

AGENDA
FREEPORT TOWN COUNCIL MEETING #25-21
TOWN COUNCIL CHAMBERS, 30 MAIN STREET, FREEPORT
TUESDAY, DECEMBER 21, 2021
6:30 PM

FROM: Peter E. Joseph, Town Manager

TO: Councilor Chair Daniel Piltch, 25 Quarry Lane
Council Vice Chair, John Egan, 38 Curtis Road
Councilor Matthew Pillsbury, 36 Todd Brook Rd
Councilor Chip Lawrence, 93 Hunter Road
Councilor Darrel Fournier, 3 Fournier Drive
Councilor Jake Daniele, 264 Pownal Road
Councilor Edward Bradley, 242 Flying Point Road

FIRST ORDER OF BUSINESS: Pledge of Allegiance

SECOND ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #24-21 held on December 7, 2021 and to accept the minutes as printed.

THIRD ORDER OF BUSINESS: Announcements (15 minutes)

FOURTH ORDER OF BUSINESS: Information Exchange (15 minutes)

FIFTH ORDER OF BUSINESS: Town Manager's Report (15 minutes)

SIXTH ORDER OF BUSINESS: Public Comment Period – (30 Minutes)
(Non-Agenda Items Only)

SEVENTH ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson:

ITEM # 225-21 To consider action relative to adopting the December 21, 2021 Consent Agenda.

BE IT ORDERED: That the December 21, 2021 Consent Agenda be adopted.

(Council Chair Piltch) (5 minutes)

ITEM # 226-21 To consider action relative to a new liquor license for Nighthawk Kitchen.
PUBLIC HEARING

MOTION: to open the Public Hearing

MOTION: to close the Public Hearing

BE IT ORDERED: That a new liquor license for Nighthawk Kitchen located at 200 Lower Main Street, Freeport be approved.

(Council Chair Piltch) (5 minutes)

[ITEM # 227-21](#)

To consider action relative to proposed amendments to Chapter 21 Freeport Zoning Ordinance, Section 515. Noise Regulation, to clarify what types of temporary use of machinery are not covered by the standards in this Section of the Zoning Ordinance and to add a cross reference to the regulations in Chapter 39: Loitering, Curfew and Noise Ordinance which does regulate the temporary use of machinery. PUBLIC HEARING

MOTION: to open the Public Hearing

MOTION: to close the Public Hearing

BE IT ORDERED: That proposed amendments to Chapter 21 Freeport Zoning Ordinance, Section 515. Noise Regulation, to clarify what types of temporary use of machinery are not covered by the standards in this Section of the Zoning Ordinance and to add a cross reference to the regulations in Chapter 39: Loitering, Curfew and Noise Ordinance which does regulate the temporary use of machinery be approved.

(Town Planner, Caroline Pelletier)(15 minutes)

[ITEM # 228-21](#)

To consider action relative to proposed amendments to Chapter 25 Freeport Subdivision Ordinance, Article 11.9 Conformance with Zoning Ordinance and Other Land Use Ordinances, to add a cross reference to the Loitering, Curfew and Noise Ordinance. PUBLIC HEARING

MOTION: to open the Public Hearing

MOTION: to close the Public Hearing

BE IT ORDERED: That proposed amendments to Chapter 25 Freeport Subdivision Ordinance, Article 11.9 Conformance with Zoning Ordinance and Other Land Use Ordinances, to add a cross reference to the Loitering, Curfew and Noise Ordinance be approved.

(Town Planner, Caroline Pelletier)(15 minutes)

[ITEM # 229-21](#)

To consider action relative to proposed amendments to Addendum I (Freeport Village Overlay District) of Chapter 21 Freeport Zoning Ordinance. The proposed amendments would clean-up existing text conflicts regarding the applicability of sections of the Freeport Village Overlay District document. The only substantive amendment would be the removal of the requirement that passive solar panels on new homes are required to face internal or private areas of the home site. PUBLIC HEARING

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MOTION: to open the Public Hearing
MOTION: to close the Public Hearing

BE IT ORDERED: That proposed amendments to Addendum I (Freeport Village Overlay District) of Chapter 21 Freeport Zoning Ordinance be approved. The proposed amendments would clean-up existing text conflicts regarding the applicability of sections of the Freeport Village Overlay District document. The only substantive amendment would be the removal of the requirement that passive solar panels on new homes are required to face internal or private areas of the home site.

(Town Planner, Caroline Pelletier)(15 minutes)

[ITEM # 230-21](#)

To consider action relative to setting a public hearing to discuss proposed amendments to Chapter 21 Freeport Zoning Ordinance, Section 104. Definitions, Section 526.A Food Trucks, to update the definition of a food truck to include a trailer; update standards for food trucks including permitting them during Temporary Activities which are being held to draw visitors to Freeport; to update the food truck permitting and licensing process; and clarifying exemptions for food truck licensing.

BE IT ORDERED: That a public hearing be set for January 4, 2022 at the Town Council meeting starting at 6:30 pm to consider proposed amendments to Chapter 21 Freeport Zoning Ordinance, Section 104. Definitions, Section 526.A Food Trucks, to update the definition of a food truck to include a trailer; update standards for food trucks including permitting them during Temporary Activities which are being held to draw visitors to Freeport; to update the food truck permitting and licensing process; and clarifying exemptions for food truck licensing

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Planner, Caroline Pelletier)(5 minutes)

[ITEM # 231-21](#)

To consider action relative to setting a public hearing to discuss proposed amendments to Chapter 30, Victualer's Licensing Ordinance to update Section 2. License Required to include Food Trucks requiring Victualer Licenses.

BE IT ORDERED: That a public hearing be set for January 4, 2022 at the Town Council meeting starting at 6:30 pm to consider proposed amendments to

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Chapter 30, Victualer's Licensing Ordinance to update Section 2. License Required to include Food Trucks requiring Victualer Licenses.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Planner, Caroline Pelletier)(5 minutes)

[ITEM # 232-21](#)

To consider action relative to setting a public hearing to discuss proposed amendments to Chapter 21 Freeport Zoning Ordinance, Section 501. Temporary Activity, to add a standard about maintaining accessible (under the Americans with Disabilities Act) parking and access; requiring property owners to sign-off on applications for multi-tenant properties; and to remove the restriction on permits in the Village Commercial I "VC-I" and Village Commercial II "VC-II" Districts that restrict the displacing of parking spaces during certain times for the year.

BE IT ORDERED: That a public hearing be set for January 4, 2022 at the Town Council meeting starting at 6:30 pm to discuss proposed amendments to Chapter 21 Freeport Zoning Ordinance, Section 501. Temporary Activity, to add a standard about maintaining accessible (under the Americans with Disabilities Act) parking and access; requiring property owners to sign-off on applications for multi-tenant properties; and to remove the restriction on permits in the Village Commercial I "VC-I" and Village Commercial II "VC-II" Districts that restrict the displacing of parking spaces during certain times for the year.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Planner, Caroline Pelletier)(5 minutes)

[ITEM # 233-21](#)

To consider action relative to setting a public hearing to discuss proposed amendments to Chapter 21 Freeport Zoning Ordinance, Section 409. Commercial District I "C-I", Section 411. Commercial District III "C-III", Section 413. Village Commercial District I "VC-I", Section 414. Village Commercial District II "VC-II" and Section 602. Site Plan Review to add standard to allow seasonal outdoor seating when certain conditions can be met, and to be subject to Town Planner Review under Section 602.C.1.c.1 of the Freeport Zoning Ordinance.

BE IT ORDERED: That a public hearing be set for January 4, 2022 at the Town Council meeting starting at 6:30 pm to consider proposed amendments to Chapter 21 Freeport Zoning Ordinance, Section 409. Commercial District I "C-

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I", Section 411. Commercial District III "C-III", Section 413. Village Commercial District I "VC-I", Section 414. Village Commercial District II "VC-II" and Section 602. Site Plan Review to add standard to allow seasonal outdoor seating when certain conditions can be met, and to be subject to Town Planner Review under Section 602.C.1.c.1 of the Freeport Zoning Ordinance.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Planner, Caroline Pelletier)(5 minutes)

[ITEM # 234-21](#)

To consider action relative to setting a public hearing to discuss proposed amendments to Chapter 22, Design Review Ordinance pertaining to seasonal accessory outdoor seating.

BE IT ORDERED: That a public hearing be set for January 4, 2022 at the Town Council meeting starting at 6:30 pm to consider proposed amendments to Chapter 22, Design Review Ordinance pertaining to seasonal accessory outdoor seating.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Planner, Caroline Pelletier)(5 minutes)

[ITEM # 235-21](#)

To consider action relative to adopting the Cumberland County EMA Mitigation Plan.

BE IT ORDERED: That the Cumberland County EMA Mitigation Plan be adopted.

(Fire Rescue Chief, Paul Conley)(10 minutes)

[ITEM # 240-21](#)

To consider action relative to Town Council Committee Assignments.

BE IT ORDERED: That the Town Council Chair's nominations for Committee Assignments to the Special Projects, Municipal Facilities, Ordinance and Appointments Committees be approved.

(Council Chair Piltch)(5 minutes)

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OTHER BUSINESS:

1. [Discussion with Rick Knowlton of Maine Water Company regarding potential ownership transfer of Bow Street and Winston Hill water tanks.](#)
(Town Manager, Peter Joseph)(30 minutes)
2. [LL Bean, Inc. /Concord Discontinuance](#) (Council Chair, Piltch)(15 minutes)
3. [Discussion regarding 2022 Town Council Goals](#) (Council Chair Piltch)(20 minutes)
4. [Discussion regarding long term lease extension request from L'Ecole Francaise du Maine for Soule School property on South Freeport Road](#)
(Town Manager, Peter Joseph)(15 minutes)
5. [Discussion regarding a Communications Position](#) (Vice Chair Egan)(15 minutes)

Executive Session

[ITEM # 236-21](#)

To consider action relative to an Executive Session pursuant to 1 M.R.S.A. § 405(6)(C) pertaining to a Real Estate matter.

MOTION: That the Town Council enter Executive Session.

MOTION: That the Town Council exit Executive Session.

(20 minutes)

END OF AGENDA (Estimated time of adjournment 11:15 PM)