

Ordinance Committee Meeting

Minutes

March 8, 2019

Councilors: Hope Cahan, Claudia Present: King, Amy Kuhn
Staff: Sustainability Coordinator Kimberly Darling, Town Manager Nathan Poore, Deputy Fire Chief Jay Hallett, Wastewater Superintendent Pete Clark
Resident: Conservation Commission Chair Nancy Lightbody

Agenda Items:

1. Approve previous meeting minutes

One grammatical recommendation was made to the previous meeting minutes.

2. Final review of a proposed fire pit awareness and guidance brochure

Overall the brochure looks good, some sizing and spacing changes were recommended. A recommendation was suggested from Kahan regarding the back side of the brochure: "For Your Health & Safety" suggested to include "these materials are illegal to burn and produce dangerous smoke and can be toxic". The brochure will be available at Town Hall, Central Fire, Mason Motz, Public Safety and possibly other locations as well as online. It may be also good to work with Landscape companies as well to distribute. It was suggested to present this at the April 8 Town Council meeting during the committee reports.

Deputy Chief Jay Hallett will work with Melissa Tryon to incorporate feed and print and distribute these.

3. Final discussion about a proposed Sewer Ordinance amendment and accompanying connection fee schedule (The Ordinance Committee will be asked to sponsor a formal introduction of the proposed ordinance amendment and fee schedule to the Town Council.)

King questioned what is the logic for fee speaking to the size of the home?

Clark responded saying the cap is driven by the size/desire to have a cap from the residents; generally, 2.6 people per household and number of fixtures. We've understood the desire to cap the residential use around what has been historically used to charge properties, but future data can change that cap. \$2,800 corresponds to a higher use with an 80% fee ratio. The foundation of rates should be fairness, limited treatment capacity, if we maximize the capacity to the greatest extent possible, this can be used as a tool to perhaps to curtail how many connections are being made to the system which may warrant an increased fee for future expansion. This is an improvement over what we do now which is piecemealed and hard to justify the fairness.

Poore added that there is also a low side of this, change in reduction as example.

King questioned does this only apply to new construction? Does it apply to an expansion?

Clark responded the way this was originally structured, it would be a calculation anytime a building or plumbing permit was pulled, for an expansion it would get reviewed, and in expansions and additions, when new fixtures were added they would pay a fee within the permit process.

Poore added that accessory units and new multi-complex units need to be included and will need legal review, may be a need for clarification for terms of “use”. Suggests using the same definition that is used in the Land Use Ordinance.

King referenced Section B—line 2, “The Town Council may by order adjust the amounts.” Discussion of adjust vs. re-adjust.

Kuhn suggested that in terms of the process, this doesn’t need to come back to this committee and can be introduced to the Town Council for the first meeting in April. King or Ferrante will likely introduce this on March 25 to include the introductory package from Clark.

Poore recommended that first action is to introduce, second action would be the fee schedule on April 8, public hearing on the fee structure, taking action in May is to amend ordinance the second item will be to amend the fee schedule.

4. Continued discussion about the Conservation Commissions proposal to regulate pesticides (applicator registration system, education and awareness campaign and proposed budget.)

Nancy Lightbody provided insight on educational efforts and future plans to include the following:

Skillin’s is doing a presentation tomorrow, March 9 on “kid safe lawns”

Working on other education events: April 10th Safe Lawn Care Class by the Cumberland County Soil and Water Conservation District (CCSWCD) at the Lunt Auditorium from 6-8pm. One of the High School teachers is going to introduce “pesticides in the water” topic to their science club. Friends of Casco Bay are very supportive of our efforts, and in June there will be a lot of material distributed at the elections.

This past year’s efforts: March 2018 held a presentation at the Portland Country Club from an expert in the field named Chip Osborne on Healthy Lawns. In the fall a Doctor gave a presentation as well on the effects to human health. The Toxic Action Center out of Portland is also eager to help in these efforts. The Garden Clubs in Falmouth have been contacted, the Foreside Gardens Club, and St. Mary’s Garden Club, hoping to work with those folks in some way.

Discussed working with the Forecaster on their Garden Issue, perhaps the Column section of the Forecaster.

Discussion on building a Sustainability Website for education material to live. This website will be built soon. Idea is to use what is already out there (South Portland) and tailor to Falmouth. Would be great to incorporate the new logo somehow in this.

Working with a group of professional applicators to give a presentation—date TBD.

Discussion of Home Garden Tours. The Library used to do a tour of gardens and would be great to replicate that past effort; could possibly be a fund-raiser. Councilor Kuhn will provide insight into this to staff and the Commission.

Budget would include consulting costs and speaker fees roughly \$10,000 to include educational materials. A communication plan needs to be developed and executed.

Discussion of how Portland and South Portland have been perceived. Perhaps a goal for the next step is to come back after talking to some marketing consultants.

Next steps will be to work with some marketing folks to gauge interest and costs before the April meeting, and to build the Sustainability Department website for material to be housed.

5. Other business

6. Discussion about topics for future meetings

- Street addressing ordinance update
Justin Brown Codes Official will be the lead staff.
- Air BnB discussion
Request to ask Ethan Croce Economic Development Director to come provide some education on the topic.
- Discuss need for lighting regulations (trespass and nuisance to abutting property owners)
this will need to be addressed at a later date.
- Kimberly provided an update to the committee regarding REAC's work to deliver a proposal to the Town Council to ban plastic bags and Styrofoam.

7. Next meeting date

Next meeting date will be held on Wednesday April 10th, 1:00pm.

Will focus on the pesticide discussion and becoming educated on Air BnBs.

Meeting adjourned at ???

Notes prepared by:

Kimberly Darling