

# **Town Council Ordinance Sub-Committee Meeting Minutes**

**Monday, August 8, 2016, 5:30 pm  
Large Conference Room, Town Hall**

**Members Attendance: Aaron Svedlow, Charlie McBrady and Claudia King**

**Others in Attendance: Nathan Poore (Town Manager), Theo Holtwijk (Long Range Planning and Economic Development Director) and Randy Dunton (Consulting Engineer for the Town)**

## **1. Elect a Chair**

Charlie McBrady was elected Chair by consensus.

## **2. Review report from Gorrill Palmer Engineering regarding an analysis of Brook Road and commercial truck traffic.**

Randy Dunton offered an overview of his report submitted to the Town, titled Truck Restriction Assessment for Brook Road and dated June 20, 2016. In the report and his oral explanation, Mr. Dunton explained that the Town requested he perform an analysis of several sections of Brook Road that are under MaineDOT jurisdiction to assess whether the roads could be regulated under the Town's authority. Mr. Dunton stated that the only way the Town could place restrictions on sections of Brook Road under MaineDOT jurisdiction is if the Town could demonstrate that this road qualified for restrictions under the MaineDOT Policy on Truck Restrictions on State and State Aid Highways. In this policy, there are several standards that must be met in order for a town to restrict travel on a State or State Aid road. Mr. Dunton explained how his report identified several standards that could not be met (see report).

The Committee members thanked Mr. Dunton for his report and asked some clarification questions. The Committee decided to accept the report by consensus and agreed by consensus that the Town should not petition the MaineDOT to allow the Town to place restrictions on the applicable portions of Brook Road based on the findings of the report which clearly describe how it is very unlikely to meet the standards required in the MaineDOT policy.

After additional discussion, the Committee asked the Town Manager to take the following actions:

- Assign additional speed enforcement details on Brook Road (the Gorrill Palmer Report identified speeding as somewhat of a concern);
- Notify trucking companies that use the road to please respect the neighborhood and restrict using engine brakes when they are not necessary and only being used as a convenience.
- Install two signs that state the following: "Quiet Zone – Please Respect Neighborhood"

### 3. Review tasks identified in the 2016/17 Annual Council Work Plan and assigned to the Ordinance Committee.

Nathan Poore reviewed the tasks assigned to the Ordinance Committee by the Town Council at its annual work planning retreat in July 2016. Nathan also explained that there had been a request from a resident of Twin Ponds Road to restrict parking due to recent vehicles parking at the end of the road to access a trail. The resident indicated that the cars were impeding safe travel on the road.

The Ordinance Committee agreed by consensus on how to proceed and the status of each assigned task, as follow:

Prio rity	Task Assignment	Status
H	Review noise standards for commercial-residential transition areas.	<p>The Ordinance Committee requested staff to review current ordinance language and submit proposed options for Committee consideration at a future meeting. Such options to include provisions for standards in residential/commercial transition areas and town wide standards for what is typically expected during normal awake times.</p> <p>A resident on Farmgate road has made numerous complaints about noise in this area and requested noise standards be considered in residential and commercial use transition areas.</p>
H	Review options for zoning amendments to accommodate farmers markets.	<p>The Ordinance Committee requested staff to organize a meeting with representatives of the Farmers Market along with CDD staff to review current conditions and future needs.</p> <p>The former CDC purposefully did not include markets in VC1 because they wanted to encourage form or structures in the zone to create the desired vision. The Farmers Market will need to know what their options are by Dec 2016 to reserve property in time for 2017. This matter should be a priority with regard to timing if the Council is supportive of an amendment effort.</p>
H	Food trucks/vendors	<p>The Ordinance Committee decided to address this matter in the future once they have made progress on other assignments to the committee. Review current ordinances and consider new ordinances to address current needs and policy direction.</p>
H	Review current ordinances concerning firearms and hunting. Such review to include	<p>The Ordinance Committee requested a conversation with staff at a future date.</p>

	current home rule authority re firearms regulation.	
<b>L</b>	Request from resident of Twin Ponds Road to restrict parking because trail users are parking on the road creating a hazard. Request submitted on July 27.	The Ordinance Committee decided to monitor the situation via the Open Space Ombudsman. Committee member Aaron Svedlow also volunteered to monitor the situation to determine current conditions.
<b>L</b>	Parking ban of Farmgate Road/inside of cul-de-sacs	Councilor Karen Farber introduced a concept for restrictions at the August 8 Town Council meeting. Councilors at that time decided to monitor the situation rather than agree to any additional restrictions at this time. The Ordinance Committee will defer to the Town Council recent decision to not consider restrictions at this time.
<b>L</b>	Brook Road commercial traffic	The Ordinance Committee reviewed the traffic engineering report and made a determination on whether to pursue commercial vehicle restrictions. The Committee decided that they can not support a request to MaineDOT to restrict traffic in this area based on it being MDOT jurisdiction and the engineer's report identifying that it would not meet standards for an exception. The Committee did decide to erect two signs that state something like "Quiet Zone - Please Respect Residential Neighborhood"; increase police speed enforcement in the area; and town staff to reach out directly to trucking companies to request limited use of engine brakes when possible.
<b>L</b>	Liquor license at farmers markets and on public property - consider clarifying language to allow or prohibit.	The Ordinance Committee decided that an ordinance is not necessary at this time. They also indicated that until there are known concerns, the Council should continue to consider applications that include the retail sale of alcohol products provided that the applicant follow all other local and state laws; obtain all necessary permits and submit additional named insurance certificates that insure and indemnify the town.

The Ordinance Committee did not schedule a future meeting and requested staff to organize and schedule the next meeting with the Committee Chair, Charlie McBrady.

The meeting adjourned at 6:30 PM.

Respectfully submitted: Nathan Poore, Town Manager and recording secretary for this meeting.