

**MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 2, 2016
REGULAR MEETING – 7:00 P.M.**

Item 1. Call to Order. Chairman Donovan called the regular meeting of the Scarborough Town Council to order at 7:03 p.m.

Item 2. Pledge of Allegiance.

Item 3. Roll Call. Roll was called by Yolande P. Justice, Town Clerk. Thomas J. Hall, Town Manager was also present.

Shawn A. Babine, Vice-Chair	Katherine A. St. Clair [Absent]
Robert W. Rowan	Peter F. Hayes
Jean-Marie Caterina	Christopher J. Caiazzo
William J. Donovan, Chairman	

Item 4. General Public Comments.

- Marjorie DeSanctis of Beech Ridge Road stated that she had attended the Natural Resources Council of Maine in Augusta and one of the topics discussed was on solid waste and recycling. She added that there could be grants available on this and she would keep the Council posted on this.

Item 5. Minutes: February 17, 2016 – Regular Meeting. Motion by Councilor Babine, seconded by Councilor Rowan, to move approval of the minutes of the February 17, 2016, regular Town Council meeting.

Vote: 6 Yeas.

Item 6. Adjustment to the Agenda. None at this time.

Item 7. Items to be signed: a. Treasurer’s Warrants. Treasurer’s Warrants were signed during the meeting.

Order No. 16-011, 7:00 p.m. Public Hearing and second reading on the proposed amendment to Chapter 405 – the Zoning Ordinance of the Town of Scarborough, Maine – Section III. Nonconformance Subsection C. to allow non-conforming structures to be elevated to meet Floodplain requirements. Chairman Donovan opened the public hearing. As there were no comments either for or against, the hearing was closed at 7:11 p.m. Dan Bacon, Town Planner, gave a brief overview on this recommendation and responded to questions from the Town Council.

Motion by Councilor Babine, seconded by Councilor Caterina, to move approval of the second reading on the proposed amendment to Chapter 405 – the Zoning Ordinance of the Town of Scarborough, Maine – Section III. Nonconformance Subsection C. to allow non-conforming structures to be elevated to meet Floodplain requirements, as follows:

**Proposed Amendment to the Zoning Ordinance
Regarding Modifying Nonconforming Structures to
Meet Flood Zone Requirements**

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following amendment to the Zoning Ordinance of the Town of Scarborough, Maine, be and hereby are adopted:

Amend SECTION III. NONCONFORMANCE subsection C. as follows (additions are underlined; deletions are struck through):

Section III. NONCONFORMANCE

...

C. NON-CONFORMING BUILDINGS OR STRUCTURES

1. No building or structure which is non-conforming with respect to the Space and Bulk requirements of this Ordinance may be expanded, enlarged or increased in height unless such expanded or enlarged portion complies with the Space and Bulk requirements of this ordinance or the Board of Appeals grants relief from such requirements by a variance under Section V, B, 3 or Section V.B.6. or by limited reduction of yard size under Section V, B, 5 of this Ordinance, except that:

- a) The installation of one or more dormers on a dwelling shall not be considered an expansion, enlargement or increase in height provided that (1) dormer or dormers are set in a minimum of 12 inches from each end of the roof and from the exterior face of the story immediately below the roof, (2) the aggregate length of all dormers, measured along their faces, does not exceed the total length of the ridge of roof less 24 inches, and (3) the height of the ridge is not increased.
- b) The elevation of an existing structure required for the purpose of meeting the minimum elevation standards in the Scarborough Floodplain Management Ordinance or Maine Department of Environmental Protection Chapter 355 – Coastal Sand Dune Rules, shall not be considered an expansion, enlargement or increase in height. ...

Vote: 6 Yeas.

Order No. 16-015, 7:00 p.m. Public Hearing and action on the request for a new Food Handlers License from John Navarro, d/b/a Bad Dog Deli, located at 680 U.S. Route One. Chairman Donovan opened the public hearing. As there were no comments either for or against, the hearing was closed at 7:12 p.m.

Motion by Councilor Babine, seconded by Councilor Rowan, to move approval on the request for a new Food Handlers License from John Navarro, d/b/a Bad Dog Deli, located at 680 U.S. Route One.

Vote: 6 Yeas.

Order No. 16-016, 7:00 p.m. Public Hearing and action on the request for a new Massage Establishment/ Message Therapist license from Stacy Layburn Chenard, located at 20 Mussey Road. Chairman Donovan opened the public hearing. As there were no comments either for or against, the hearing was closed at 7:13 p.m.

Motion by Councilor Babine, seconded by Councilor Caterina, to move approval on the request for a new Massage Establishment/ Message Therapist license from Stacy Layburn Chenard, located at 20 Mussey Road.

Vote: 6 Yeas.

OLD BUSINESS: None at this time.

NEW BUSINESS: None at this time.

Item 8. Non Action Items. None at this time.

Item 9. Standing and Special Committee Reports and Liaison Reports.

- Councilor Caiazzo gave updates on the Energy Committee and the School Board Workshop with the Town's Legislative Delegation to urge further funding for the Schools.
- Councilor Hayes gave updates on the Transportation Committee and the Senior Advisory Committee.
- Councilor Caterina gave updates on the Ordinance Committee; the Chamber of Commerce; the Long Term Planning and on the Conservation Commission.
- Councilor Rowen gave updates on the Appointments Committee and posted the names of Charles Spanger to the Conservation Commission and Michael Richard as 2nd Alternate to the Zoning Board. He gave updates on the SEDCO Board and the Historic Implementation Committee.
- Councilor Babine gave updates on the Library Board of Trustees and the Finance Committee.

Item 10. Town Manager Report. Thomas J. Hall, Town Manager, gave an update on the following:

- He appreciated the Councilors input at the Workshop on the Long Range Facility Plan; noting the document would be available on the Town's website for the public.
- The Communications Service Survey has had over 80 hits and would be left up for a few more weeks. He encouraged the public to participate.
- Budget Prep is underway and each Department is to have their budget in by the end of this week.
- He commented on the next Joint Finance Committee meeting.
- ecomaine would be presenting the Scarborough Library with an ecomaine Award for their Annual Book Sale
- The Land Trust would be holding its Annual meeting on March 9th at Camp Ketcha. Speaker would be the owners of Broadturn Farm.
- Scarborough Community Services would be hosting its 4th Annual Passport Day, Saturday, March 5th from 9:00 a.m. to 3:00 p.m.
- Prior to the Town Council meeting the Annual Audit will be presented to both the Town and School.

Item 11. Council Member Comments.

- Councilor Babine thanked the Town Manager and staff for the workshop that had been held prior to the meeting on the Long Range Facility Planning for the town; adding that this was only a draft. He pointed out that the Caucuses were scheduled for this weekend; the Republican Caucus is held at the Westbrook High School on Saturday and the Democratic Caucus would be on Sunday at the Scarborough High School. He commented on the focus group that had been held regarding the Superintendent's search and he also commented on the legislative meeting that had been held.
- Councilor Rowan thanked the School Board for hosting the Focus Group on the Superintendent's search. He too spoke on the meeting that had been held last week between the School Board and the Legislative Delegation pertaining to School Funding.

- Councilor Caterina also commented on the Focus Group regarding the Superintendent's search. She thanked the Town Manager for assisting with the Long Range Facility Plan for the Town. She too commented on the Board and Legislative Delegation meeting around school funding and encouraged the public to reach out to the delegation regarding this matter.
- Councilor Hayes also commented on the Focus Group relating to the Superintendent's search and how it felt like a collaborative effort. The community is going to make some really tough decision and conversation will be tough, but there needs to a collaborative effort all the way round.
- Councilor Caiazzo concurred with all the comments and felt it was critical for residents to reach out to the Legislative Delegation regarding the school funding process.
- Chairman Donovan commented on the Long Range Facility Plan and encouraged the public to watch the meeting, adding that the report would be placed on the website. He stated that the Legislature has before them a bill to add more school funding and if this does not happen, it could be a very difficult time this budget season as there could be a loss of services as well as higher taxes possible. This will be a difficult time.

Item 12. Adjournment. Motion by Councilor Babine, seconded by Councilor Caterina, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 6 Yeas.

Meeting adjourned at 7:40 p.m.

Respectfully submitted,

Yolande P. Justice
Town Clerk