

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, OCTOBER 10, 2023
STANDISH MUNICIPAL CENTER
6:00 PM**

CALL TO ORDER

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

ROLL CALL

Councilors present: Deakin, Gaba, Gardner, LeClerc, Macri, Pomerleau and Watson.

MINUTES OF PREVIOUS MEETING (S)

Moved by LeClerc seconded by Gaba and voted to approve the minutes from the September 12, 2023 Town Council Meeting. (Unanimous)

PETITIONS AND COMMUNICATIONS

There were no petitions or communications at this meeting

REPORT OF THE TOWN MANAGER

Tashia Pinkham provided the following report:

Fire/Rescue- Safety Fair 10/14, Chief enjoyed some time off to moose hunt. Genesis Tools doing a commercial included the Town of Standish.

HR/GA- New hires, passports, and GA requests

PW- Grader is back in service after 6 years out of service. Should see us grading the Town gravel roads shortly. Many Thanks to Roger Mosley, Neal Mosley, and Jeff Doyle to getting back in service. Paving projects are continuing throughout the town.

Completed the site work for New Rec Building at town hall. The town's new plow truck arrived from HP Fairfield. Moody Road Culvert was completed.

Rec- PR Director DeRice has accepted a position with Portland Parks We are accepting applications for Director, job description listed on MMA job board.

Finance- Currently the auditors are here performing field work on the audit. Preparing for the upgrade to our accounting software Munis. The clerk's office will be open "for absentee ballots only" on Thursday October 26 while Munis performs the upgrade.

Clerk- speaking tonight- busy with registrations and absentee ballots.

Code- Permits, nothing significantly new.

Assessing- We are pleased to announce we have a new hire. Nicole Twombly has filled the appraiser position. A reminder that there will be a food drive on Election Day, November 7th. The Standish Food Pantry will have a van in the parking lot collecting food and cash donations. There will also be a collection bin available at Town Hall during absentee voting. Maine Revenue Services has started their annual audit of the assessing department.

Planning- Several grants including lights grants for \$44,000, RFP for comprehensive plan and intersection project.

TM- Several staff went to the MMA convention in Augusta last Wednesday and Thursday. Junior achievement and BEMS coming again October 25. Free wellness event offered by Hannaford, healthy eating. Receiving new school zone lights and slow speed sign from grant, \$140K.

Town Planner, Zach Mosher provided an update to the upcoming Comprehensive Plan, noting that three RFP's were received, explaining that the plan is to interview all three firms. It is anticipated that the selection of the firm will take place in November.

The Town Clerk presented monthly departmental report, which included the following Information:

- Update on the upcoming election and absentee voting
- Announcing that the Town Clerk's office participates in the promotion of Domestic Violence Awareness Month that takes place in October
- Announced that a food drive will be held on Election Day with all of the food being donated to the Standish Food Pantry
- Some residents of Standish, England stopped by town office on Saturday, October 7th we were closed however they dropped off a few books regarding their town for us.

Chair Deakin noted that he recently attended the Maine Municipal Association Conference in Augusta.

PUBLIC HEARINGS

There were no Public Hearings at this meeting.

COMMITTEE REPORTS

Councilor LeClerc – Appointments Committee – met tonight to discussed items that are on the agenda this evening. Interviews were conducted for some openings.

Councilor Macri – Capital Improvements Committee – No meeting held this month.

Councilor Gaba – Economic Development Committee – Met although she was not in attendance, the committee discussed TIF's and the process moving forward.

Chair Deakin said the committee discussed the Mountain Division Trail and other potential uses of TIF funds, he suggested that the Director of Planning provide an update. The Town Manager noted that he was speaking with the consultant so they can come back to this later in the meeting.

Councilor Watson – Finance Committee – meets next week.

Chair Deakin – Ordinance Committee – there was a Council Workshop held where discussion regarding housing proposal at the Pine Tree Trailer Park. He noted that the land use matters regarding the trailer park were also discussed at a previous Ordinance Committee Meeting.

Councilor LeClerc explained that the Ordinance Committee also discussed the food truck ordinance.

Zach Mosher, Director of Planning explained that the Economic Development Committee met and discussed possible options regarding the use of TIF funds. The next step will be to have the Town's legal counsel provide an opinion regarding the options available.

Councilor Gardner – Personnel Committee – No meeting held this month.

Councilor Pomerleau – PWD Steering Committee - No meeting held this month.

Town Manager, Tashia Pinkham noted that she had recently spoken with PWD staff regarding setting up a meeting in the foreseeable future.

Councilor Gaba – Transportation Policy Committee - No meeting held this month.

Chair Deakin mentioned that members were recently appointed to a Cemetery Committee and they have not yet met.

Councilor Pomerleau said that he was on the committee and a meeting will be scheduled soon.

Public Works Director, John Cross explained that a private citizen has stepped forward to volunteer to inspect the cemeteries to determine the work that has to be done in each one and provide the town with a report regarding their status.

Chair Deakin asked that the information is shared with the Cemetery Committee. He noted that in some other towns various groups step forward to assist with the upkeep of cemeteries.

Councilor Pomerleau noted that he has contacted several cemeteries and has found out that a number of them are running out of money to maintain their cemetery. He suggested that the town looks at land on Moody Road for a potential location for a cemetery.

Maurie Hill, resident - explained that on a recent walk on Pond Road she noted that there is a cemetery Portland Water District Property and she questioned whose responsibility is it to maintain the cemetery?

Public Works Director, John Cross said that the town places flags on known veteran's graves. He explained that maintenance is what they are addressing now.

Maurie Hill asked if it was the towns or Portland Water Districts responsibility to provide the maintenance?

John Cross said it is the town's responsibility.

Chair Deakin said that Mr. Cross has alluded to the cemetery where the town had recently provided needed maintenance to a cemetery, was it this one?

John Cross said that it was a cemetery on Route 35 across from Pond Road that the crew maintained. He then noted that there are approximately 60 cemeteries in town.

Chair Deakin noted that the Public Safety Committee will hold the Public Safety Day, on Saturday, October 14th. He urged everyone to attend to the great of activities that being held. Standish Fire and Rescue and several other entities are bringing everything from Monster fire trucks to things that are quite interesting to learn about safety devices and generally about your safety. He said that it's a fun time families.

CONSENT CALENDAR

There were no Consent Calendar items at this meeting.

UNFINISHED BUSINESS

63-22 Town of Standish Moratorium Ordinance on Shooting Ranges (Sent to Ordinance Committee at the September 13, 2022 Council Meeting) (Housekeeping update) [Leclerc]

Councilor LeClerc said that regarding the proposed order, this is largely a housekeeping matter. He said that this was initially brought to the Council and then voted to be sent back to the ordinance committee. The issue as it relates to outdoor gun ranges had already has been resolved. He said that this order is just a housekeeping matter. He said that he was going to be voting no, there's no there's no reason for a moratorium. It's just something that had been kind of lingering around. It was still technically an ordinance committee, and it's my understanding that the town's legal counsel, Sally Daggett has provided the advice that it's not supposed to just send something back to ordinance committee just to kill it. He said to the Chair regarding the proposed order, this is largely housekeeping. So, as you had already alluded to procedurally, this was initially brought to the council then voted to be sent back to the ordinance committee that the issue at large as it relates to outdoor gun ranges had already has been resolved.

Chair Deakin called for public comments hearing none called for Council comments. The Chair questioned if there needed to be some Ordinance Committee agenda item for this?

Councilor Leclerc noted that since there were no comments on the matter there just needs to be a vote.

The Clerk noted that the item should be removed from the table and voted on.

Moved by LeClerc seconded by Pomerleau and voted to take this moratorium ordinance off the table. Chair Deakin called for discussion on the motion, hearing none he called for the vote on the motion. (7 Yeas)

Moved by LeClerc seconded by Pomerleau and voted to move the question. (7 Yeas)

Chair Deakin asked the Clerk to explain what they were voting on.

The Clerk said as Councilor LeClerc has said this was introduced in 2022 and in September of 2022 it was sent to ordinance committee. The Clerk noted the vote at this point needs to handle how they chooses on this matter, a yes vote would enact a moratorium which isn't necessary, and a no vote would kill the motion.

Chair Deakin said so a yes vote would be a moratorium and a no vote would kill the motion which means it could be discussed at a later date.

Councilor Pomerleau called to move the question.

Chair Deakin called for the roll call vote.

Chair Deakin vote yes, Councilor LeClerc called for point of order noting that a yes vote would enact the moratorium that we no longer need to have.

Chair Deakin re-called for the roll call vote on the moratorium ordinance.

WHEREAS, the Town has recently received inquiries about the possibility of establishing a shooting range located in Standish; and

WHEREAS, the potential establishment of shooting ranges in the Town raises legitimate and substantial questions about the impact of such shooting ranges on neighboring property owners including questions of the compatibility of shooting ranges with existing uses and developments; the potential adverse health and safety effects of shooting ranges on the community if not properly regulated; the potential adverse impact to the natural environment if not properly regulated, and the potential increased burden on public safety and law enforcement personnel; and

WHEREAS, the Town's current ordinances do not adequately address the concerns listed above; and

WHEREAS, the possible effect of the location and operation of shooting ranges in the Town has implications for the health, safety and welfare of the Town and its citizens; and

WHEREAS, the Town needs time to study its own ordinances to determine the implications of shooting ranges and to develop reasonable ordinances governing the location and operation of such shooting ranges to address the concerns cited above; and

WHEREAS, the Town, under its home rule authority, its police power generally, under 30-A M.R.S. § 4351 et seq., or as otherwise provided by current law, has the authority to impose reasonable restrictions, conditions, and limitations on uses within the Town; and
WHEREAS, the Town Council, with the professional advice and assistance of the Planning Board and Town staff, shall study the Town's ordinances to determine the land use and other regulatory implications of shooting ranges and consider what locations and conditions of approval might be appropriate for such shooting ranges; and

WHEREAS, the Town's current ordinances and other applicable laws, if any, are not adequate to prevent serious public harm possibly to be caused by the location and operation of shooting ranges in Standish, thereby necessitating a moratorium; and

WHEREAS, a moratorium is necessary to prevent an overburdening of public facilities that is reasonably foreseeable as the result of shooting ranges being located in the Town; and

WHEREAS, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the Town first enacts this Moratorium Ordinance on Shooting Ranges;

NOW, THEREFORE, BE IT ORDAINED that the following Moratorium Ordinance on Shooting Ranges be, and hereby is, enacted, and, in furtherance thereof, the Town does hereby declare a moratorium on the location, licensing or permitting of any shooting range within the Town. This Moratorium Ordinance shall take effect on the date of enactment by the Town Council, but shall be applicable as of August 9, 2022, as expressly provided below. The moratorium shall remain in effect for one hundred and eighty (180) days from the date of applicability of this Moratorium Ordinance, unless extended, repealed, or modified by the Town Council, for the express purpose of drafting an amendment or amendments to the Town's current Code of Ordinances to protect the public from health and safety risks including, but not limited to, compatibility of shooting ranges with existing and permitted uses in all zoning districts; the potential adverse health and safety effects of shooting ranges if not properly regulated; the potential adverse environmental impacts of shooting ranges if not properly regulated; and the

potential increased burden on public safety and law enforcement personnel serving the Town in responding to potential incidents or complaints related to shooting ranges; and

BE IT FURTHER ORDAINED, that this Ordinance shall apply to shooting ranges that may be proposed to be located within the Town on or after the August 9, 2022 applicability date of this Ordinance; and

BE IT FURTHER ORDAINED, that notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Ordinance, when enacted, shall govern any proposed shooting range for which an application for a building permit, Certificate of Occupancy, site plan or any other required approval has not been submitted to and granted final approval by the Code Enforcement Officer, Planning Board, Board of Appeals or other Town official or board prior to August 9, 2022, the applicability date of this Moratorium Ordinance; and

BE IT FURTHER ORDAINED, that no person or organization shall develop or operate a shooting range within the Town on or after the August 9, 2022 applicability date of this Ordinance without complying with whatever ordinance amendment or amendments Town Council may enact as a result of this moratorium ordinance; and

BE IT FURTHER ORDAINED, that during the time this moratorium ordinance is in effect, no officer, official, employee, office, administrative board or agency of the Town shall accept, process, approve, deny, or in any other way act upon any application for a license, permit and/or any other approval related to a shooting range; and

BE IT FURTHER ORDAINED, that those provisions of the Town's ordinances that are inconsistent or conflicting with the provisions of this Ordinance, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained, and as it may be extended as permitted by law, but not otherwise; and

BE IT FURTHER ORDAINED that if any shooting ranges are installed or established in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance, and the Town shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations; and

BE IT FURTHER ORDAINED, that should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

Applicability Date: August 9, 2022

VOTE: 7 Nays

61-23 Amendments to Standish Town Code, Chapter 187, Licenses and Permits, §187-25, Regarding Mobile Food Services (Sent to Ordinance Committee September 12, 2023) (Introduction - substitute ordinance presented October 10, 2023) [LeClerc]

Councilor LeClerc explained regarding food trucks, the impetus behind this was ultimately that the Ordinance Committee sees food trucks as incubators for small business and provides alternative food options. He said that the Committee has been working on this for some time and has taken into consideration the Town's concerns. He noted that Subsection H. has been narrowed down to allow food trucks on town property only at Standish Memorial Park. There was concern that food trucks would take away from local businesses and reducing the number of town properties available for use by food trucks was a middle ground approach taking into consideration the concerns about local brick-and-mortar businesses that pay taxes. He noted that the Finance Committee will consider adjusting the licensing fee since food trucks are not paying taxes.

Chair Deakin called for public comments, hearing none, he called for Council comments.

Councilor Pomerleau said that he had concerns about the food trucks taking away from brick-and-mortar stores and restaurants. He said that he can accept the revisions here, he noted that they still can park on anyone's land.

Councilor LeClerc noted that the existing ordinance is still in place and a food truck would have to obtain permission from the landowner to set up on private land. He noted that the popcorn truck located at Patches Variety is an example of that.

Councilor Pomerleau said, so, there is plenty of opportunity for food trucks in Standish.

Chair Deakin called for additional Council comments, hearing none, he called for the roll call vote to move this Ordinance to First Reading at the November Town Council meeting.

VOTE TO MOVE THE ORDINANCE TO FIRST READING: 7 Yeas

83-23 Amendments to Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Appendices for the Maximum Levels of Assistance as provided by the Maine Department of Health and Human Services (First Reading) [Deakin]

Town Manager, Tashia Pinkham explained that this is a housekeeping measure to adopt the updated levels of assistance provided by the Department Health and Human Services.

Chair Deakin called for public comments, hearing none, he called for Council Comments, hearing none he called for the roll call vote to move this to Public Hearing at the November 14, 2023 meeting.

VOTE TO MOVE THE ORDINANCE TO PUBLIC HEARING: 7 Yeas

NEW BUSINESS

86-23 Town of Standish Town Council Orders Authorizing Tax Anticipation Borrowing [Watson]

Finance Director, Scott Gesualdi noted that this type of order is done about every six months to help with cash flow before taxes start coming in.

Chair Deakin called for public comments, hearing none, he called for Council comments.

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

Chair Deakin called for the roll call vote.

Ordered that, pursuant to Section 5771 of Title 30-A of the Maine Revised Statutes, as amended, the Treasurer of the Town is hereby authorized and empowered to borrow money from time to time during the fiscal year ending June 30, 2024 in the principal amount or amounts not exceeding \$1,444,000 at any one time outstanding, in anticipation of the collections or receipts from taxes, by the issuance of tax anticipation notes of the Town, each of which notes shall be designated "Town of Standish Fall 2023 Tax Anticipation Notes." All of such tax anticipation notes, and any extensions, renewals or replacements thereof, shall be signed by the Town Treasurer and countersigned by the Chair or the Vice Chair of the Town Council, shall be payable on such date as determined by the Town Treasurer, out of money raised by taxation during the fiscal year ending June 30, 2024, shall bear interest payable at maturity at a rate determined in the manner as approved by the Treasurer, and shall contain such other terms and provisions, not inconsistent herewith, and be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusively evidenced by their execution thereof, and
Be It Further Ordered that the Treasurer of the Town is hereby authorized to award the notes to such person or entity as he deems appropriate, and

Be It Further Ordered that the notes authorized by the foregoing are hereby designated as qualified tax exempt obligations for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended, and

Be It Further Ordered that the Treasurer of the Town be authorized to covenant with the purchasers of the notes on behalf of the Town and for the benefit of the holders of the notes, that the Town will take whatever steps, and refrain from taking any action, as may be necessary or appropriate to ensure that interest on the notes will remain free from federal income taxes, including without limitation, the filing of information returns and reports with the Internal Revenue Service and the payment of any rebate due to the United States of America.

Adopted this 10th day of October, 2023 by the Municipal Officers of Standish, Maine:

s/ _____

Robert J. Deakin, Chair

s/ _____

John Gardner

s/ _____

Sarah Gaba

s/ _____

Gregory LeClerc

s/ _____

Benjamin Macri, Vice Chair

s/ _____

Philip Pomerleau

s/ _____

Brandon Watson

VOTE: 7 Yeas

87-23 Waive No-parking Restriction on Saco Road for the Annual Craft Fair held by the Trustees of the Old Red Church [Deakin]

The order was read by the Clerk.

Chair Deakin called for public comments, hearing none, he called for Council comments.

Councilor Gaba announced that this is the biggest fundraiser held by the Old Red Church, she encouraged all to attend the fair and other events held by the Old Red Church.

Chair Deakin called for Council comments, hearing none he called for the roll call vote.

ORDERED that the "No Parking" restriction on the north and south sides of Saco Road, between the Standish town line and Cape Road (Route 35A), shall be waived for a period two hours before the opening of the annual craft fair held by the Trustees of the Old Red Church until two hours after the close of the fair to held on November 24^h and 25th, 2023 at the Bonny Eagle High School, and

FURTHER ORDERED that the coordinators of the event shall provide traffic control beginning one hour prior to the opening of the fair and during the hours of the fair.

VOTE: 7 Yeas

88-23 Authorize Rotary Club of Sebago Lake to Utilize Sebago Lake Station Landing Parking Area for their Annual Ice Fishing Derby [Deakin]

The order was read by the Clerk.

Chair Deakin called for public comments, hearing none, he called for Council comments, hearing none he called for the roll call vote.

ORDERED that the Town of Standish grants approval for the Rotary Club of Sebago Lake to use the Sebago Lake Station Landing parking area during their annual ice-fishing derby to be held on February 17th and 18th, 2024, and
FURTHER ORDERED that a no parking restriction will be in effect on both sides of Chadbourne Road (Route 35), Maple Street and the Town's Right-of-way at Sebago Lake Station Landing during this event and that the coordinators of the event will place the necessary signage, in addition, the Rotary Club will have portable toilets placed at the boat launch during the event.

VOTE: 7 Yeas

89-23 Town Council Appointments to the Ordinance Committee and Transportation Policy Committees [LeClerc]

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

Chair Deakin called for public comments, hearing none, he called for Council comments.

Councilor LeClerc explained that Councilor Watson and Gardner are switching seats on these committees. Councilor Watson will serve on the Ordinance Committee and Councilor Gardner will serve on the Transportation Committee. In addition, Councilor Gaba will assume the Chair's seat on the Transportation Committee.

Chair Deakin called for Council comments, hearing none he called for the roll call vote.

WHEREAS, pursuant to Town Council Order #52-23, the Town Council Chair's recommended appointments to the Town Council 2023/2024 Standing Committees were adopted on July 11, 2023;

WHEREAS, due to a change in schedule, Councilor Gardner is no longer able to serve on the Ordinance Committee and has requested a change in committee assignment;

WHEREAS, Councilors Gardner, Watson and Gaba have worked out a proposed arrangement to accommodate Councilor Gardner's request that he be allowed to change committee assignments;

NOW, THEREFORE, BE IT ORDERED that the following change in membership and leadership of the following standing committees be and hereby is approved by the Town Council for 2023/2024 (additions underlined; deletions ~~struck through~~):

Ordinance Committee
Deakin – Chair
~~Gardner~~Watson
LeClerc

Transportation Policy Committee
Gaba – Chair
~~Watson – Chair~~Gardner
Macri

VOTE: 7 Yeas

90-23 Town Council Appointments to the Saco River Corridor Commission and Appoint Additional Election Day Staff [LeClerc]

Councilor LeClerc called for a point of order from the Chair, he asked if they could bifurcate the order since there were four applicants for two slots for the Saco River Corridor Commission. As a committee, they decided they will be interviewing all applicants, including the incumbents. He would like to consider voting for the Election Day staff portion of the order today and postponing the Saco River Corridor Commission appointments until the next meeting to allow for time to interview the incumbents.

The Clerk suggested that the Council Call for a Special Town Council meeting prior to the November meeting since the terms expire November 1, the Clerk noted that the Election Day appointments can wait until the Special Town Council meeting.

Moved seconded and voted to hold a Special Town Council meeting on October 24 to provide time interview the incumbents and appoint to the openings prior to the expiration date of the seats.
(Unanimous)

The Council discussed moving forward the appointing the additional election day staff person, the Clerk said that it can wait until the October 24 meeting.

Moved by LeClerc seconded by Gaba to postpone this order until October 24.

Chair Deakins called for comments on the motion to postpone, hearing none, he called for the roll call vote on the motion to postpone order 90-23 until the Special town Council meeting that will be held on October 24, 2023

VOTE ON MOTION TO POSTPONE ORDER 90-23: 7 Yeas

91-23 Amendment to the Standish Town Code, Chapter 263, Vehicles and Traffic, §263-3 - Weight Restrictions, Closing Middle Jam Road to Vehicles having three or more axels and/or a Weight of Sixteen Tons or More (Introduction) [Deakin]

Public Works Director, John Cross explained that Middle Jam Road runs along the canal. He explained that this road is shared with the Town of Gorham and they recently did a complete rebuild, this amendment will mirror the weight and other restrictions in Gorham helping to protect the road project. He noted that these amendments will not prevent property owners or properties serviced by the road from receiving needed services from larger vehicles.

Chair Deakin called for public comments, hearing none, he called for Council comments.

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

VOTE TO MOVED THE ORDINANCE TO FIRST READING AT THE NOVEMBER 14 MEETING: 7 Yeas

92-23 Amendment to the Standish Town Code, Chapter 181, Land Use, Part 1, Zoning, Article IV, General Standards, Manufactured Housing Units (Introduction) [Deakin]

Chair Deakin noted that this matter was discussed at the September 26, 2023 Town Council Workshop.

Chair Deakin called for public comments.

Bill Anderson, an associate of the applicant, a member of Atwell, noted that the development team is here, as well as the property owners HP Properties. He said that they are here to answer any questions that they might have. He said that they had a fruitful workshop discussion and wanted to follow-up with a couple of comments that came up at the workshop. He provided a PowerPoint presentation. He noted that their first Planning Board meeting regarding the expansion was in February of 2020, there were previously approvals 20 years ago. Initially, in June of 2021, they met with the Zoning Board of Appeals and met several times completing that process in October of 2022. During the Planning Board site plan review process, it was noted by the town attorney that a text amendment was needed to be considered for the cluster development and that's the reason that this is being brought forward. He noted that a question was asked what was taking them so long regarding the water system improvements. He said that they have been working diligently on this and have had multiple water main breaks this year. In each case, the repair was done within a day, with water service being available within two days. He said once the repair is made the systems are flushed and water tests are done to scan for E. Coli, in addition a boil water mandate is put in place, which he noted is inconvenient for the residents. He noted that a rodent issue was at the park that they were not aware of. He highlighted various renovations to the clubhouse, playground, basketball court, picnic area and benches. He explained that they've removed some dangerous trees, tree trimming, landscaping, new signage, installed security cameras with plans for more, irrigation measures, and speed bumps throughout the park community. He continued to explain that the expansion is comprised of 166 acres on which they're proposing to site 133 homes on about 100 acres leaving approximately 118 acres of open space. He said that they worked extensively on the layout and the impacts with the town, county, state agencies and federal agencies through multiple studies. He said that they had initially started with a larger lot size but through studies with environmental agencies homed in on the text amendment with provides for a 60-foot-wide lot. He proceeded with a slide show presentation that showed other mobile home park's layout and amenities. He explained that he works with national home builders and manufactured housing owner/operators across the country and there's really a national push towards environmentally sustainable design. He said that the 60-foot-wide lot is probably the most common lot today in real estate. It allows for really nice sized homes, you can get up to maybe a 4,000 square foot homes, there's a nice yard setbacks to your neighbor, it's a really common footprint. He said that it really supports the reduction urban sprawl and it reduces your development footprint. He said that obviously our homes are quite a bit less footage and a single story. He said that it certainly is the right thing to do from a sustainability perspective and financial benefits are less in infrastructure costs, less operation costs, maintenance costs, and certainly more environmental preservation. He noted that this plan does address the Comprehensive Plan recommendations regarding sprawl, which is what clustering does encourage development of housing opportunities for elderly residents. Half of our expansion is set aside for the active adult population. In addition, half of our home sites are for families in the workforce of the region. He said that if you want to strive to achieve 10 to 20 percent of new housing units will be affordable housing units and you want to maintain and improve existing housing opportunities, including mobile homes, we think we're really consistent right in line with where the town wants to be. He provided an overview of their plan with the 60-foot frontage noting that it 166 acres for expansion, but 118 acres of open space, it's 133-unit plan there and the density is less than one unit per acre, which is a very low density for manufactured housing. Usually, you're looking at four to eight units per acre. These lots are 60 feet by 200 feet, they are a 12,000 square foot lot, which is a large subdivision lot size, really nice rear yard, and most of our units opened up back to open space. He said that's what they're proposing with the text amendment. Opposed to

that, the next slide is the final slide I'm getting there is 100-foot frontage. He said again, they are still looking at 133 expansion units, it's the same density, less than one per acre on the 166 acres, we have quite a bit of increased environmental impacts. This is actually the plan we started with when we went to meet with the State Department of Environmental and the Army Corps of Engineers. He said that they wanted us to cluster and this plan really bifurcates a big wetland complex from the south, and there's also pool between our expansion and the existing community. He said that the cluster community allows the critters traversing between the wetlands Joe sees Creek and the vernal pools. So, certainly all the environmental folks are advocating for our clustered layout. He said that he understands the staff and town attorney support the text amendment, and we hope you will as well. We are here for questions.

Chair Deakin noted that there was a recent housing study done in Maine and he questioned whether Mr. Anderson was familiar with that? He noted that he had just learned about it himself and the details are on the state web site. The study draws attention to the lack of affordable housing across the state.

Anthony Folsom, resident – recalled the recent workshop regarding the mobile home park noting that he believes that the owners of the park are listening to the residents. He did voice his concerns regarding how the additional housing will impact the town and school's services.

Maurie Hill, resident – questioned how many people 65 years old are anticipated be living in the development? She noted her concerns regarding ramps that may be needed and the need for affordable senior housing.

Chair Deakin called for additional public comments, hearing none he called for Council comments.

Councilor LeClerc said that the term affordable housing is thrown around quite often, he asked if Mr. Anderson could describe cost range of housing, if the park provides financing and other costs. He echoed Mr. Folsom's concerns regarding the impact on the town and schools. He said that ultimately people need a nice place to live, however he has concerns regarding what is concerned affordable and local impact.

Joel Brown, president of RHP Properties, noted that they bring the home into the park. They can provide financing or the residents can get financing elsewhere. He said generally, they look for 5% to 10% down, interest rate and a monthly payment. He said that homes are selling anywhere between \$80,000 to \$100,000, in addition the average rent for the lot is between \$550 and \$650 in the community now, he said that it's what they are modeling but it probably will go a bit higher.

Councilor Pomerleau said that the monthly rent is about \$650 with a house payment beyond that, he questioned the term of the mortgage payment would that be \$800 to \$1,500 a month?

Joel Brown said the target would be probably about \$1,200 per month for the site payment and the mortgage.

Councilor Pomerleau questioned the length of the note?

Joel Brown said that he thought that it was a 20-year term.

Councilor Pomerleau questioned how much did they anticipate the rent going up in those 20 years?

Joel Brown said that he can't predict what the increase would be.

Councilor Pomerleau confirmed that residents of the park only pay town taxes on their home. Councilor Pomerleau then questioned if there would be sidewalks in the new development?

A consultant answered no.

Councilor Pomerleau noted that the pictures that they presented other parks showed sidewalks, and in pictures of the new section in Pine Tree Estates, it looks like there are sidewalks. He said that he really thought if you're going to have new 133 houses why you're not considering putting sidewalks in.

William Anderson of Atwell said that the properties that you referenced those densities are 8 to 10 unit an acre dense rate and they might have sidewalks sometimes it's required sometimes it's appropriate. He said that the existing community has pretty low-density community and does not have existing sidewalks and fairly low traffic volumes so we are not proposing sidewalks for the expansion which is consistent with the existing community.

Chair Deakin asked if they have had any discussions with the Planning Board address sidewalk issues?

William Anderson said no.

Councilor Pomerleau said people are walking in the road now they share the road cars, he said that you're looking at an elderly population coming in which is your target now, he said that it would be nice to have safe walkways there at least in the new section where anybody in the park and go down and access a nice walkway. He said that when you show nice pictures like this, I would assume it would look as nice as this, and when I see one of your pictures actually illustrating the sidewalk in it and that's one of the Pine Tree renderings. Councilor Pomerleau then questioned how are going to access this new road? Would it be from Route 25?

William Anderson said that they will be accessing off of Deer Hill Road for the proposed primary access point. He noted that there will be an emergency access on the Dow Road right-of-way which is currently gravel but can be improved for emergency vehicles only.

Councilor Pomerleau confirmed that the primary access will be off Deer Hill Road?

William Anderson said that they did an extensive traffic study, both internal to the community and external for turning movement up on the primary roadway and they don't have any concerns about access in and out. He said that they have to provide a couple geometric improvements at the main entry points. He said that they will be adding some geometric turning radiuses at a couple of the

main points, and they wanted to improve one or two of the signs. He said that that the traffic consultant was very comfortable with the flow patterns for the proposed expansion.

Councilor Pomerleau questioned the flow patterns on Route 25 or the flow pattern through your community?

William Anderson said through the whole community.

Councilor Pomerleau questioned if the traffic matter will be discussed at the Planning Board?

William Anderson said that traffic issues will be reviewed by the Planning Board, noting that they went through an extensive review of the traffic studies with the Board of Appeals. He said that he thought there were six meetings with the Appeals Board and all those studies were presented to the Planning Board.

Councilor Pomerleau said that you have no desire then to include sidewalks in this community?

William Anderson said that he did not, noting that he lives in a 770-home community where 90% of the roads don't have sidewalks, and it's a multi modal community, we all walk dogs, we're all pedestrians, it's a residential community where the speed limit is probably 25. The speed limit here is 15 miles an hour, we have on-site community management, they monitor all the rules, including speeds noting that they've added speed bumps and all the folks in here have to follow those rules.

Councilor Pomerleau said that you're putting in 133 housing development into Standish and we might require sidewalks in that development.

Kristin Collins, the local attorney for this project said that she wanted to point out in case it wasn't obvious, that we are not even into the Planning Board stage to get the approval for this project. She said that connectivity and sidewalks are certainly part of that discussion. She said that she wanted to point out that if it goes in that direction, that the Planning Board would require sidewalks, it becomes a lot more feasible when it's a cluster development, and that infrastructure is covering less area.

Councilor Pomerleau said that he thought that they had already been before the Planning Board.

Attorney Collins explained that they have been to the Planning Board but have put that process on hold to seek this text amendment. She said that the Planning Board has not gone through findings or made recommendations on the plan.

Councilor Pomerleau said if he was going to support going from a 100-foot to 60-foot lots, he would hope that they would put in sidewalks. He said that he still wished that they would retain the 100-foot-wide lots in the back they are really beautiful and have the driveways off to the side, some of them have garages. He said that he was glad that they left off the additional 300 lots off the plan.

Councilor Gaba said to an earlier point, recently the State of Maine did make recommendations regarding housing stock. She said that her understanding of the plan is that it is a 10-year to add approximately 20,000 housing units a year for the next 10 years. She said that we're a far cry from

making that happen across the state. She said that affordable housing is a complicated matter and she didn't know the particulars of the privatized side of affordable housing. She said that what she is aware for her day-to-day work is that what we're looking at in this zoning amendment makes a lot of sense as far as not only preserving environmental factors which also are recommendations for affordable housing and ADA requirements are also a requirement. She said that as far as the workshop goes, your presentation as far as the cost difference between doing a clustered housing and infrastructure cost does make a lot of sense not only environmentally, but the cost to build and the cost hopefully, to provide your tenants with not only safe and stable housing, but housing that speaks dignity and respect. She said that her concerns are later in this process to show that you're not a developer that is going to build it, and then leave it to decay for another big for another construction loan to fix any problems that come up. She said that she was going to be paying attention to those pieces. She said that she did want to highlight what we're talking about as far as the larger arching housing issue that we have in Maine that you're proposing to add 133 units. She recalled that we're looking at 55 of those units are going to be for ages 55 plus, she questioned if those units would be restricted 80% of AMI.

Jason Vafiades, Atlantic Resource Consultants, the local engineer explained that 50% of all new units have to be age restricted and then 80% AMI for all 133 new units coming out.

Councilor Gaba noted that earlier on the agenda there was an ordinance regarding the general assistance maximums. She noted that in Cumberland County the HMFA guideline for an unheated three-bedroom apartment is \$2,317, which is lower than most are now paying for rent. She said that the way the industry works, and what they're looking at, they're making affordable housing, and I think it was said that said \$1,200 or \$1,400 a month average for cost of living at the park. She also noted that you're restricted that you can't have people paying, you know, more than their income for that you wouldn't be allowed to let them into the park. She said that as far as what's in front of us tonight, she supports this land use zoning change, at 60-foot lot size for a lot of practical reasons

Councilor Macri said that he had a couple of questions, noting that there will be the same number lots whether they are clustered or spread apart. He asked Mr. Anderson where he lives would he rather be farther away from your neighbors? Or would you rather those homes be clustered together?

Mr. Anderson said that he was a city guy and preferred a condominium but understands what he's saying. He said that folks that have the financial wherewithal and want to be on a 10-acre spread and not see their neighbors, they can go do that. He said that they're trying to provide workforce housing, affordable housing, it's market rate affordable housing. He said to do that, it needs to be done by designing responsibly, if you look at it, you see 60-foot lots everywhere, because you don't play in your side yard. He said that side yards are nice, the wider lots look good when you're driving down the street. He said when you have a single scale home it doesn't feel bad. If you have a huge home, noting he puts 4,000 square-foot homes on 60-foot lots all the time and that's one look and if feels dense and tight, there will be 10-feet between houses and that's legal everywhere. There will be 30 feet between houses and it is not going to feel compacted and dense there. He said that he was comfortable with the 60-foot lots and was personally comfortable with a lot less.

Councilor Macri explained that he grew up in California so understands what it's like to live on a very small lot. He said that we're here in Maine and Maine is very different from the rest of the country. He asked how many lots are there today?

Joel Brown said that currently there are 224 sites.

Councilor Macri for him to be a yes vote, he would like to see 112 people in the facility today say that they would like the cluster. Because then you would be asking the people who would theoretically be living there what they would like? What would they rather have? Would they rather have their places spread farther apart so they have larger side yards? Would they like to have homes closer together? You talk about walkable areas and things like that, the elderly are usually not out on trails, they're usually out on a road. He said what he sees in the larger one is loops for people to do. He said that with this he sees a lot less loops for people to use. He said that he understands there's all kinds of different aspects of why it might cost more. Because there is more infrastructure that has to be put in, there is no guarantee that that savings is going to be passed on to the people that are buying. He said that he was happy to see that all that was removed, because it really should have no bearing on what is going on here, because you guys are the ones that get to charge how much you want.

Councilor Gaba said that they can't charge whatever they want, saying there is a limit to the maximum amount.

Joel Brown said he respects the fact that the lifestyle choices here and standards may be different than they are across the country for the builders where I live, he said he fully respects that. He explained that he's been doing this for 30 years, he only deals with manufactured housing and he only deals with mobile homes. He said that he would guarantee you that there will be a market for these homes to sell irrespective of whether 112 residents that live there now choose to live there. It's an affordability issue, it's a price issue, and it's a lifestyle issue and there are compromises that come with that we all make compromises. These people are making compromises with what they're purchasing. That's not a concern for him, the concern isn't the market, because we've been doing this long enough and in different economies, in different markets and different things. The issue for us as a feasibility issue, a cost, feasibility issue, and what whether we can deliver what we what we think is the market, which is what the demand is for, and this cluster allows us to do that allows us to deliver the product that we believe will reach the market and will meet that affordability issue. So, for them, it's not necessarily a choice between 100-foot lot, and a 60-foot lot. It's a choice of whether we do this, or we don't do this. He said that when we feel that there's enough has been said about the demand for this product that need for this product and our ability to deliver it. He said that's really what it comes down to for us.

Councilor Macri said that then that it's either this or no go.

Joel Brown said that he didn't think that it's possible for them to deliver what we want to deliver at the affordability levels, if we are doing a lot size that is different than what we're proposing.

Councilor Gardener asked why?

Joel Brown said because it's the infrastructure is more costly. It's more costly to deliver.

Councilor Gardner questioned the cost difference?

Joel Brown said that he didn't what it what was offhand, but he did know that what we can deliver here, beyond that, he didn't know what it is, because it's not a question that we need to really look into.

Councilor Macri asked then why was your original plan a different plan?

Joel Brown said that economically that is not a feasible plan. He said we've been through this enough, we've been through the office enough, we're sophisticated enough, we're doing this around the country, and we know what we're doing, and the cost is prohibitive to do that.

Chair Deakin asked if there are other entities such as the state, perhaps you could speak to that favor clustered construction for some reason?

William Anderson asked the Chair to repeat the question.

Chair Deakin said that the proposal is to have concentrated or clustered buildings, leaving large areas of open space was his understanding. He said that he was looking for clarification or additional information that the state often desires, clustered housing, to provide open space for other aspects that are important to the overall community.

William Anderson said correct.

Chair Deakin asked what would those other aspects be?

William Anderson said that it's generally preservation. He said the theory of clustering is either the larger lot or you take that lot area, you reduce a lot area, and you leave that that excess area in open space for preservation. He said what it does, instead of fertilizing a half-acre lot, you're fertilizing a smaller area, and you're leaving the other area in preservation is great for the environment. He said so you're trying to reduce your development footprint through clustering. Again, it's not a density play. It's a design philosophy. He noted that it's done on almost every project he works on.

Chair Deakin said that he believes that at one of the early meetings there was some discussion about wildlife that had been cited or those aspects. Any comment about that?

William Anderson said that there have been extensive discussions with our local consultants with the state and federal agencies. He said that there have been site walks with the environmental folks. He said that there are multiple vernal pools out here, multiple wetlands out here, there's Josies Creek along our southeast corner. He said that they have spent a lot of time speaking with them as our community and what they would like to see. He said that they unequivocally support the clustering which they reported to the Appeals Board.

Town Manager, Tashia Pinkham, explained that a previous meeting one of the Pine Tree Park consultants mentioned that one of the reasons they are doing 60-foot cost is the cost of piping for sewer and water.

William Anderson said if you just think about it, simplistically, one if we have to build 60-feet of road in utilities for one house. Or we have to build 100-feet of road and utilities for one house, it's in the in the millions of additional construction costs for the same number of homes. He said but more importantly 10 years from now there is that much more road that deteriorates and that much more utilities deteriorate, and we have to operate and maintain those utilities. He said that is the sustainability issue and this needs to be a standalone community. It has to function to sustain itself, financially and otherwise into the future.

Councilor Gaba asked Pine Tree Estates if their funding required them to have a resident council?

Joel Brown asked if she meant an HOA?

Councilor Gaba said that through her work when funding is accepted for Maine Housing, they are required to have a resident council.

Joel Brown said that they are 100% private funding.

Kristin Collins, project attorney – asked that slide for the 100-foot plan be brought up to view. She said that she'd like to discuss two things about clustering, if she could. Number one, the comprehensive plan really does spend a lot of time talking about clustering and prevention of sprawl. That's number one, the main goal of clustering is to prevent that sprawl. She said when we think about sprawl if you look at this project. She said that you can look at it as itself, but then picture this project again next to it, and then on the other side, and on the top and the bottom. She said that's what happens when a community fills in. She said she was sure we all hope that it will be decades and decades before Standish gets there. She said that when it does, or if it does, having that clustering, and those green belts in between developments is what allows there to continue to be wildlife, and a more rural felt feel or as much of a rural field as you can get. She said that's the theory. She noted that she read the comprehensive plan from cover to cover. She noted that it was interesting in that it said in the last iteration of the comprehensive plan before that, it had also talked about the need to prevent sprawl. She said that none of those goals had been realized in the time between the two comp plans. She said that the community was saying needs to be serious about looking at actual ordinance changes to promote this. She said lastly, we had originally thought about proposing this as a text amendment that would simply allow a mobile home park to use the cluster standards that are available to other residential subdivisions with the idea that for a regular residential subdivision, you can cut in half the lot sizes and the front edges, but you can't do that today for a mobile home park, it was decided that it was simpler to just go with what a lot of communities have, which is a much smaller frontage, which would accomplish this plan that we're looking for. She said just to point out that the policy is already established by the town is to promote clustering for all kinds of development. She said that someone on their team mentioned and this hit home to me, Standish has the village areas in which the form based code has been adopted with the idea of their looking, creating a village within a small area of town, noting that a mobile home park

functions like a village it's got the playground, it's got the community center. She said the idea is just like in those village districts to bring people closer together.

Councilor Watson explained that he is the type of person that would like to never see another person again, so the more space the better for him. He said that he also appreciates Joel's comments about compromise. Councilor Watson said that there's definitely a need for that type of spot. He said that it's a compromise and if you want to live there, you can live there. He also said as a business owner he understands the need to save where you can save and invest where it is most important.

Councilor Macri said the sprawl is different in a single-family environment, he said that he doesn't consider this sprawl. He said that to him sprawl is, there is a house on three plus acres, and then there is another house on three plus acres and you continue that along ... that is what he considers sprawl. He said the park is already pretty close, this is what I would say is already clustered pretty good. He said the park is built in a way in which you can have a good close community. He said that there's a very different sprawl with this than what he sees with single family homes. So, when you talk about the comprehensive plan, that's what I think they're talking about.

Councilor LeClerc said that he wanted to reiterate, that he genuinely feels that housing is the number one issue that our states is facing, and it seems like this is very pervasive throughout the whole country is housing issue, it seems like the American Dream is very much slipping away. He said not even just the American dream in terms of homeownership, just having a nice place to lay your head at night, that's halfway decent, that's safe. He said that he thinks that we shouldn't let perfection be the enemy of the good. You know, I'm sure some of us are familiar driving through that community, it's kept up and it's a nice community. He said that he'd be the first person to say if it was otherwise. He said that he was a bit concerned if for some reason that this doesn't move forward, and it gets voted down what are we going to tell those 133 people that are in need of this? He said that there are aged 55 Plus individuals that would be chomping at the bit, they'd be lining up to get one of these places, he'd guarantee it. What do we tell them? Oh, good luck. Good luck. I'm sure they're probably be in the general assistance line, trying to figure out how they're going to find a place. He said that there are no places around here to live. We need we desperately need these. We desperately need them pretty much throughout the whole state to be quite frank. He said that he is 100% in support this. Obviously, there's real concerns, school needs, if they have a lot of kids, tax revenue being brought in, and services. He said that these are all genuine legitimate concerns. He said that right now, but the primary issue, is housing, there's a 100% need. He said that he is for this for those reasons.

Tashia Pinkham, Town Manager, noted for those not at the Council Workshop that town staff did review this and have no problem with it, nor does the town attorney. As a side note, her son who is 25-year-old just got a price to build a two-bedroom house and the mortgage was going to be about \$3,000 a month. She said that the parks prices seem reasonable and she supports the amendments as well.

Chair Deakin said that at his discretion even though there have been public comments he asked if there were additional public comments?

Anthony Folsom, resident – voices his concerns regarding children having to walk to the end of the road to get the school bus.

Maurie Hill, resident – said that we already have cluster housing in Standish. She noted the issue of public health regarding the water issue and noted that she was in favor of the 60-foot lot frontage.

Sandra Thurston, resident – said that there had previously been discussion of a second school bus stop. She said that there is a need for housing.

The Chair called for the roll call vote to move this to First Reading at the December Council meeting:

VOTE TO MOVE THIS ORDINANCE TO FIRST READING: 6 YEAS – 1 Nay, Macri

PUBLIC ITEMS

Councilor Pomerleau said that he really thinks that we need to stop changing the rules here. We didn't close public hearing, then it ever opened up to the councilors, then comments went back out and asked again for public comment. He said that we have to get on the same page here for everything.

Chair Deakin noted that the Public Safety Fair will be held on Saturday, October 14 from 10 am until 1 pm.

Maurie Hill questioned the process regarding the growth of the town and potential revenues from fees.

Tashia Pinkham noted she and the Finance Director have discussed the fee schedule, which will be reviewed by the Finance Committee.

Councilor Macri announced that he would not be at the workshop on the 24th.

Councilor LeClerc said that he was happy to hear about the award for the lights. He thanked the town manager and staff for their efforts on this matter.

ANNOUNCEMENTS

EXECUTIVE SESSION

An executive session was not held at this meeting.

ADJOURN

Moved by Gaba seconded by LeClerc and voted to adjourn. The Meeting adjourned at 8:00 pm by unanimous consent.

Submitted by: _____
Clerk/secretary

