

Ordinance Committee Meeting Minutes January 23, 2019

Present: Councilors Cahan, Kuhn, Ferrante

Staff: Wastewater Superintendent Pete Clark, Deputy Fire Chief Jay Hallett, Town Manager Nathan Poore

1. Approve previous meeting minutes

Minutes were approved as written.

2. Continued discussion about fire pits.

Hallett said he, Chief Rice, and fire admin Lori Pride put together the draft brochure. Amy Lamontagne has reviewed it as well. Kuhn suggested some changes to the language. Cahan said there isn't anything in this that addresses the health impacts of the smoke from a neighbor's wood fire, which was the original complaint. The committee discussed adding language about health impacts, to what extent to include that information, and where to add it. Hallett said there is no language like that on the burn permits, and those are a bigger issue than fire pits. They based this brochure on the type of complaints the department has received.

Cahan felt that more health information was necessary. Ferrante felt health information needed its own venue and didn't fit the tone of this brochure. Hallett said the health information would be important to everyone with a fireplace, or who burns brush. Fire pits represent a small percentage of people's exposure. In all the State information regarding burning (fire pits, campfires, etc.), there are no health hazards mentioned.

Poore felt the original complaint was using health impacts to add weight to the argument of being aware of the impacts and courteous to neighbors. If they want to add more on the health impacts, they should retool the brochure.

The committee discussed what level of health language to add and where but came to no final decisions. Kuhn will do more research and suggest some additional health education language for this brochure at the next meeting. Cahan will consider what other venue might be more appropriate for a full health education piece, whether it is the Conservation Commission or a separate health/wellness effort.

Cahan left the meeting.

3. Discussion about the Sewer Ordinance and amendments proposed within the past year.

Poore discussed the residential connection fee; he agreed that it is doubling in some situations, but he suggested adding a cap, so that the fee would never exceed a certain number. Clark discussed the times when a connection fee would be imposed under the current ordinance. Under this proposal, if someone substantially increases the flow on a property it could be charged a connection fee based on the difference. He asked the committee their opinion on that proposal and whether it should be included.

Ferrante supported this connection fee being for new connections and not remodels. She would rather simplify it. Poore said removing the proposed language "increased flows" from Sec. 18-131 b but said keeping "change of use" was important. Kuhn and Ferrante agreed.

They discussed the residential connection fee. Poore recommended adding a “not to exceed” amount. There was discussion on how to determine an appropriate cap. They discussed several scenarios, including the proposed scenario with a cap, creating three tiers based on expected flows, and only collecting 80% of the equity. Kuhn and Ferrante agreed to the proposed table at 80% of equity and a \$2800 cap.

Clark suggested adding language to the proposed ordinance about professional evaluation of the use and expected flows for specialty uses like breweries. Kuhn and Ferrante agreed.

Ferrante wondered what other towns do for commercial other than this proposal. Clark thought most towns have some kind of schedule that assigns a flow rate to the use and bases the charge on that flow rate. He reviewed several other Maine towns and their connection fees. There is no industry standard on how to do this.

Poore said the proposed ordinance would allow the Council to change the rate by order and not by ordinance. This would allow them to adjust it in one meeting. He suggested using the 80% of equity level for the commercial fees as well as residential. Kuhn and Ferrante agreed.

Kuhn and Ferrante agreed to send this to Council in February.

4. Discussion about sewer fee structure.

This will be discussed at the next meeting.

5. Other business

6. Discussion about topics for future meetings

- Update from Conservation Commission re pesticides (applicator registration system, education and awareness campaign and proposed budget)
- Airbnb discussion
- Discuss need for lighting regulations (trespass and nuisance to abutting property owners)

7. Next meeting date

The next meeting was scheduled for March 8, 2019 at 11:30 am.

Meeting adjourned at 1:45 pm.

Notes prepared by:

Melissa Tryon