derice, Heidi Waston and all involved for their work on the Summer Spectacular.

Chair Gaba called for council comments.

Town Manager, Tasha Pinkham, asked that Jen or Ryan explains a bit of what the Departments does in regard to the town's soccer program.

Jen DeRice noted that the town has a robust fall soccer program that serves approximately 150 kids from Pre-K to 7th grade.

Ryan French, the Assistant Recreation Director, explained that he has worked with Holly Stuart in the past and looks forward to working to get people to work together for the betterment of the programs.

Chair Gaba called for council comments, hearing none, she called for public comments, hearing none she called for the roll call vote.

WHEREAS parks and recreation is an integral part of communities throughout this country, including Standish, Maine; and

WHEREAS parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimers; and

WHEREAS parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS parks and recreation is a leading provider of healthy meals, nutrition services and education; and

WHEREAS park and recreation programming and education activities, such as out- of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation is fundamental to the environmental well-being of our community; and

WHEREAS parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS Standish, Maine recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, BE IT RESOLVED BY Standish Town Council that July is recognized as Park and Recreation Month in the Town of Standish.

VOTE: 7 YEAS

43-23 Resolution Establishing August 4th the "Standish Summer Spectacular" Day [Gaba]

Moved by Watson seconded by Libby and voted to dispense with the reading of the order.
(Unanimous)

Councilor Marci questioned if this is the permanent date of the event in future years?

Jen DeRice explained that they will try to hold the Summer Spectacular the first weekend in August moving forward.

Chair Gaba called for council comments, hearing none, she called for public comments, hearing none she called for the roll call vote.

WHEREAS the Standish Parks & Recreation Department is on a mission to build a healthy, connected, and inclusive community by promoting resources and opportunities that improve quality of life, and has held a town-wide festival since 2010 with a vision to be a leader in promoting community health and well-being through fun, progressive, and memorable parks and recreation experiences and activities that bring people together and create a sense of belonging, and

WHEREAS the Standish Summer Spectacular Committee has been established to coordinate this annual event in partnership with Parks & Recreation, with its primary mission being to celebrate and connect community, have fun, and create a sense of belonging.

WHEREAS the committee has partnered with a variety of civic organizations and has received much support from many community businesses to provide this opportunity to the community, now be it

RESOLVED that the Standish Town Council establishes August 4th as the Standish Summer Spectacular Day.

VOTE: 7 YEAS

44-23 Waive Bid Process for Purchase of New Loader Backhoe [Paul]

Public Works Director, John Cross explained the department has initiated using Sourcewell Governmental Bidding Services for bidding of the competitive bid process. This entity gets the

lowest bid for all sorts of equipment. He explained that this bid and the next order 45-23 are part of a package bid to keep the acquisitions within the budgeted funding.

Regarding order 45-23 he submitted requests to 9 vendors, on or about May 20, no bids had been received on the truck. At that time, he called the dealership to discover that F-550's were not available, he ask that they try to find a truck option that would otherwise meet the bid specs. He explained he was able to negotiate with Arundel Ford a deal to purchase an F-600, which is a step up from the F-550 within the funding that was budgeted for both the backhoe and the truck.

Councilor Butler thanked him for all the hard work and to updating our policy to use the Sourcewell bidding process.

John Cross explained the way Sourcewell acquires the amounts on items that go to bid and that nation-wide municipalities and non-profits use their services.

Chair Gaba called for council comments, hearing none, she called for public comments.

Philip Pomerleau, resident – Said that as a former member of the Capital improvement Committee they always worked 10 years out, but now you must be thinking what we're going to need in 2 years and order it now.

Chair Gaba called for the roll call vote:

WHEREAS, Section 302(f) of the Standish Charter requires a competitive bid process for transactions exceeding \$3,500 in value, unless so waived by the Town Council, and

WHEREAS, the Public Works Department has investigated various purchase options for a new Loader Backhoe and has located a new one that meets the Town's needs, now be it

ORDERED, that the bidding requirement regarding the purchase of a Loader Backhoe is hereby waived due to Sourcewell Governmental Bidding already taken place, and

FURTHER ORDERED, that a 2023 John Deere 310SL Loader Backhoe shall be purchased from United Construction and Forestry at an amount not to exceed \$131,000 as recommended by the Capital Improvements Committee, and

FURTHER ORDERED, that the Town Manager is authorized, on behalf of the Town, to execute related contract documents.

VOTE: 7 YEAS

45-23 Waive Bid Process for Purchase of a New 2-Ton F-600 Plow Truck [Paul]

Moved by Butler seconded by LeClerc and voted to dispense with the reading of the order.
(Unanimous)

Chair Gaba called for council comments, hearing none, she called for public comments, hearing none she called for the roll call vote.

WHEREAS Section 302(f) of the Standish Charter requires a competitive bid process for transactions exceeding

\$3,500 in value, unless so waived by the Town Council, and

WHEREAS, the Public Works Department has investigated various purchase options for a new 2-ton truck, plow and sander and has located a new one that meets the Town's needs, now be it

ORDERED, that the bidding requirement regarding the purchase of a New F-600 4x4 with a dump body, 10 ft Fisher Plow and 2.5-yard Fisher Poly Sander is hereby waived due to vehicle supply inventory, and

FURTHER ORDERED, that a 2022 Ford f-600 4x4 dump body with a 10 ft Fisher Plow and 2.5-yard Fisher Poly Sander shall be purchased from Arundel Ford at an amount not to exceed \$102,575.00 as recommended by the Capital Improvements Committee, and

FURTHER ORDERED, the Public Works Director is authorized, on behalf of the Town, to execute related contract documents.

VOTE: 7 YEAS

46-23 Action on Bid #23-1 (Sale of Town Owned Property at 16 Moody Road) and Further Action Pursuant to Section 3-19 (L) of the Standish Town Code [Paul]

Councilor Paul explained that there were two bids received on the property and neither one met the minimum. A suggestion was made that the town does what this order states. He did mention that Councilor Watson reached out to Little League and the Football program regarding this property.

Councilor Watson spoke to the Council from the podium as a member of the public. He said is the only sitting Councilor that didn't vote on this matter when it was originally before the Council but supports their process. He said that this is the legal and ethical decision to make. He said that he had taken it upon himself to speak to the Little League and Football programs about the property. He said that the partnership of all the groups would allow the costs and burdens to be spread across all of the groups.

Councilor LeClerc said that he 100% supports this order and believes that it upholds the gift that was donated by Walter Butler. He noted that back at the time when the order was presented to put the property out to bid, due to Covid and the potential loss of revenues it was thought that the sale of this property could perhaps help the town financially.

Councilor Macri questioned the length of time that they have to develop the fields and would that use all of the acreage? He also voiced potential contamination of that property. But he said that he did believe that athletic fields is the best use of the property.

Councilor LeClerc referred to number five of the order that restricts the Soccer Club from subleasing the property without Town Council approval.

Philip Pomerleau questioned why the town is limiting Soccer Clubs use of the property or making them take the entire 22 acres?

Michael Blanck, resident- thought that this is a great idea and suggested the town delay the gifting of the property to seek help from the Army Corps for improvement to construct the fields.

Holly Stuart , an authorized agent for the Soccer Club thanked them for this opportunity. She did voice concerns that the Soccer Club couldn't work other groups to allow them to use part of the land. Ms. Stuart asked if these items on the order are negotiable?

Tasha Pinkham said that she had talked with the legal department noting that the last clause in the order allows for additional negotiation. Also, the sales price to the Soccer Club is \$1.00.

Councilor Butler questioned real estate taxes that the Club may have to pay?

Councilor Macri noted they are a non-profit organization they would be tax-exempt.

Izzy Higgins said to the Town Council WELL DONE!

Sandra Thurston questioned the contamination of the property.

John Cross said that the PFAS affected other properties.

Walter Butler said that 5 acres of fenced-in land had contamination former the former plant.

Chair Gaba called for, she called for public comments, hearing none she called for the roll call vote.

ORDERED, that all bids submitted in response to Bid #23-1 be, and hereby are, rejected;

BE IT FURTHER ORDERED, that the method of sale pursuant to Sec. 3-29(L) of the Standish Town Code of the Town-owned property located at 16 Moody Road (Tax Map 10, Lot 48B) be by negotiated sale to the Bonny Eagle Soccer Club, provided that the conveyance shall be subject, at a minimum, to the following terms and conditions, all of which shall be in favor of and reserved to the Town of Standish ("Town") in the deed of conveyance:

- (1) The property shall be sold subject to a perpetual use restriction that it shall only be developed and used for athletic playing fields;
- (2) The property shall be sold subject to the limitation and that it shall be developed into athletic playing fields within ten (10) years of the date of the conveyance or else the property shall revert to the Town as stated and reserved in the deed of conveyance;
- (3) The property shall be sold subject to the limitation that in the event Bonny Eagle Soccer Club decides to discontinue operations; or fails to continue operations; or is or seeks to be dissolved, either voluntarily or involuntarily; or is or seeks to be liquidated, either voluntarily or involuntarily; or merges with or is acquired by any other corporation, person or entity; or declares either voluntary or involuntary bankruptcy or insolvency; or is not otherwise able to fulfill its use restrictions or obligations under the deed, then it shall convey the property back to the Town, not later than 60 days following demand therefore;
- (4) The property shall be sold subject to the limitation that in the event Bonny Eagle Soccer Club shall cease to exist as a nonprofit corporation qualified to do

business in Maine, and a prior conveyance has not been made to the Town as set forth in (3) above, then title to the property shall revert to the Town as stated and reserved in the deed of conveyance;

- (5) The property shall be sold subject to the limitation that Bonny Eagle Soccer Club shall not sell, rent, lease, mortgage, assign, or otherwise transfer an interest in the property without the prior written consent of the Town, acting by and through its Town Council;
- (6) The property shall be conveyed by Quitclaim Deed with Covenant; and
- (7) The property shall be sold "AS IS, WHERE IS", with no warranties regarding the property made by the Town.

BE IT FURTHER ORDERED, consistent with Sec. 3-29(L) of the Standish Town Code, that the Town Manager be and hereby is authorized to negotiate further terms of the sale that may be in the best interests of the Town and to complete the sale, including, without limitation, execution and delivery of the deed and any other paperwork reasonably incident to the sale.

VOTE: 7 YEAS

PUBLIC ITEMS

There were no public items at this meeting.

ANNOUNCEMENTS

Upcoming meetings and events were announced.

EXECUTIVE SESSION

An executive session was not held at this meeting.

Councilor Macri thanked the outgoing councilors for their service.

Moved by Paul seconded by Butler and voted to adjourn. The meeting adjourned at 8:50 p.m. by unanimous consent.

Submitted by: /s/ Mary Chapman
Clerk/Secretary