

**MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JULY 13, 2016
REGULAR MEETING – 7:00 P.M.**

Item 1. Call to Order. Chairman Donovan called the regular meeting of the Scarborough Town Council at 7:08 p.m.

Item 2. Pledge of Allegiance.

Item 3. Roll Call. Roll was called by Tracy Cole, Deputy Town Clerk. Thomas J. Hall, Town Manager was also present. The following Town Councilors were 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.

- Bruce Flaherty, from August and a property owner in Scarborough. Asked the Council to participate in the Casco Spirit of America Foundation Tribute. He asked the Council to recognize the Volunteer Program.

Item 5. Minutes: June 15, 2016 – Regular Meeting. Motion by Councilor Babine seconded by Councilor Rowan, to move approval on the meeting minutes of the June 15, 2016, Town Council meeting, as written.

Vote: 6 Yeas.

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

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

Order No. 16-042, 7:00 p.m. Public Hearing and second reading for an amendment to the Town of Scarborough Official Zoning Map to rezone the parcel located off of Southgate Road identified as Map U37 Lot 3A as shown on the Town Assessor’s Map from the General Business District (B3) to the Industrial District (I). Karen Martin, Director of Scarborough Economic Development, gave a brief overview on the proposed amendment to the Scarborough Official Zoning Map and responded to questions from the Town Council.

Chairman Donovan opened the public hearing. As there were no comments either for or against, the public hearing was closed at 7:15 p.m.

Motion by Councilor Rowan, seconded by Councilor Babine, to move approval of the second reading for an amendment to the Town of Scarborough Official Zoning Map to rezone the parcel located off of Southgate Road identified as Map U37 Lot 3A as shown on the Town Assessor’s Map from the General Business District (B3) to the Industrial District (I), as follows:



Vote: 6 Yeas.

Order No. 16-043, 7:00 p.m. Public Hearing and second reading for an amendments to the Town of Scarborough Zoning Ordinance regarding multi-family housing allowances and standards in the Town’s Residential Districts. Karen Martin, Director of Scarborough Economic Development, gave a brief overview on the proposed amendment to the Scarborough Official Zoning Map and responded to questions from the Town Council.

Chairman Donovan opened the public hearing. As there were no comments either for or against, the public hearing was closed at 7:20 p.m.

Motion by Councilor Babine, seconded by Councilor Rowan, to move approval of the second reading for an amendments to the Town of Scarborough Zoning Ordinance regarding multi-family housing allowances and standards in the Town’s Residential Districts, as follows:

**Proposed Amendment to the Zoning Ordinance
Regarding Multi-Family Housing in the Town’s Residential Zoning Districts**

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:

1. Amend SECTION XV.B. VILLAGE RESIDENTIAL 2 DISTRICT (VR2) as follows (additions are underlined; deletions are struck through):

C. PERMITTED USES

1. Single family detached dwellings exclusive of mobile homes.
2. Two-family dwellings.
3. Multiplexes (permitted with a minimum parcel size of five (5) acres).
4. Townhouses limited to no more than eight (8) dwelling units per building (permitted with a minimum parcel size of five (5) acres).
5. Multifamily dwellings limited to a maximum building footprint of 7,500 square feet (permitted with a minimum parcel size of five (5) acres).

E. SPACE AND BULK REGULATIONS

1. The following Space and Bulk Regulations are applicable to subdivisions reviewed by the Planning Board under the Scarborough Subdivision Ordinance after June 1, 2005:
 - a. Minimum lot dimensions and yard requirements:

Housing & Use Type	Lot Area (square ft.)	Lot Frontage (ft.)	Lot Width (ft.)	Front Yard (ft.)	Rear & Side Yard (ft.)
single-family	5,000	30 <u>40</u>	40	5	15 ¹
two-family	7,500	50	60 <u>50</u>	5	15 ¹
<u>multifamily,</u> multiplex	15,000	70 <u>75</u>	80 <u>75</u>	5	15 ²
townhouses	15,000	70 <u>75</u>	80 <u>75</u>	5	15 ²

non-residential ³	15,000	70 <u>75</u>	80 <u>75</u>	5	15
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- Amend SECTION XV.C. VILLAGE RESIDENTIAL 4 DISTRICT (VR4) as follows (additions are underlined; deletions are struck through):

C. PERMITTED USES

- Single family detached dwellings, exclusive of individual mobile homes
- Two-family dwellings
- Multiplexes (permitted with a minimum site parcel size of five (5) acres required)
- Townhouses limited to no more than eight (8) dwelling units per building (permitted with a minimum site parcel size of five (5) acres required)
- Multifamily dwellings limited to a maximum building footprint of 7,500 square feet (permitted with a minimum parcel size of five (5) acres).

E. SPACE AND BULK REGULATIONS

- The following Space and Bulk Regulations are applicable to developments reviewed by the Planning Board under the Scarborough Subdivision Ordinance:

a. Minimum Lot Area, Dimensions and Yard Standards

Housing & Use Type	Lot Area (square ft)	Lot Frontage (ft.)	Lot Width (ft.)	Front Yard (ft)	Rear & Side Yard (ft.)
single-family	5,000	50	50	5	15 ¹
two-family	7,500	50	50	5	15 ¹
<u>multifamily</u> , multiplex	15,000	75	75	5	15 ^{2 & 3}
townhouses	15,000	75	75	5	15 ^{2 & 3}
non-residential ⁴	15,000	75	75	5	15

- Amend SECTION XVI.A. TRADITIONAL NEIGHBORHOOD DEVELOPMENT OPTION OVERLAY DISTRICT (TND) as follows (additions are underlined; deletions are struck through):

C. PERMITTED USES

- Any use permitted in the R-4 Residential District.
- There may be 1,000 sq. ft. of floor area for retail sales, community use or a combination of the two per every 50 dwelling units within the development. The retail sales establishments shall not exceed 1,000 sq. ft. per unit of occupancy and there shall be no more than 2,000 sq. ft. of retail sales in any one building.
- The retail sales, community use or other non-residential uses allowed in the R-4 Residential District may be located in a standalone building(s) or as part of a mixed use building(s) that include other non-residential or residential uses.
- Multifamily dwellings limited to a maximum building footprint of 7,500 square feet.
- Townhouses limited to no more than eight (8) dwelling units per building.

4. Amend SECTION XV.A. RESIDENTIAL DISTRICT R-3 as follows (additions are underlined; deletions are struck through):

B. PERMITTED USES

5. Multiplex (must be served by public sewer; minimum parcel size of five (5) acres) per Section VII.
6. Townhouses limited to no more than eight (8) dwelling units per building (must be served by public sewer; minimum parcel size of five (5) acres).
5. Amend SECTION XV.I. RESIDENTIAL DISTRICT R-4 as follows (additions are underlined; deletions are struck through):
5. Multiplex (must be served by public sewer; minimum parcel size of five (5) acres) per Section VII.
6. Townhouses limited to no more than eight (8) dwelling units per building (must be served by public sewer; minimum parcel size of five (5) acres).
6. Amend SECTION XV.I. RESIDENTIAL DISTRICT R-4A as follows (additions are underlined; deletions are struck through):
8. Multiplex (must be served by public sewer; minimum parcel size of (5) acres) per Section VII.
9. Townhouses limited to no more than eight (8) dwelling units per building (must be served by public sewer; minimum parcel size of five (5) acres).

Vote: 6 Yeas.

OLD BUSINESS: None at this time.

NEW BUSINESS:

Order No. 16-048. Act on the request for a Mass Gathering Permit from Beech Ridge Speedway for a Mass Gathering Permit for the Nitro Circus, located at 70 Holmes Road scheduled for Saturday, August 27, 2016. Mike Thurlow, Scarborough Fire Chief, gave a brief overview on this Order and responded to questions from the Council.

Motion by Councilor Babine, seconded by Councilor Caterina, to move approval on the request for a Mass Gathering Permit for the Nitro Circus, located at 70 Holmes Road scheduled for Saturday, August 27, 2016.

Vote: 6 Yeas.

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

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

- Councilor Caiazzo gave a brief overview of the Fast Facts survey on teacher's salary given to him from the School Board Chairman. The Energy Committee will meet next month.
- Councilor Hayes gave a brief overview of the Senior Advisory Committee; Rules and Policy; Coastal Waters and Harbor Committee and the Shellfish Committees.
- Councilor Caterina gave a brief overview of the Conservation Committee.
- Councilor Rowan gave a brief overview of the Housing Alliance Committee and SEDCO.

- Councilor Babine gave a brief overview of the Library Trustees; ECO Maine and the Finance Committee.
- Chairman Donovan also attended the SEDCO Board meeting and commented on the new Town and Country office building.

Item 10. Town Manager Report. Thomas J. Hall, Town Manager, gave the following updates:

- Has been busy with closing out the fiscal year end and preparing for the new fiscal year.
- He gave construction updates on Oak Hill pedestrian project, Cummings Road and Two Rod Road. He also noted that the Maine Turnpike is doing construction and there may be a noise issue.
- Due to the number of complaints the Town has received, he has a brief survey placed on the Town's website and Facebook page. The survey consists of 2 questions and was available last Friday and thus far we have received over 700 responses. This item may come before the Ordinance Committee.
- He had been informed that there were 6 baby Plovers on Higgins Beach.
- He thanked Councilors for accommodating a meeting change due to prior commitments.

Item 11. Council Member Comments.

- Councilor Babine was glad to hear about the Plovers and hoped that everyone gets out and enjoys summer.
- Councilor Caterina thanked the Police Department for the code red alerts and advised the community that they Operation Hope is looking for Angels.
- Councilor Hayes stated it has been a sobering week due to recent events and the Chief of Police in Dallas was amazing. He was the amount of support for the Scarborough Police Department has been great.
- Councilor Caiazzo was glad not be fighting for the budget and that we could all enjoy summer.
- Chairman Donovan stated Mike Shaw, Director of Public Works, is working on more composting ideas and hopes everyone starts composting.

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

Meeting adjourned at 7:47 p.m.

Vote: 6 Yeas.

Respectfully Submitted;

Tracy Cole
Deputy Town Clerk