

**MINUTES  
STANDISH TOWN COUNCIL  
REGULAR MEETING  
TUESDAY, DECEMBER 12, 2023  
STANDISH MUNICIPAL CENTER  
TOWN COUNCIL CHAMBERS  
STANDISH, MAINE  
6:00 PM**

**CALL TO ORDER**

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

**ROLL CALL**

Councilor's present: Deakin, Gaba, Gardner, LeClerc, Macri, Pomerleau and Watson.

**MINUTES OF PREVIOUS MEETING (S)**

Moved by Leclerc seconded by Macri and voted to approve the minutes from the October 10<sup>th</sup> and October 24<sup>th</sup> Town Council meetings. (Unanimous)

Chair Deakin suggested due to the number of attendees and items on the agenda the Council should consider limiting the length of time that the public can speak to an agenda item.

Moved by LeClerc seconded by Macri and voted to limit public comments to three-minutes per person per agenda item. (Unanimous)

Chair Deakin announced that there was a request to move the orders regarding massage licenses to the top of the agenda.

Moved by Macri seconded by LeClerc and voted to move orders 100-23 and 101-23 to be moved up on the agenda. (Unanimous)

**PETITIONS AND COMMUNICATIONS**

The Clerk noted that there have not been any petitions received, however a communication from the Town Planner highlighting the Planning Board public hearing on the Land Use amendment on tonight's agenda provided to them. The Clerk read the following memo:

**PLANNING BOARD MEMORANDUM**

To: Standish Council  
From: Scott Hastings, Town Planner  
Re: Order 92-23 Manufactured Housing zoning change  
Date: December 5, 2023

On December 4th the planning board held a public hearing on the proposed ordinance change to allow mobile home parks to create lots with 60' frontages provided that they meet certain standards. I encourage the council to watch this hearing. It is available online through the town website. The public hear on this issue starts at the 2 hour and 26 minute mark. I am attempting to write up a brief summary below for your information but it does not capture the exact concerns expressed in the hearing.

A representative of the park spoke first to review the amendment and how it would allow them to create a park layout with less impact to natural resources and with more efficient infrastructure. They also outlined how they felt more compact park layouts would be consistent with the town's comprehensive plan. Nine members of the general public then spoke. Overall they generally

expressed support for the idea of expanding the park. However, they strongly felt that the town should examine any request from the current owners of the park, such as the request to amend the zoning, very carefully. A list of complaints against the park operations including but not limited to: repeated failure of the water system serving the park, unaddressed downed/exposed electrical wires, persistent drainage issues, and systemic poor communication. These issues were held up by the members of the public as reasons why park ownership may not be a trustworthy entity and that their requests should be considered with scrutiny. They also took issue with the ordinance change being done to help support the development of affordable housing when rents at the park were and had been going up.

### **REPORT OF THE TOWN MANAGER**

Presentation of the Boston Post Cane to Warren Shaw by the Standish Historical Society – Glenna Jamison, a member of the Standish Historical Society noted that she was pleased that so many of Warren's family members were able to attend tonight's presentation. Mrs. Jamison explained that Warren was a remarkable man who turned 100-years old in July. Mrs. Jamison noted that Warren was born in Standish and has lived here his entire life. She said that Warren was a hard worker noting that he worked for the Town of Standish for a number of years. Later in his life he picked all sorts of berries and sold them. She explained that he raised a large family which he is very proud of. She said that he's an avid walker, enjoys yard sales, playing bingo and riding his bike. Mrs. Jamison highlighted the origin of the Boston Post Cane which was started in 1909 as a way to boost the circulation of the Boston Post newspaper. She explained that Standish presents a replica cane, the original cane is in a case in the office. Mrs. Jamison then presented the cane to Warren Shaw.

Chair Deakin acknowledged his accomplishments and thanked him for his service to the town and noted that a reception will be held in the office.

**Departmental Report – Finance Department – Scott Gesualdi and Town Auditors** – Accountant, Justin Berg of the audit firm of Royer Advisors and Accountants of Falmouth presented an overview of the town's financial status for fiscal year 2023. He noted that they received a stand-alone letter to the Councilor and in-depth report showing the financial accounts of the town. He said that the letter does not present any recommendations, noting that Scott and Rayleen are on the ball. Mr. Berg drew their attention to a document of journal entries that the firm suggests should be completed to make sure that the financial statement was materially stated. He explained that in November he met with the Finance Committee, he highlighted the financial document including management responsibilities, disclosed that this is not a fraud audit and that the financials are materially stated. He then notified them that the audit was a clean unmodified opinion which is the best opinion that can be received. He pointed out that the town does have an unassigned fund balance policy which requires having two to three months of funds available to cover expenses, noting the town has met the requirements of this policy for the past several years. He noted that the audit also meets the requirements of the GASB accounting requirements. He drew their attention to the schedules located at the end of the audit document, noting that he completes his report.

Scott Gesualdi the Finance Director thanked his staff for their hard work and they should be commended for their efforts.

Councilor Gaba noted that this is a lot of work for the Finance Department. She noted that during her four years on the Finance Committee there has always been a clean audit and as requested the audit document was presented to the Council early so they would have more time to review it.

Councilor Watson said that it has been a pleasure working with Scott.

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

Minutes

Regular Meeting

Standish Town Council

December 12, 2023

Councilor Pomerleau said that it's tough to understand all of the information presented, but the bottom line is that the town is in great shape.

Justin Berg said that the town is in good standing.

Chair Deakin mentioned that our long term-debt is low, he asked the auditor how we compare with other towns regarding long-term debt.

Justin Berg said that it's hard to compare towns, he said that Standish is kind of in the middle of the road regarding the amount of long-term debt, which keeps the mil rate stable.

Chair Deakin wondered if there were ways to grow the few small trusts that the town holds.

Chair Deakin requested that the two items that were moved up on the agenda be presented at this time.

Moved by Pomerleau seconded by Watson to take orders 100-23 and 101-23 collectively.

Chair Deakin called for discussion on the motion, hearing none, he called on the vote on the motion to take orders 100-23 and 101-23 collectively. (Unanimous)

Chair Deakin called for public comments, hearing none, he called for Council comments on orders 100-23 and 101-23, he called for the roll call vote.

**100-23 Application Submitted by Amy McGarey for Renewal of a Combined Massage Establishment/Therapist License at Sebago Lake Wellness Located at 15 Ossipee Trail West [Deakin]**

ORDERED that the application submitted by Amy McGarey for renewal of a Combined Massage Establishment/Therapist License at Sebago Lake Wellness located at 15 Ossipee Trail West, upon the recommendation of the Code Enforcement Officer, Fire Chief, Health Officer, and Town Manager, is approved by Council, to expire December 31, 2024.

**101-23 Application Submitted by Jillene Jones for Renewal of a Massage Therapist License at Sebago Lake Wellness Located at 15 Ossipee Trail West [Deakin]**

ORDERED that the application submitted by Jillene Jones for renewal of a Massage Therapist License at Sebago Lake Wellness located at 15 Ossipee Trail West, upon the recommendation of the Code Enforcement Officer, Fire Chief, Health Officer, and Town Manager, is approved by Council, to expire December 31, 2024.

**VOTE ON ORDERS 100-23 AND 101-23: 7 YEAS**

Moved by Pomerleau seconded by LeClerc to move order 98-23 to be moved to being presented at this time.

Chair Deakin called for comments on the motion, hearing none, he called for the vote on the motion.

Moved by Pomerleau seconded by LeClerc voted to move order 98-23 to be moved to being presented at this time. (Unanimous)

**PUBLIC HEARINGS**

**98-23 Application Submitted by Kristen Guffey dba Guff's Grub and Pub, LLC for Renewal of a Restaurant License (Class I, II, III, IV- Malt Liquor- Beer, Wine and Spirits) at Guff's Grub and Pub Located at 450 Northeast Road [Deakin]**

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

Councilor LeClerc was glad to learn that they're doing well.

Chair Deakin called for additional Council comments, hearing none, he called for the roll call vote and the hearing was closed.

ORDERED that the application submitted by Kristen Guffey DBA Guff's Grub and Pub, LLC for renewal of a Restaurant License (Class I, II, IV-Malt Liquor (beer), Wine and Spirits) at the Guff's Grub and Pub located at 450 Northeast Road, is approved by the Town Council, to expire as determined by the Department of Public Safety.

**VOTE: 7 YEAS**

**61-23 Amendments to Standish Town Code, Chapter 187, Licenses and Permits, §187-25, Regarding Mobile Food Services (Substitute ordinance presented October 10, 2023 [LeClerc])**

Councilor LeClerc explained that these amendments have been in the works for some time, this is to help facilitate small business in Standish. The amendments provide that food trucks can set up at Standish Memorial Field.

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

Chair Deakin called for public comments.

Maurie Hill, resident – noted that competition is good and offering new food selections is good.

Thereasa Kim, resident – supports the ordinance noting this will be an amazing option.

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

The Town of Standish hereby ordains the following amendments to the Standish Town Code, Chapter 187, Licenses and Permits, § 187-25, Regarding Mobile Food Services. (Additions are underlined and deletions are struck out):

**CHAPTER 187 – LICENSES AND PERMITS**

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**ARTICLE II  
Specific Provisions**

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**§187-25. Mobile food services.**

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**B. License.**

- (1) No person, firm, corporation, association or other entity shall operate as a MFSU in Standish without first securing a license under this section, unless exempt under § 187-25(B)(2). Any person seeking such a license shall annually make application

to the Town Clerk on a form provided by the Code Enforcement Officer (CEO). Upon receipt of application by the Town Clerk, s/he shall refer it to the CEO, who shall review the application for completeness based on the requirements set forth herein and then, if the application is complete, the CEO shall review the application on its merits and recommend approval, approval with conditions, or denial of the license. The CEO shall put said recommendation in writing to the Town Clerk. The Town Clerk, as agent pursuant to § 187-2 of this chapter, shall issue the license without the necessity of a public hearing and based upon the recommendation of the CEO. Any license issued shall be for a term of one year and shall expire on May 31 of each year. License fees shall not be prorated. In the event that an applicant is denied a license, the applicant shall be provided with the reasons for the denial in writing.

(2) No local license is required for a Mobile Food Service Unit that is:

- (a) Rented, leased, or otherwise retained for the purpose of operating at a one-time event, no more than 15 hours in duration, that is to be held entirely on private land. No more than one such event can be held on a single lot or parcel of land in any given calendar year;
- (b) Operating as part of a mass gathering event that has received a permit as set forth in § 187-24; or
- (c) Operating as part of a Town-organized event.

C. Application. The application shall be on a form provided by the CEO and shall require the applicant to furnish the following information:

• • •

- (3) Identification of sites where MFSU will operate. ~~Applicants operating without a fixed location and who are operating as a traveling vendor shall be required to submit a statement outlining their proposed route;~~
- ~~(4) A description of those items that the applicant proposes to sell and dispense;~~
- ~~(5)(4)~~ If operating on private land: a signed permission form, or provide-notarized affidavit, from the private property owner granting permissionevidencing authority for unit placement; and a sketch of the area where the MSFU will be operating showing parking areas and site access;
- ~~(6)(5)~~ Valid and current vehicle/trailer registration of MFSU;
- ~~(7)(6)~~ A certificateEvidence of insurance as required by § 187-25(F) below;
- ~~(8)(7)~~ A photograph of the MFSU;
- ~~(9)(8)~~ A mobile eating place license issued by the Department of Health and Human Services of the State of Maine; and
- ~~(10)(9)~~ An appropriate release executed by the applicant granting all persons and governmental agencies having information relevant to the above items permission to release the same to the CEO.

D. Operating requirements for licensed MFSU.

- (1) A licensee under this section shall be authorized to sell and dispense only those items ~~that have been described in the application~~ and that the MFSU is equipped to dispense pursuant to the rules adopted by the Maine Department of Health and Human Services, as they may be amended from time to time. MFSU licenses shall be issued for the sale of food items only, and those food items shall be primarily intended to be consumed at the time of purchase.
- (2) A mobile food service vendor may operate only on land that is owned by the operator, ~~or~~ land which he/she/it has written permission to use, or Town-owned land as outlined § 187-25(H). If the mobile food service vendor is to be operated on private land that is not owned by the operator, a copy of the written permission to use the land of another property owner must be submitted to the CEO along with the original application on such forms as the Town shall require.
- (3) Mobile food service vendor license applicants proposing to operate on private land must demonstrate to the CEO that there is sufficient access, parking and maneuvering space available at the site on which the mobile food service vendor will operate. The location and adequacy of approaches shall be first reviewed by the CEO. Suitable, safe access by pedestrians must also be provided.

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- (8) Hours of operation shall be from ~~sunrise~~8:30 a.m. to ~~sunset~~8:30 p.m. The MFSU shall be removed from the site and relocated in a safe and suitable place between the hours of ~~sunset~~9:00 p.m. and ~~sunrise~~7:00 a.m.

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H. MFSUs licensed under this section may operate at the following Town-owned lands:

(1) Memorial Park, 670 Ossipee Trail West.

The Town Council may grant a MFSU permission to operate on other Town-owned land subject to the issuance of a license by the Town Clerk as outlined in this chapter and subject to any conditions as may be determined by the Town Council to be in the best interests of the Town.

I. Rules for operation on Town-owned lands:

- (1) MFSUs may park in any available legal parking spot within the areas listed in § 187-25(H), with no more than one MFSU per parking lot. Mobile Food Service Units may take one additional parking spot to accommodate a lineup area.
- (2) Access to MFSU locations on Town-owned lands, other than may be permitted through a Town-approved event, is on a "first come, first served" basis. There will be no designated parking spots for MFSU vendors.
- (3) Customer lineup areas may not extend into walkways or roads at any location.
- (4) Parks and Recreation Department staff and Code Enforcement officials and inspectors shall have the authority to request a MFSU to relocate if, in their opinion, the MFSU is causing or contributing to an imminent public safety hazard or is impeding normal use of the property.
- (5) During any Town-sanctioned event taking place on the same property, such as, but not limited to, league use of athletic fields, MFSUs may only operate in the permitted area with the permission of the event organizer. The event organizer may make such permission subject to certain conditions, including, without limitation, the payment of fees to operate in the permitted area.
- (6) Size limitations: Mobile Food Service Units parking in parking spaces on Town-owned land must not exceed ten (10) feet in width, including any side extensions, and must not exceed twenty (20) feet in length, including the length of any trailer hitch, trailer, or other extension.
- (7) Only food and/or non-alcoholic beverages are allowed to be sold on Town-owned land.

**VOTE: 7 YEAS**

**91-23 Amendments 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 [Deakin]**

Moved by Pomerleau seconded by Watson to dispense with the reading of the ordinance.

Chair Deakin called for comments on the motion, hearing none, he called for the vote on the motion

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

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

The Town of Standish hereby ordains the following amendments to the Standish Town Code, Chapter 163, Vehicles and Traffic, §263-3-Weight restrictions, effective immediately upon adoption. (Additions are underlined and deletions are struck out):

CHAPTER 263 – VEHICLES AND TRAFFIC

263-3

WEIGHT RESTRICTIONS

263-3. Weight Restrictions.

G. Middle Jam Road from Chadbourne Road (Route 35) to the Gorham town line shall be closed to vehicles having three or more axels and/or a gross weight of sixteen tons or more. Property owners on this road or served by this road or their agents shall be exempt from this ordinance.

Minutes

Regular Meeting

Standish Town Council

December 12, 2023

## **VOTE: 7 YEAS**

### **92-23 Amendments to the Standish Town Code, Chapter 181, Land Use, Part 1, Zoning, Article IV, General Standards, Manufactured Housing Units [Deakin]**

Chair Deakin called for public comments.

Heather Richards, resident of Pine Tree Estates – voiced her concerns regarding the amendments relating to the reduction of lot size and road frontage. She noted that management has added mobile homes and removed trees which has affected her home not being as cool in the summer noting her electric bill has increased since the trees were removed because she has to use air conditioning. She also spoke about the cost of the lot rent, noting when the time comes for her to retire, she may be priced out of her home. She also mentioned that management may charge higher lot rental for larger lots.

Donald Arno, resident of Pine Tree Estates – said that he has one of the biggest lots at the park, if they are going to start changing things that concerns him. He noted that he has asked that the management remove trees from his lot, however they have not responded to his request. He said that if he moved, management would make improvements to his lot, but they don't listen to existed tenants.

Theresa Kim, resident of Pine Tree Estates – she noted that all of the residents fear the lot fees going up, questioned if the lot size is reduced and more homes are added will it affect the town's cap of 85 new homes per year, she spoke to lot rent across the park as not being affordable housing, supposably water is being tested daily as of this week, she noted that the mention of the playground as an amenity has been removed from their web site, and one family after speaking up at a recent Planning Board meeting received an eviction notice the next day. She noted that other notices were mailed for residents to clean up their lots, noting that it is winter now and everything is frozen, the residents are struggling to clean up their lots. She asked them to think about how they are voting on this because management is not taking care of the current residents.

Anthony Folsom, resident – hoped that the Councilors are supporting the residents and not the developers. He then mentioned his understanding of the over age 55 homes was that after the first sale of a particular home, subsequent sales of that home could be to anyone.

A member of the park management indicated that was not the case.

Anthony Folsom said that if it was sold for over fifty-five it should always be sold as over 55.

Isabel Higgins, resident – said that this illustrating that affordable housing just isn't affordable for the people that need it the most. She went on to say that it someone isn't a good landlord now allowing them to expand doesn't seem to be the thing to do.

Kaitlyn Williams, resident of Pine Tree Estates – disclosed that she was the person that received the eviction notice. She said that she and her children attended a previous Planning Board meeting, after the meeting her 10-year-old wrote a letter to the Town Council. Mrs. Williams reads the letter in which the child explained that they liked the playground and wanted to continue to be able enjoy it; in the letter the child said that their water was messed up and the Council to help their park. Mrs. Williams said that they are often without water, they don't get notified, they're not told to boil their water. She said that her husband tries to notify park residents to boil their water. She said that shouldn't be her husband's job, those type of notifications should be done by park management. She stated that water isn't a luxury, it's a basic necessity. She said that she was not against the expansion, but the management shouldn't be given more if they don't take care of what they

Minutes

Regular Meeting

Standish Town Council

December 12, 2023

have. She said that they picked their yard and put the toys at the end of the driveway for pickup, she said that they are being evicted because they are not supposed to have toys in the yard.

Councilor Macri questioned that the reason for the eviction is that they had toys in their yard?

Mrs. Williams said that there were two evictions notices, one was for toys and the other was for failure to pay rent. Mrs. Williams stated that they have paid their rent but the checks were held and not processed.

Donald Arno, resident of Pine Tree Estates – said that he just received a notice to clean up his yard, he said that he's recovering from an illness and now it's winter and difficult to do. He noted that management treats the water with potassium, which affects the homeowner's pipes. He said that potassium is used to treat arsenic in the water. He said that every year the rent continues to go up, but they don't do anything.

Maurie Hill, resident – also attended the Planning Board meeting said that it was her opinion that the water problem was a public health issue.

Robert Williams, resident of Pine Tree Estates - said that there are many issues at the park. He said that that he was not opposed to the expansion, however they don't care for the park, he noted that Pine Tree Estates was built in the 1970's and the water pipes are original. He said that every water break is an issue. He said that there is delay in notifying residents of water breaks and that their water should be boiled. He said that this is a health issue that the residents face every day. He said that the management is only interested in getting more trailers in the park due to the lower frontage. He said the park is quick to notify residents of violations, and if the residents correct the violations and have to remove the mobile home the cost of moving the home is approximately \$15,000. If the resident can't afford the relocation fee the park will retain the home which then becomes profit to the park.

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

Councilor LeClerc said that he's struggling with this issue, initially when it was presented it seemed very logical straightforward yes. He said that people in the community and throughout the state are in the midst of a housing shortage. He said the American dream of owning a home is slipping through everyone's fingers, regardless if you're young or old. He noted that some of the points that people have made that this has a lesser environmental impact and is running with the comprehensive plan are good points. But, given the housing situation he didn't want to see people homeless. He said that he wanted people to have a decent place to live and lay their head at night. He mentioned a few issues such as the water problems, the rent increases that are not uniform and the cost to move if you can't afford the rent, noting the high cost of moving. He said that he was a no on this due to the management's business practices. He said that if they want to move forward in the proper way, contract zoning may address some of these issues.

Councilor Pomerleau said that he agreed with Councilor Leclerc. He said that initially he thought that was affordable housing, however after learning about the cost of lot rent, he cited that his mother lives on social security and she would not be able to afford to live there. He then questioned if they would change the lot size of exiting lots and was very concerned that they would evict residents in the winter. He noted that the residents of the park that he has talked to all have the same concerns regarding rent, noting he would be a no vote on this.

Councilor Gaba said that this is a really complicated issue. She said that that the reality of what is in front of the Council is a real change in zoning, which seems reasonable to me to be able to make the additions to the park to make more housing available, which is absolutely necessary and needed in our community and in Maine communities right now. She said that very serious issues are coming up such as water issues which is

Minutes

Regular Meeting

Standish Town Council

December 12, 2023



an absolute human right and there hasn't been any indication that this changing or seeming more important to management as they go through the process. She voiced her concerns that they are addressing the water matter and retaliatory practices that have been brought up, she urged the residents to seek counsel on these issues. She said that her understanding is that 55 plus designation on a home has to last a number of years. She said that she can't imagine what the cost of the water main project would be but she would like to hear from the management how they plan to correct that with or without the road frontage change. She said that the is a tough consideration, this is a zoning change, however, it doesn't prevent them from being able to present a project to the Planning Board

Councilor Watson said that in his mind these two separate issues, the zoning issue then the other issues. He noted that rodent issue is a fixable issue. He said that zoning and affordable housing are tough issues.

Councilor Macri said he agrees that this is a zoning issue. He said it was presented to us that there are two plans, one if they don't get a zoning change, and one if they do, either way, they're moving forward with one of those plans. He noted at the next meeting they were told that only the 60-foot lot plan was financially viable. He said that this would be a zoning change for the town of Standish not for this plan, any other entity can do this. He noted the reasons that were given for the zoning change was with a smaller frontage would combat sprawl to allow more open space. He said that he has issues with those arguments in the sense that sprawl is an interesting one, yes, it is good to fight sprawl. He related that the subdivision where he lives was created to reduce sprawl and they have 100-foot road frontage. He said that he did some research on Google and noticed that the 60-foot lots have little tree coverage. He also researched neighboring town's ordinances regarding road frontage and the regulations that are available based on various types of sewer systems that are used. He said that based on the frontage information that he found based on the type of sewer system used, we are in line with surrounding towns. He said that he didn't think that this is good for our town, he did not support changing the ordinance.

Chair Deakin thanked Councilor Macri for his research regarding what other communities are doing. He asked if he was considering a motion to further review and consider distinctions between frontage and the septic systems?

Councilor Macri said that he was not willing to make that motion. I think that one of the things is in the town of Standish we have very little public water. I don't know if we have any public sewer. He said that he didn't know that making the change would make any difference for our town because if we don't have a public sewer and he didn't the distinctions about individual versus community or a group system. He said that he is not an expert in this he just looked at what other towns have done. He said that maybe 75 feet makes sense if they're in a group septic system, he said that he had no idea if that is a good thing or not. But this is not something that I am willing to try to bring forward.

Chair Deakin said that if the matter was referred to the ordinance committee to consider that type of system, the ordinance committee make a determination or gather information to allow the Council to make a better-informed decision. He said based upon the information you gathered about what's been done in other communities, it may be something that the ordinance committee has not yet considered.

Councilor Macri said that was not a motion that he would put forward at this time.

Chair Deakin offered the management of the park to make comments at this time.

Bill Anderson, Atwell Consultant for RHP Properties – they are here to answer any questions. He wanted to touch upon the playground area that was discussed quite a bit. He said that they were looking to relocate that playground from the southwest corner. He said they looked at that matter from the last meeting and they're

Minutes

Regular Meeting

Standish Town Council

December 12, 2023

going to leave the existing playground in place. He said that the clubhouse in the northwest corner offers multiple events every month. He said that for the expansion they are looking at adding a nature viewing area at Josies Brook and in the south area they are adding a seating or gathering area. He said for the record they are prepared to leave the playground in place. He summarized the water system matter; they had some breaks this year but reported it has been functioning well since September. In addition, they've added the operational improvement of a digital text notification system for outages and emergencies and they updated their communications service provider. He noted that the water line breaks are fixed quickly and that is followed water testing notifications. He noted that by the state there is a 48-hour timeframe before you can drink the tap water again. He said that they are looking into improving the dead-end loops in their existing water system, adding a well, adding flushing hydrants, isolation valve, and some additional fire prevention systems. He said that the 60-foot frontage ordinance change is really an issue. He said in his opinion for manufactured housing to be affordable you need a sustainable lot size. He said that they're asking for a lot of the clustering in the ordinance like all your other housing classifications do, it doesn't apply to manufactured housing now, and it really should. That's the one we need for sustainable development, for need less infrastructure, we need less roads, less utilities, to regulate those costs in future and keep those costs down, he said that clustering does that. He said that this plan preserves about 18 acres of open space and preservation on this property. He noted that the numerous plans reviewed with all environmental folks at the state and they prefer the plan, and it really accommodates the wetlands. He said that they balanced the environment in the lot size and the sustainability of the development and that's why we think the 60 by 200-foot lot accomplishes all that, so they are hopeful that you update the text amendment.

Joel Brown, president of RHP Properties – said he would like to address what he considers that most significant matters. He noted that after the Planning Board meeting, he met with several residents afterwards and gave his office number and cell number to residents. He went on to say that the delinquent rent and landlord legal process is very complicated, noting that there is not a lot of flexibility in what they can do. He said that he didn't want to address anyone's personal circumstances, they don't have a lot of flexibility and they have to play fair. And they have a business to run and he hoped that could be appreciated. He said that it's a sensitive issue that he's not dismissive of and recommended that residents contact him to discuss the situation. He said regarding the rodent issue, to his knowledge there have been no rodents reported in the past three-weeks. He noted that at previous meetings there was talk about the management staff and new staff will be added, also they are doing all that they can to address the issues that have been brought up over the past year. He noted that many of these issues pre-dated them as owners of the property. He said that he didn't think that we've been given an opportunity to demonstrate that we've been able to correct these things, particularly the fact that we've been notifying residents in all of our communities via text for those residents that have signed up. He said that he understands that 95% of the residents here will be able to be notified if there was a water line break, which there has not been one since September.

Councilor Gardner asked if they could clarify the eviction process? Is there an appeals process?

Joel Brown said that can't speak to anyone's personal situation. He noted that there is a protocol which includes full payment and full payment is required in order to pay the rent. He said that if a partial payment is accepted, then you can lose your place in the legal process. He said that there is absolutely and unequivocally any retaliatory eviction that's going on. He said that there are two basically two reasons why someone would get a legal notice. He said if they're non-compliant with the rules and regulations or and if their rent is delinquent. He said that if there is an eviction notice or a legal notice that has been sent, it applies to one or both of these issues.

Councilor Gaba explained that there is a process by law in place for tenants when a notice is served to request a meeting with management. Management would set the meeting and the decision of the meeting would stand.

Minutes

Regular Meeting

Standish Town Council

December 12, 2023

Joel Brown said that is the protocol and many residents have his number.

Councilor Pomerleau asked if a resident is given an eviction notice how long it is until they have to leave the property? Is it 30-days?

Joel Brown said that the notice is 30-days but it's a longer process. He said that it is not their intention to evict anyone under a rule's violation. He said on one hand people are complaining about how we manage the community. On the other hand, if people aren't following the rules and regulations. He said that it'd not an easy thing to do. He said that he feels that some people are picking and choosing how they communicate to me in front of the board regarding the problems. He said that take comments that are made about me and all those different things. He said we need to have people following the rules and being compliant, otherwise, we'd be accused of having a mess of a park.

Councilor Pomerleau said that this originally came as a zoning matter to this Council, but then it was spun off to be affordable housing. He said so now our feelings are going in different directions because originally, it was just going to be about zoning. He then mentioned the future reevaluation which will affect the park. He said he would assume that the management would pass increases on to the residents. He also noted that they have a water issue that has to be solved to the tune of millions of dollars. He voiced his concerns regarding the current lot rent fee.

Joel Brown said that generally speaking if their costs go up then the residents cost go up a well. He went on to say the average rental fee at the community is \$588.

Councilor Pomerleau questioned why some people were paying \$300 — to \$400 and some are paying a lot more to get to \$850 average rent?

Joel Brown said that there are some low rent numbers but he didn't know what that were. He said that the average rent is \$588, and that the reason why you're hearing different amount is as new residents move in the rents are at the current market rate.

Councilor Macri asked if the \$588 was the mean average, median average or the mode?

Joel Brown noted that that it was weighted so it would be the mean average.

Kristin Collins, RHP Attorney – said address Councilor Macri's comparison to neighboring towns, this amendment is relating to parks is limited tow where cluster septic systems are used. She said that comparing apples to apples you would compare with the town's information relating to either a public or cluster septic system.

Chair Deakin thanked Councilor Macri for his research. He noted that the state reports that there are thousands of affordable housing units that are needed. The question is what is affordable? He then questioned if there was anyone one has any other suggestions on amending the ordinance to reflect the comments about what was done in other communities, or any other comments about the ordinance hearing any other comments. Hearing none, called for the roll

The Town of Standish hereby ordains the following amendments to Chapter 181, Land Use, Part 1, Zoning, Article IV, General Standards, Manufactured Housing Units (Additions are underlined and deletions are struck out):

## CHAPTER 181 – LAND USE

### PART 1

### ZONING

• • •

### ARTICLE IV

### General Standards

• • •

#### § 181-33. Manufactured housing units.

• • •

B. Mobile home park space and bulk standards. Mobile home parks shall conform to the following space and bulk standards:

(1) Lot size: 20,000 square feet, ~~except that where a clustered septic system is utilized, lot sizes may be reduced to 12,000 square feet, provided that the entire park parcel contains at least 20,000 square feet per lot or unit.~~ In shoreland zones, lot sizes shall be 30,000 square feet.

(2) Minimum road frontage: 100 feet.

(3) Minimum distance between buildings: 30 feet.

(4) Minimum setback from property line of individual lot: 15 feet.

(5) Minimum setback from property line: 60 feet.

(6) Maximum building height: 25 feet.

(7) Where a clustered septic system is utilized, certain of the above space and bulk standards may be reduced as follows, which shall not be construed as granting variances to relieve hardship:

(a) Lot size: 12,000 square feet, provided that the entire park parcel contains at least 20,000 square feet per lot or unit or 30,000 square feet per lot or unit in shoreland zones.

(b) Minimum road frontage: 60 feet.

(c) Minimum distance between buildings: 20 feet.

(d) Minimum setback from property line of individual lot: 10 feet.

**VOTE: 1 YEA, WATSON – 6 NAYS, DEAKIN, GABA, GARDNER, LECLERC, MACRI and POMERLEAU**

### COMMITTEE REPORTS

Councilor Pomerleau – Cemetery Committee – no report.

Councilor LeClerc – Appointments Committee – no meeting this month, a meeting will be held prior to the January meeting.

Councilor Watson – Finance Committee – as reported during the auditor's report the town's finances are in good shape.

Minutes

Regular Meeting

Standish Town Council

December 12, 2023

Chair Deakin – Council Workshop – Tashia Pinkham noted the workshop was cancelled due it falling in the holiday week.

Councilor Gaba – Economic Development Committee – may be rescheduled.

Councilor Macri – Capital Improvements Committee – no meeting.

Councilor Gardner – Personnel Committee – has not met.

### **CONSENT CALENDAR**

There were Consent Calendar items at this meeting.

### **UNFINISHED BUSINESS**

#### **96-23 Amendments to Standish Town Code, Chapter 181, Land Use, Part 3: Subdivision Regulations, Article XVII Enforcement and Part 4: Assessment of Capital Impact Fees, Article XXIII Applicability (First Reading) [Deakin]**

Moved by Pomerleau seconded by Watson to dispense with the reading of the ordinance.

Chair Deakin called for comments on the motion, hearing none, he called for the vote on the motion

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

The Public Works Director, Johns Cross, said that these two ordinances go together. He said what they will do is require that substantial infrastructure being in place prior to building permits being issued for housing. The other ordinance allows letters of credit from the builders. He said that were expecting more but, we're also having a more secure way as well guarantee from a cash bond.

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 January 9, 2024 Town Council meeting.

### **VOTE TO MOVE TO PUBLIC HEARING: 7 YEAS**

#### **97-23 Amendments to Standish Town Code, Chapter 252, Streets and Sidewalks, Article III Construction and Acceptance (First Reading) [Deakin]**

Moved by LeClerc seconded by Watson to dispense with the reading of the ordinance.

Chair Deakin called for comments on the motion, hearing none, he called for the vote on the motion

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

John Cross noted that this is a companion ordinance with the one just discussed.

Chair Deakin called for public comments,

Anthony Folsom said that anything that makes John's life easier is better for the town.

Minutes

Regular Meeting

Standish Town Council

December 12, 2023

Chair Deakin called for additional 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 January 9, 2024 Town Council meeting.

**VOTE TO MOVE TO PUBLIC HEARING: 7 YEAS**

**NEW BUSINESS**

**99-23 Establishment of Comprehensive Plan Committee [LeClerc]**

Moved by LeClerc seconded by Gaba to dispense with the reading of the order.

Chair Deakin called for comments on the motion, hearing none, he called for the vote on the motion

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

Zach Mosher, the Director of Planning explained that back in October the town received proposals for the Comp Plan. The town chose to interview all three bidders and their prices varied between \$500 to \$1,000. This order is just to establish the committee, people can apply on the town's website. The applications will be reviewed by the Appointments Committee, the Council will decide amongst themselves who will be the Council representative. He said that it is anticipated that appointments will be made in February, noting that it's slated to be approximately a two-year process. He noted that the consultant will attend twelve meetings with some flexibility to that. He said that since this is a steering committee, they need to be able to commit to the two-year proposed timeline.

Chair Deakin questioned the meeting process and will the general public be able to participate?

Zach Mosher explained that the consultant will lead the meeting, however, the public can attend and comment on the items that are being discussed on the agenda.

Chair Deakin asked if there would be limits to public input like what's done at Council meetings.

Zach Mosher said that would be the case.

Chair Deakin questioned if social media would be used?

Zach Mosher said that social media will be used and a website will be created for this and other this to engage the public, including a survey.

Councilor Gaba noted a few months ago Town Manager Pinkham called for Councilors to sit on the interview team for the consultants. She noted that the things that he is bringing up were vetted through that process.

Councilor Pomerleau questioned if there should be a process in place to replace a member that can no longer serve?

Zach Mosher said that alternate members are a good idea.

Councilor Macri questioned the process of whether a board member is no longer eligible.

Zach Mosher said that the Council could appoint another member.

Minutes

Regular Meeting

Standish Town Council

December 12, 2023

Chair Deakin questioned the length and day of the meetings?

Zach Mosher said it would be best to be held on Wednesdays so as not to conflict with the Council and Planning Board meetings. The meeting will be in the evenings so the public can attend.

Chair Deakin called for the roll call vote.

WHEREAS, the Town has started the process of the development of a new Comprehensive Plan for the Town pursuant to the State of Maine Growth Management Act;

WHEREAS, pursuant to 30-A M.R.S. § 4324(2), the Town Council, as the municipal officers of the Town, must designate and establish a planning committee to oversee the development of the new Comprehensive Plan;

NOW, THEREFORE, BE IT ORDERED that a Comprehensive Plan Committee (the "Committee") be and hereby is hereby established as follows:

A. Composition. The Committee shall consist of nine (9) members:

- One (1) Town Councilor, appointed by the Town Council;
- Two (2) members of the Planning Board, appointed by the Town Council; and
- Six (6) members nominated by the Appointments Committee and appointed by the Town Council.

B. Chair. One member shall be appointed as Chair of the Committee, who shall be a resident of the Town and be nominated as Chair by the Appointments Committee and appointed as such by the Town Council.

C. Quorum; Voting. A quorum shall consist of five (5) members. The Committee shall act by a majority of members present and voting if a quorum exists. A tie vote results in no action.

D. Duties. The duties of the Committee are to assist the Town Council in developing, updating, and -- once adopted by the Town Council -- submitting the plan to the State of Maine Department of Agriculture, Conservation and Forestry or successor agency for certification by the same as consistent with applicable State law. The Committee shall comply with the requirements of 30-A M.R.S. § 4324(2), (3), (4) and (8), as may be amended.

E. Town staff assistance. Town staff assisting the Committee shall include the Planning Director and any other Town official the Town Manager may assign for continuous or periodic participation.

BE IT FURTHER ORDERED that the Committee shall serve until the plan is submitted to the State of Maine for approval.

## **VOTE: 7 YEAS**

## **PUBLIC ITEMS**

There were no public items at this meeting.

## **ANNOUNCEMENTS**

The Clerck explained that due to the budget process she and the Finance Director would like the Town Council to consider moving the March Town Council meeting from March 12 to March 6, 2024.

The Council agreed to the idea and will have a Council order at the February meeting approving the date change.

Councilor Deakin thanked all the public and wished all a happy holidays.

Minutes

Regular Meeting

Standish Town Council

December 12, 2023

## **EXECUTIVE SESSION**

An executive session was not held at this meeting.

## **ADJOURN**

Moved by Gardner Seconded by LeClerc and voted to adjourn. The meeting adjourned at 8:22 p.m. by unanimous consent.

Submitted by \_\_\_\_\_  
Clerk/secretary

*Mary Ann*