



ORDINANCE COMMITTEE (Town Council Sub-committee)

Members
Andrea Ferrante
Claudia King
Amy Kuhn

Staff Present
Ethan Croce
Nathan Poore

Draft Meeting Minutes September 11, 2018, 8:00 am Council Chambers, Town Hall

The meeting was called to order at 8:00 am.

1. Election of chair

Councilor Kuhn was elected Ordinance Committee Chair.

2. Review of Council workplan assignments and priorities

The Committee reviewed the items assigned to it in the current Council Work Plan. The Committee noted that some of the items on the Work Plan were believed to have been brought forward for consideration due to a single resident or a single occurrence of an event. If these are isolated issues that are not part of a broader problem then it may not be necessary to regulate these things.

The Committee asked staff what complaints, if any, have been received on the items in the Work Plan. Ethan said that he has received no complaints about either fire pits or short-term rentals and only one series of complaints related to blasting associated with one project in the Foreside Arbors Subdivision. Nathan recalled receiving one complaint regarding a fire pit, two complaints about short-term rentals on the Foreside, and the same set of complaints about blasting in Foreside Arbors.

The Committee agreed that the highest priority item to address at the next meeting should be the pesticide ordinance and the second highest priority to address at a subsequent meeting should be the sewer fee/billing item. Both of these issues have been worked on extensively by staff over the past year(s) and are ready to move to the next step with Council review and possible implementation. The third priority item should be blasting. The Work Plan items related to fire pits and short-term rentals should be the lowest priorities for the year and only dealt with if other higher priority Council Work Plan items have all been addressed first.

Prior to the next Ordinance Committee meeting, Nathan will email out the latest version of the pesticide ordinance and invite Nancy Lightbody and Kim Darling to the meeting as they are the individuals who have been involved in the drafting of the proposed regulation.

Regarding the sewer billing fee Work Plan item, Nathan said that every few years questions get raised as to why the Town is billing for sewer on a flat rate instead of a unit pricing scheme. The Town and the Wastewater Department subsequently analyze this issue and have always ended up preferring to stick with using a flat rate scheme for various reasons. Wastewater Superintendent Pete Clark could come to a future Committee meeting to summarize the issue so that the Committee is educated as to the benefits and drawbacks of both options.

The other, higher-priority piece of the sewer issue is the sewer fee structure. The fee structure has not changed in approximately 20 years and the goal would be to finish the ordinance work that has been started and is now about a year old. This work includes establishing a fair and equitable fee program where there is one fee for an initial connection and then a sliding fee scale depending on the size of the building being served and whether the building is residential or commercial.

The Committee agreed to take up these two sewer matters after the Committee works on the pesticide ordinance. This will be at least two meetings out and the Committee discussed convening the meeting at the Wastewater Treatment Plant and having a tour of the facility prior to the meeting.

Regarding fire pits, the Committee expressed an openness to considering a range of options for moving forward, including doing nothing, regulating with an ordinance, or issuing a set of advisory guidelines/recommendations to be used as an educational resource. Guidelines would not be binding or enforceable but could serve as an educational tool for people who are genuinely interested in being a good neighbor. Nathan referenced a set of outdoor fire pit guidelines he had seen developed by Falmouth, Massachusetts and said he would forward these to the Committee in advance of the next meeting. Even though this fire pit item was ranked at the bottom of the priority list, the Committee may be able to dispense of this item fairly quickly.

Councilor Kuhn pointed out that enacting regulations around short-term rentals would be a huge undertaking and that this has been a difficult and polarizing issue in other communities. There are also many different and legitimate viewpoints around this issue. The Committee agreed to put this item at the back of the priority list and only start working on this item if time permits in the context of other Council Work Plan priorities.

Regarding blasting, Nathan suggested that much of the concern voiced to-date centered around being kept aware of when blasting is occurring and the duration of blasting. To that end, one approach would be to focus on requiring developers, not the Town, to mail abutter notices to properties within a certain distance of blasting activities. The Town could be one of the parties noticed. DEP also has blasting regulations. The Committee agreed to begin discussing the blasting issue after the pesticide ordinance and sewer ordinance work is complete.

For the next meeting the Committee will briefly consider the fire pit guidelines that will be distributed by Nathan and dedicate the majority of the meeting to an update on the work done to-date with the pesticide ordinance development. Kimberly Darling and Nancy Lightbody will be requested to attend this meeting to summarize this work.

3. Next meeting date

The Committee tentatively scheduled the next meeting for Wednesday, October 17 between noon and 2:00 pm with lunch provided. A back up date of Friday, October 19 from 8:00 am to 10:00 am was tentatively scheduled in the event that Nancy Lightbody, Kimberly Darling, and Councilor Ferrante are unavailable for the preferred October 17 date.

The meeting was adjourned at 9:15 am.