

**MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – APRIL 2, 2025
HYBRID REGULAR MEETING – 7:00 P.M.**

Item 1. Call to Order. Council Chair Sither called the regular meeting of the Scarborough Town Council to order at 7:00 p.m.

Item 2. Pledge of Allegiance.

Item 3. Roll Call. Roll was called by Yolande P. Justice, Clerk to the Council. Thomas J. Hall, Town Manager and Liam Gallagher, Assistant Town Manager, were also present. Those Councilors present:

Councilor Scott W. Doherty	Councilor Cory R. Fellows
Councilor Donald W. Cushing, Jr.	Councilor William J. Donovan
Councilor Karin B. Shupe	Councilor Jonathan E. Anderson - Via Zoom
Council Chair April V. Sither	

Councilor Chair explained that we are having some trouble with the external audio. The individuals online can hear, but we cannot hear them in Chambers. Councilor Anderson is present on zoom and a roll call vote will be taken for each item. Councilor Anderson will raise his hand either in the affirmative or the negative when he votes.

Motion by Councilor Chair Sither, seconded by Councilor Donovan, to move to amend the Agenda and move Resolution 25-004, to prior to Item 4. General Public Comment and move Item 10. to follow Item 8. Town Manager's Comments.

Roll Call Vote:

Councilor Scott W. Doherty - Yea	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

Motion Passes.

Resolution 25-004. Act on the request to honor the Boys' Indoor Track Team on winning the State Championship. [Council Chair Sither] Councilor Chair Sither gave a brief overview on Resolution. Coach Veilleux commented on their Boys' Indoor Track Team 2025 Season.

Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval of Resolution 25-004, honoring the Boys' Indoor Track Team on winning the State Championship, as follows:

RESOLUTION 25-004

SCARBOROUGH HIGH SCHOOL BOYS' INDOOR TRACK TEAM

BE IT RESOLVED by the Council of the Town of Scarborough, Maine, that,

WHEREAS, the Scarborough High School Boys' Indoor Track Team did invest many hours of training in preparation for the State of Maine Championship; and,

WHEREAS, the Scarborough High School Boys' Indoor Track Team did compete in and win the Class A State of Maine Championship;

NOW, THEREFORE, BE IT RESOLVED, by the Scarborough Town Council, in Town Council assembled, that the following members of the Scarborough High School Boys' Indoor Track Team, their Coach and Assistant Coaches, are hereby recognized for the great honor they have brought to their Team and the Town of Scarborough. The Scarborough Town Council is proud of their efforts and hard work.

Freshmen: Callan Driscoll, Colin Gondolfo, Cameron Keller, Kieran Leahy, Eli Smolin, Judah Violette, John Wolfgram and Owen Zsiga

Sophomores: Colin Anderson, Ethan Assia, Aiden Carpenter, Quinncy Colvin, Spencer Dean, Cameron Douglas, Finneas Egan, Nathaniel Ludena, Kayden Mayo, Damien Meissner, Atticus Merriam, Papa Osei, Grant Pelletier, Teddy Read, Kyle Roy, Caden Smith, Adam Stockwell and Aiden Williams

Juniors: Jose Bencomo, Griffith Heath, Noel Heath, Caeden Humpage; Issac Kim, Eddie Knutson, Owen Mascis and Nolan Meyer

Seniors: Sam Assia, Matthew Booth, Vincent Caruso, Kevin Collins, Nicholas Gondolfo, Ethan Keller, Nicholas Koziell, Cooper Mallar, Ryan Marshall, Wyatt Martin, Baxter Merriam, Nathan Murray, Will Patterson, Liam Reagan and Landen Springer

Head Coach: Derek Veilleux

Assistant Coaches: Allen Cornwall, Mark Hamilton, Connor Harris
Colin Jones, Joseph Minard and Andrew Rice

Signed and sealed this 2nd day of April, 2025, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine. Signed by April V. Sither, Council Chair and attested by Yolande P. Justice, Clerk to the Council.

Roll Call Vote:

Councilor Scott W. Doherty - Yea	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

Motion Passes.

Item 4. General Public Comments.

- David Green of Beach Ridge Road, commented on items that had been made at a prior meeting regarding an issue at the Co-op.

Item 5. Minutes: March 19, 2025 - Town Council Meeting. Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval of the meeting minutes from the March 19, 2025, Town Council meeting, as written.

Roll Call Vote:

Councilor Scott W. Doherty - Yea	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

Motion Passes.

Item 6. Adjustment to the Agenda. Adjustments were made at the beginning of the meeting.

Item 7. Items to be signed: a. Treasurer's Warrants. Treasurer's Warrants were signed prior to the meeting.

Item 8. Town Manager's Report. Thomas J. Hall, Town Manager, gave the following updates:

- **Budget Preparation** -
 - Proposed Budget presented on March 26, 2025
 - First Reading on April 2, 2025
 - Public Hearing on April 16, 2025
 - Finance Committee review on April 14th & 15th
- **Eastern Trail- Close The Gap** -
 - Bid Notice on March 23, 2025
 - Bid Opening/Award on April 17, 20205
- **Black Point Road Reconstruction Project** -
 - Bid Notice on March 28, 2025
 - Bid Opening/ Award on April 17, 2025
 - Substantial Completion targeted for June 13, 2025
- **Property Tax Relief/Reform Working Group** -
 - Coordinated through GPCOG
 - Outgrowth of 2025 Chairs in a Circle meeting
- **Membership in the Maine Service Center Coalition** -
 - Included in the FY26 Proposed Budget
 - Specific legislative advocacy
- **SBAC2 Site Selection** -
 - Several site options, pending school solution decision
 - Activity will ramp up this spring
- **Re-Imagining Route One** -
 - Public workshop on April 15, 2025 at 5:30 - Council Chambers
- **Nomination Papers for Board of Education** -
 - Papers were due today for the three seats and there will be three candidates: Charlotte Jacobs, John Kelleher and Jillian Trapini-Huff
 - Pending action by the Council this evening, there could potentially be a seat on the Town Council that coincide with the June 10th Election.

Item 10. Standing and Special Committee Reports and Liaison Reports.

- Councilor Fellows noted that the Rules and Policies Committee would be meeting on Wednesday, April 9th at 5:00 p.m. and the Long Range Planning Committee is scheduled meet on Friday, April 11th at 8:00 a.m.
- Council Chair Sither gave an update on the Vulnerability Working Group that had met earlier in the day.
- Councilor Shupe gave an update on the Conservation Commission; the Parks and Conservation Land Board and the Community Services Advisory Board.
- Councilor Cushing gave an update on the monthly ecomaine Board and the Communications Committee.
- Councilor Doherty also commented on the Communications Committee.

Order No. 25-022, 7:00 p.m. Public hearing and second reading on the proposed Third Amendment to the Haigis Parkway Tax Increment Financing (TIF) District and Development Program. *[Town Manager]* Thomas J. Hall, Town Manager, gave a brief overview on this Order. Council Chair Sither opened the public hearing. There being no comments either for or against, the hearing was closed at 7:29 p.m.

Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval of the second reading on the propose Third Amendment to the Haigis Parkway Tax Increment Financing (TIF) District and Development Program, as follows:

TOWN OF SCARBOROUGH, MAINE TOWN COUNCIL ORDER

Adopting the Third Amendment to The Gateway at Scarborough – Haigis Parkway Municipal Development and Tax Increment Financing District Development Program

WHEREAS, the Town of Scarborough (the “Town”) is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend previously established tax increment financing (“TIF”) districts and development programs within the Town; and

WHEREAS, the Town designated The Gateway at Scarborough – Haigis Parkway Municipal Development and Tax Increment Financing District (the “District”) and adopted a Development Program for the District in order to capture the value of real property improvements made within the District and to enable the use of TIF revenues for various municipal and other economic development projects, which received approval from the Maine Department of Economic and Community Development (“DECD”) on June 3, 2003; and

WHEREAS, the Town approved and adopted the First Amendment to the District and Development Program for the District on December 20, 2006, in order to change the district name to “The Gateway at Scarborough-Haigis Parkway,” to extend the district term by 5 years, and to authorize a credit enhancement agreement with New England Expedition (NEX) Gateway to support its construction/financing costs related to its project in the District, which received approved from DECD on February 23, 2007; and

WHEREAS, the Town approved and adopted the Second Amendment to the District and Development Program for the District on January 19, 2022 in order to capture 100% of the increased assessed value and to use all TIF revenues for municipal project costs, other than those obligated under the CEA with NEX Gateway, and to extend the term of the District by 5 years for a total term of 30 years, , which received approved from DECD on December 21, 2023; and

WHEREAS, the Town desires to adopt a Third Amendment to the District and Development Program (the “Third Amendment”) to add additional project costs, and to continue to achieve the District’s original goals; and

WHEREAS, the Town Council has held a public hearing on March 5, 2025 upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town, on the question of adopting the Third Amendment to the Development Program for the District in accordance with the requirements of 30-A M.R.S. § 5226; and

WHEREAS, the Town Council has considered the comments provided at the public hearing, both for and against the adoption of the Third Amendment to the Development Program, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Department approving the Third Amendment to The Gateway at Scarborough – Haigis Parkway Municipal Development and Tax Increment Financing District and Development Program.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

Section 1. The Town of Scarborough hereby adopts the Third Amendment to The Gateway at Scarborough – Haigis Parkway Municipal Development and Tax Increment Financing District and Development Program, pursuant to the following findings, terms, and provisions:

Section 2. The Town Council hereby finds and determines that:

- a. Pursuant to Title 30-A M.R.S. Section 5226(5) pertaining to TIF district and development program amendments, this Third Amendment to the Development Program does not result in the District being out of compliance with any of the conditions of 30-A M.R.S. Section 5223(3) which pertain to the percentage of area within the District that is suitable for commercial use, the TIF acreage caps for single TIF districts and for all TIF districts in the Town, and the total TIF district valuation cap.
- b. The Third Amendment to the Development Program will make a contribution to the economic growth and well-being of the Town of Scarborough and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the Town of Scarborough, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 3. The Town Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the Third Amendment to the Development Program to the Department for review and approval pursuant to the requirements of 30-A M.R.S. § 5226.

Section 4. The foregoing adoption of the Third Amendment to the Development Program shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the Third Amendment to the Development Program by the Department, without requirement of any further action by the Town, the Town Council, or any other party.

Section 5. The Town Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents related to the Third Amendment to the Development Program as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the Third Amendment to the Development Program by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the Third Amendment to the Development Program.

Section 6. This Order shall take effect immediately upon adoption.

Roll Call Vote:

Councilor Scott W. Doherty - Yea	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

Motion Passes.

Order No. 25-029, 7:00 p.m. Public hearing and second reading on the proposed changes to Chapter 311 – the Town of Scarborough Schedule of Fees. [Town Clerk's Office/Police Department]
 Thomas J. Hall, Town Manager, gave a brief overview on this Order. Council Chair Sither opened the public hearing. There being no comments either for or against, the hearing was closed at 7:30 p.m.

Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval of the second reading on the proposed changes to Chapter 311 – the Town of Scarborough Schedule of Fees, as follows:

CHAPTER 311 – TOWN OF SCARBOROUGH

LICENSE, PERMIT AND APPLICATION FEES

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following changes to Chapter 311 - the Town of Scarborough License, Permit and Application fees, be and hereby is amended, as follows (additions are underlined; deletions are struck through):

Police Department Recommendation:

<u>Police Department Charges</u>	<u>Fee</u>
Special Police Charge, Per Hour, 4 hour minimum charge per officer. (amended 05/05/04; 05/02/07; 05/21/2008; 05/04/201; 06/02/2021; 05/03/2023)	~~\$95.00~~ <u>\$125.00</u>

Town Clerk Recommendations:

<u>Chapter 901 – Waste Disposal</u>	<u>Fee</u>
Waste Hauler License Fee	\$100.00 per vehicle \$800.00 maximum

<u>Chapter 1003 – Hawkers & Peddlers</u>	<u>Fee</u>
~~License Fee for~~ Hawkers & Peddlers License <u>(30 Days)</u> (05/21/2008)	~~\$110.00~~ <u>\$100.00 and \$25.00 per employee</u>

<u>Chapter 1004 - Taxicab Licenses</u>	<u>Fee</u>
Annual License - Each Taxicab (amended 05/05/04) (amended 05/06/09)	\$150.00
Annual License - Each Operator (amended 05/05/04) (amended 05/06/09)	\$50.00

<u>Chapter 1005 - Innkeepers Licenses (06/21/2006)</u>	<u>Fee</u>
~~Application Fee~~	<u>\$50.00</u>
~~Per Room Fee~~	<u>\$3.00 per room</u>
~~Maximum Fee Not to Exceed~~	<u>\$350.00</u>
<u>Seasonal Without Liquor</u>	<u>\$150.00</u>
<u>Seasonal With Liquor</u>	<u>\$250.00</u>
<u>Year-Round Without Liquor</u>	<u>\$350.00</u>
<u>Year-Round With Liquor</u>	<u>\$450.00</u>

<u>Chapter 1008 - Special Amusement Operator License Fees</u>	<u>Fee</u>
~~Annual License Fee~~ <u>Special Amusement License</u>	~~\$110.00~~ <u>\$200.00</u>

<u>Chapter 1009 – Coin Operated Game License Fees</u>	<u>Fee</u>
Annual License Fee - Per Machine (B-2 Zone)	\$110.00

Annual Video Arcade License Campgrounds (R-F Zone) Maximum of 25 machines (amended 05/03/06)	\$1,500.00
<u>Chapter 1010 - Massage Establishment Annual License Fees</u>	<u>Fee</u>
Massage Establishment	~~\$55.00~~ <u>\$100.00</u>
Combined Massage Establishment/Massage Therapist	~~\$35.00~~ <u>\$150.00</u>
Massage Therapist	~~\$30.00~~ <u>\$50.00</u>
<u>Chapter 1011 - Para-Massage Establishment Annual License Fees</u>	<u>Fee</u>
Para-Massage Establishment License	~~\$55.00~~ <u>\$100.00</u>
Para-Massager License	~~\$35.00~~ <u>\$150.00</u>
Combined Para-Massager Est./Para-Massager License	~~\$30.00~~ <u>\$50.00</u>
<u>Chapter 1013 - Ice Cream Trucks (06/18/97)</u>	<u>Fee</u>
~~Application Fee~~ <u>Ice Cream Truck License (Required for each Unit)</u>	~~\$110.00~~ <u>\$250.00</u>
~~Each Additional Truck~~	~~\$30.00~~
<u>Chapter 1015A – Mobile Food Vendor License [Adopted 01/08/2025]</u>	
Mobile Food Vendor License (Required for each Unit.)	\$250.00
<u>Chapter 1017 – Pawnbroker Fees/Secondhand Dealer Fees (02/17/2010; amended 05/18/16)</u>	<u>Fee</u>
~~Application Fee~~ <u>Pawnbroker/Secondhand Dealer License</u>	~~\$100.00~~ <u>\$175.00</u>
~~SBI Check~~	~~\$25.00~~
<u>Chapter 1015 -Food Handlers Registration Fee (adopted 05/03/06)(amended 05/21/08)(amended 05/05/2010)</u>	
~~Food handlers Registration Fee—Year Round Business~~	~~\$220.00~~
~~Seasonal, catering and in-home food handlers [Seasonal—6 months or less]~~	~~\$110.00~~
~~Class 1: Beer, Wine and Spirits~~	~~\$600.00~~
~~Class 2: Beer and/or Wine~~	~~\$500.00~~
~~Class 3: No Liquor~~	~~\$400.00~~
~~Class 4: Catering~~	~~\$300.00~~
~~Class 5: Temporary~~	~~\$50.00~~
<u>Chapter 1016 - Garage/Yard Sale (adopted 03/07/2007)</u>	<u>Fee</u>
Garage/Yard Sale Permit <u>(Per Sale)</u>	~~\$5.00 per sale~~ <u>\$10.00</u>
<u>Miscellaneous Fees [Adopted 05/03/05; Amended 02/15/06; 04/03/2024]</u>	<u>Fee</u>
<u>Application Fee for all Town Clerk Licenses</u>	<u>\$50.00</u>
Marriage Ceremonies Performed (amended 02/15/06)	~~\$50.00~~ <u>\$100.00</u>
<u>Automobile Graveyard or Junkyard License Pursuant to Title 29A-§1105</u>	<u>\$50.00</u>
<u>Automobile Recycling License Pursuant to Title 29-A, §1105</u>	<u>\$250.00</u>
<u>SBI Checks</u>	<u>\$100.00</u>
<u>Applicants are responsible for providing background checks, not older than 3 days prior to submission of application for all licenses that require such checks, or alternatively, applicants may pay above fee.</u>	
<u>Public Hearing and Advertisements</u>	<u>\$150.00</u>

<u>Applicants are responsible for the cost of all public hearing advertisements or, alternatively, applicants may pay above fee.</u>	
Miscellaneous Administrative Fees – Town Clerk’s Office (amended 05/06/09; 05/03/2023)	\$25.00
Replacement Fee for all Applications and Licenses/Permits (adopted 05/04/2011; amended 05/03/2023)	\$10.00
Genealogy / Research – \$3.00 per name, whether or not a record is found, this includes a photocopy. For an attested copy, the fee is as set by the State of Maine Office of Vital Records.	
Dog License Late Fee – Upon receipt of the rabies certificate(s) from the State of Maine the Town Clerk’s Office will notify owner(s) they need to register their dog(s) within 10-days. If a resident fails to license their dog(s) within 10-days of notification from the Town Clerk’s Office a late fee will be charged for each dog. (05/21/2008) (amended 05/07/2014)	\$25.00 per dog
Non-sufficient Funds (adopted 05/07/2014)	\$30.00
Late fee on all renewal applications issued by the Town Clerk’s Office that are received after the deadline [Adopted 04/03/2024]	½ half of the application Fee
If more than 30 days late after deadline [Adopted 04/03/2024]	Full application Fee
<u>Notary Fee (amended 3/6/96; 05/05/04; 05/21/2008)</u>	<u>Fee</u>
<u>First 3 pages 1-3 Signatures</u>	\$10.00
<u>Any Documents more than 3 pages 3+ Signatures</u>	\$15.00
<u>1-3 True Attested Copies</u>	\$20.00
<u>3+ True Attested Copies</u>	\$25.00

Roll Call Vote:

Councilor Scott W. Doherty - Nay	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

Motion Passes.

OLD BUSINESS:

Order No. 25-032. Act on the request to approve the names posted to the various committees/boards, as recommended by the Appointments/Negotiations Committee at the March 19, 2025, Town Council meeting. [Appointments/Negotiations Committee] Councilor Donovan gave a brief overview on this Order.

Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval of the names posted to the various committees/boards, as recommended by the Appointments/Negotiations Committee at the March 19, 2025, Town Council meeting, as follows:

Coastal Waters and Harbor Advisory Committee:

Appoint Tyler Davis as a full voting member with a term to expire 2025, Brittaney Jackson as first alternate with a term to expire 2026, and Matthew Hassler as second alternate with a term to expire 2027.

Parks and Conservation Land Board:

Appoint Richard Harvey as first alternate with a term to expire 2027 and J. Anton Bodor as second alternate with a term to expire 2027.

Roll Call Vote:

Councilor Scott W. Doherty - Nay	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

Motion Passes.

NEW BUSINESS:

Order No. 25-033. First reading and schedule a public hearing on the proposed FY2026 Municipal/School Budgets. [Town Manager/Superintendent of Schools] Thomas J. Hall, Town Manager, gave a brief overview on this Order.

Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval of the first reading on the proposed FY2026 Municipal/School Budgets and schedule a public hearing for Wednesday, April 16, 2025, as follows:

Budget Order for Fiscal Year 2026

Be it ordered that the Scarborough Town Council approves the first reading on the FY2026 Budget and **schedules the public hearing for Wednesday, April 16, 2025**, the line item appropriations and expenditures for all offices, agencies and departments of the Town as follows:

SUMMARY MUNICIPAL OPERATING BUDGET 2026	
TOTAL EXECUTIVE	3,827,839
TOTAL HUMAN RESOURCE/GENERAL ASSISTANCE	744,891
TOTAL FINANCE ALL DIVISIONS	1,569,542
TOTAL MUNICIPAL INFORMATION SYSTEMS	2,653,989
TOTAL PLANNING DEPARTMENT ALL DIVISIONS	1,067,772
TOTAL COMMUNITY SERVICES ALL DIVISIONS	4,185,766
TOTAL LIBRARY NET – TOWN APPROPRIATION	1,476,158
TOTAL SEDCO	327,725
TOTAL FIRE ALL DIVISIONS	8,259,558
TOTAL POLICE ALL DIVISIONS	10,053,867
TOTAL PUBLIC WORKS ALL DIVISIONS	9,241,942
TOTAL ENGINEERING & TECHNICAL SERVICES	857,010
TOTAL DEBT (Town Only)	4,870,080

Be it further ordered that the Scarborough Town Council hereby appropriates the sum of **\$500,000** for Resident Senior Property Tax Relief as authorized under – Chapter 313 – Property Tax Assistance Ordinance; and,

Be it further ordered that the Scarborough Town Council hereby appropriates, for school purposes, the Education Operating Budget (including school debt), the sum of **\$70,784,764** and the Town of Scarborough raises as the local share for the Education Operating Budget, the sum of **\$59,880,017** and,

Be it further ordered that the Scarborough Town Council hereby appropriates, for school purposes, the Education Adult Education and Food Services, the sum of **\$2,768,214** and the Town of Scarborough raises as the local share for the Education Adult Education and Food Services Budgets, the sum of **\$96,958** and,

Be it further ordered, that the Town Council hereby authorizes the Chairperson of the Town Council to sign the Municipal Expenditure Warrant approving all expenditures paid at the regular meetings of the Town Council and;

Be it further ordered that the Town of Scarborough hereby appropriates the Town's due portion of the County Tax, in the amount of \$3,701,925 for the period July 1, 2025, through June 30, 2026; and a six-month County Assessment transition of \$287,875 covering year 3 of 5; and,

Be it further ordered that the Scarborough Town Council hereby approves adding \$11,236,732 to the Capital Budget and appropriates for Capital purposes, the sum of \$123,000 for school capital programs and \$208,000 for town capital; for a total Capital Appropriation of \$331,000 be funded from property taxes.

Be it further ordered that the Scarborough Town Council hereby further declares:

WHEREAS, included within the \$11,236,732 Fiscal Year 2026 Capital Budget were \$10,000,732 of Municipal and School projects the Town intends to advance funds from the general fund for those purposes and then issue general obligation bonds to reimburse itself for spending on those capital projects in the amounts outlined in the Capital Budget;

WHEREAS, the list of projects and the amounts the Town intend to include in future general obligation bond issuances is incorporated by reference from the Fiscal Year 2026 General Fund and Capital Budget.

NOW THEREFORE, the Town does hereby declare its Official Intent as follows:

The Town intended to allocate certain proceeds of future bond issues to reimburse the Town for any expenditures made with respect to projects listed in the category of "Bond" or "Bond – Voter Approved". Treasury Regulation Section 1.150-2 requires that the Issuer declare its official intent to reimburse any expenditure with respect to the Project no later than sixty (60) days after the payment of such expenditures. The Town intends to reimburse expenditures made with respect to the projects on the Fiscal Year 2026 Capital Budget within three (3) years of the later of the date which the expenditure is paid or the project is place into service.

Be it further ordered that the Town Council hereby authorizes the following utilization of funds from dedicated accounts:

Restricted Fund Balance:

\$1,531,000 from Restricted for Education to reduce the local share of the Education and Adult Ed Operating Budgets

\$1,297,713 from Downtown TIF Account to support eligible operating costs

\$1,020,379 from Downtown TIF Account to support eligible debt service

\$1,383,287 from Haigis Parkway TIF Account to support non-SEDCO operating costs

\$327,725 from Haigis Parkway TIF Account to support SEDCO operating costs

Committed Fund Balance:

\$1,350,000 from Rescue Equipment Reserve to reduce the tax rate

\$443,890 from School Development Impact Fee Account to pay Debt Service for eligible Capital Improvements

\$700,000 from Downtown TIF Account to pay for eligible Capital Improvements

\$205,000 from Haigis Parkway TIF Account to pay for eligible Capital Improvements

Be it further ordered that the Total Gross Budget appropriation of **\$145,301,649**, this total less estimated revenues and other credits of **\$55,304,422** result in a Net appropriation of **\$89,997,227**, which shall be raised from taxation. The Scarborough Town Council further fixes **Wednesday, October 15, 2025**, and **Monday, March 16, 2025**, as the dates upon each of which one-half of such tax is due and payable, and pursuant to 36 M.R.S.A. Section 505.4 with interest to accrue upon taxes due and unpaid after each such date at the rate of **7.50%** per annum.

Be it further ordered that the Scarborough Town Council hereby appropriates an estimated **\$200,000** for overlay, which may be adjusted and shall be finally determined by the Town Assessor pursuant to Title 36 MRSA Section 710 within State restrictions; and (such estimated amount is incorporated within the Total Gross Budget as identified within this order); and,

Be it further ordered that the Scarborough Town Council hereby appropriates an estimated **\$5,021,000** for Tax Increment Financing Revenues to be deposited into Tax Increment Financing Development Program Funds, an estimated **\$1,865,000** of which is authorized to be paid pursuant to applicable credit enhancement agreements, both of which amounts may be adjusted and shall be finally determined by Town staff based on actual assessed values and applicable Tax Increment Financing Districts, Development Programs and credit enhancement agreements approved by the Town Council and State Department of Economic and Community Development (such estimated amounts are incorporated within the Total Gross Budget as identified within this order).

Be it further ordered, that in accordance with 36 M.R.S.A Section 506, the Tax Collector/Treasurer is authorized to accept prepayment of taxes not yet committed or prior to any due date and pay no interest thereon. In accordance with 36 M.R.S.A. Section 506-A, a taxpayer who pays an amount in excess of that finally assessed shall be repaid the amount of overpayment plus interest from the date of overpayment at the annual rate of **3.50%**.

Be it further ordered, that the Town Council hereby authorizes the Finance Director and/or Treasurer to withhold monies payable to the Town of Scarborough to cover taxes due pursuant to M.R.S.A. Title 36, Section 905 and to invest funds in accordance with M.R.S.A. Title 30-A, Section 5706; authorizes the Tax Collector to sign on behalf of the Town, the necessary deeds and liens and tax settlements; in accordance with 36 M.R.S.A. Section 906, the Tax Collector and Treasurer are authorized to apply any tax payment received as payment for any property tax against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill and processed in the order of liens and fees, interest and then to principal and, after the date of perfection of the tax, the Tax Collector is authorized to discharge any obligation to collect unpaid property taxes in the amount of **\$5.00** or less and remove same from the municipal books, pursuant to 36 M.R.S.A. Section 970-A.

Be it further ordered, that if the 2026 Municipal Budget exceeds the Property Tax Levy Limit for fiscal 2026, pursuant to Title 30-A, Section 5721-A of the Maine Revised Statutes, as amended, it is the intent of the Town Council to increase the commitment to greater than the Property Tax Levy Limit.

Roll Call Vote:

Councilor Scott W. Doherty - Nay	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

Motion Passes.

Order No. 25-034. First reading and refer to the Planning Board, the proposed amendments to Chapter 405 Zoning Ordinance, Section XI Off Street Parking Regulations to amend Electric Vehicle Charging Systems (EVCS) requirements. (Planning Director) Autumn Speer, Planning Director, gave a brief overview on this Order and responded to questions from the Town Council.

Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval on the first reading and refer to the Planning Board, the proposed amendments to Chapter 405 Zoning Ordinance, Section XI Off Street Parking Regulations to amend Electric Vehicle Charging Systems (EVCS) requirements and schedule a public hearing and second reading, upon Planning Board review, as follows:

CHAPTER 405 – TOWN OF SCARBOROUGH ZONING ORDINANCE

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following changes to Chapter 405 the Zoning Ordinance, of the Town of Scarborough, Maine, be and hereby is amended, as follows (additions are underlined; deletions are struck through):

RED – NEW ADDITIONS AND DELETIONS
GREEN - MOVED

SECTION XI. OFF-STREET PARKING REGULATIONS. [Amended 01/06/2010; 01/04/2023; 07/19/2023; 01/08/2025; xx/xx/2025]

Applicability

Off-street parking spaces shall be provided in all districts whenever any structure is constructed, altered, or enlarged; a new land use is established; an existing use is replaced by a new use (change of use); or an existing use is expanded or increased in intensity.

All new or redevelopment parking facilities shall be required to install electrical vehicle charging station (EVCS) infrastructure. For redeveloped parking facilities, EVCS standards shall apply to the redeveloped parking area(s) and not the parking facility as a whole.

Such spaces shall be provided in accordance with the provisions of this Section, prior to the issuance of a certificate of occupancy for the structure or use. As provided for under the requirements of the Site Plan Review Ordinance, site plan approval is required before any parking or vehicular use is established, enlarged or changed. [adopted 01/06/10]

Off-street parking, either by means of open air spaces or by garage space, in addition to being a permitted use, shall be considered as an accessory use when required or provided to serve uses located in any district. [amended 01/06/10]

Single family and two-family dwellings in existence as of January 6, 2010, shall be exempt from ~~the number of parking spaces and EVCS requirements in Section XI is provision.~~ [adopted 01/06/10]

Single family and two-family dwellings not constructed in an approved subdivision shall be exempt from EVCS parking standards in Section XI, but not the total number of parking spaces required.

As provided for under the requirements of the Site Plan Review Ordinance, site plan approval is required before any parking or vehicular use is established, enlarged or changed. [adopted 01/06/10]

Off-street parking, either by means of open air spaces or by garage space, in addition to being a permitted use, shall be considered as an accessory use when required or provided to serve uses located in any district. [amended 01/06/10]

Definitions

Charging levels: ~~M~~means the standardized indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. The terms 1, 2, and 3 are the most common charging levels, and include the following specifications:

- Level 1 provides charging through a 120 volt (V), alternating-current (AC) plug
- Level 2 charging is through a 240V, AC plug
- Level 3 charging is through a 480V, direct-current (DC) plug.

EVCS-capable: ~~M~~means parking spaces with necessary conduit installed but lacking required electrical capacity to install EVCS.

EVCS-installed: ~~M~~means parking spaces equipped with electrified EVCS.

EVCS-ready (non-residential): Means parking spaces with necessary conduit installed and the electrical panel and equipment where EV charger circuits are to originate be designed with sufficient space to accommodate future capacity to install required EVCS.

EVCS-ready (residential): Electrical panel with at least 50 amp service and a 240V grounded alternating current outlet installed near where cars will be parked (garage, driveway, etc.).

Electric vehicle infrastructure: ~~M~~means conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations.

Electric vehicle parking space: ~~M~~means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

Electrical capacity: Means shall mean, at minimum:

- Panel capacity to accommodate a dedicated branch circuit and service capacity to install a 208/240V outlet per charger;
- Conduit from an electric panel to future EVCS location(s).

Non-electric vehicle: ~~M~~means any motor vehicle that is licensed and registered for operation on public and private highways, roads, and streets that does not meet the definition of an electric vehicle.

Redevelopment: ~~M~~means the excavation or grading (not including paving or fine grading) of existing parking areas in excess of 25% of the existing parking area.

Off-Street Parking Required

~~D. In specific cases where two or more uses occupy segregated areas of the same building or structure the off-street parking requirements shall be based on the total area occupied by each distinct use.~~

~~Where a use is not specifically mentioned in this provision, the Planning Board shall determine the minimum parking requirements. The number of parking spaces required shall be determined by the Planning Board based on the nature of the use, the intensity of the proposed use and the parking demand expected to be generated by the specific proposal.~~

~~C. On-street parking cannot be used to satisfy the requirements of this section unless it is specifically authorized in another section of this Ordinance.~~

For all non-residential uses, the number of required EVCS spaces shall round up to an even number.

The following minimum off-street parking requirements, including EVCS requirements, shall be provided and maintained:

RESIDENTIAL USES	SPACES REQUIRED	EVCS Install	EVCS Ready	EVCS Capabl e
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Single Family	2 for each dwelling unit		100%	
Two Family	2 for each dwelling unit		100%	
Multi-family	2 for each dwelling unit Containing 2 or more bedrooms 1.5 for each dwelling unit containing fewer than 2 bedrooms	5%	30%	65%
Accessory Unit	None required			
Senior Housing	1 parking space per dwelling unit and 1 parking space for each employee based on the expected average employee occupancy	10%	20%	70%

INSTITUTIONAL AND CIVIC USES	SPACES REQUIRED	EVCS Install	EVCS Ready	EVCS Capabl e
Elementary and Middle School	1 per teacher and staff member, plus 1 space per 2 classroom.	5%	5%	15%
High School	1 per teacher and staff member on the largest shift, plus 1 space per 5 non-bused students.	5%	5%	15%
College	1 space per staff member on the largest shift, plus 1 space per 2 students of the largest class attendance period.	5%	5%	15%
Group Day Care Homes, Day Care Centers, Nursery Schools	1 per 4 children the facility is licensed for, plus 1 for each employee required by the State of Maine licensing standards for child to staff ratio		5%	20%
Hospitals, Boarding Care Facilities for the Elderly, nursing homes, residential and long-term care facilities for the ill, aged or disabled	1 per 3 beds, plus 1 for each employee based on the expected average employee occupancy.		5%	20%
Place of assembly, amusement, culture and places of worship	1 for each 4 seats or for each 100 square feet or major fraction thereof of assemblage space if no fixed seats.		5%	20%
Funeral Home	10 per 1,000 sq. ft. of FA in slumber rooms, parlors, and individual service rooms		5%	20%
RECREATIONAL USES	SPACES REQUIRED	EVCS Install	EVCS Ready	EVCS Capabl e
Health Club [amended 01/06/2010]	3.5 per 1,000 sq. ft. Of FA, except that areas occupied by,	5%	10%	10%

	and only to be used for specific activities (i.e. tennis or racquetball courts, Exclusive of gymnasiums) require 3 per court.			
Water Dependent Golf Driving Ranges	1.5 spaces for each tee area		5%	20%

COMMERICAL AND RETAIL USES	SPACES REQUIRED	EVCS Install	EVCS Ready	EVCS Capable
Retail sales & services (< 25,000 sq ft)	4 per 1,000 sq. ft. of FA		5%	~~5~~ 20%
Retail sales & services (> 25,000 sq ft)	4 per 1,000 sq. ft. of FA	15%	~~4~~ 10%	~~5~~ 10%
Mobile food Vendor Court [Amended 01/08/2025]	1 per mobile food vendor pad site	--	--	--
Business services and business offices; Professional offices	4 per 1,000 sq. ft. of GLA		5%	20%
Financial, Insurance and Real Estate Offices	3.5 per 1,000 sq. ft. of GLA		5%	20%
Personal services	3.5 per 1,000 sq. ft. of GLA		5%	~~10~~ 20%
High Technology Facility	2 per 1,000 sq. ft. of FA		5%	20%
Data Processing/Telemarketing	6 per 1,000 sq. ft. of GLA		5%	20%
Medical and Dental Offices	4 per 1,000 sq. ft. of GLA		5%	~~10~~ 20%
Restaurants & drinking establishments without drive-thru or take-out services	1 per 4 table or booth seats, plus 1 per 2 counter or bar seats, plus 1 for each 60 square feet of customer standing or waiting area, plus 1 for every 2 employees, based on highest employee occupancy		5%	~~10~~ 20%
Restaurants & drinking establishments with drive-thru and/or take out services	Standards described above apply, provided that the minimum number of parking spaces is 10, plus 6 stack spaces for each drive-up window, at least 3 of which must be designated for the ordering station, located so as not to impede pedestrian or vehicular circulation on the site of any adjacent street		5%	~~5~~ 20%
Work space in a live/ work unit	2.5 per 1,000 sq. ft. of GLA, provided that the Planning Board has required, as a		5%	20%

	condition of approval of the site plan or subdivision plan which includes the live/work unit, that the work space shall be principally used by one or more of the residents of the live/work unit and provided that the work space is in fact so used. That restriction on the use of the work space must be incorporated into all deeds to or leases of the live/work unit or any part thereof. Alternatively, 4 per 1,000 sq. ft. of GLA, when the non-residential space is not required to be principally used by one or more of the residents of the live/work unit.			
LODGING USES	SPACES REQUIRED	EVCS Install	EVCS Ready	EVCS Cap-able
Hotels, motels and other transient lodging establishments	1 for each guest room	10%	10%	80%
INDUSTRIAL USES	SPACES REQUIRED	EVCS Install	EVCS Ready	EVCS Cap-able
Industry, manufacturing, warehousing and distribution [amended 01/06/2010]	2 per 1,000 sq. ft. of FA (additional spaces required for area(s) occupied for office and/or sales use) [amended 01/06/2010]		5%	20%

*FA=Floor Area

*GLA=Gross Leasable Area

Off-Street Parking Location

H. Required residential off-street parking in all districts shall be located on the same lot as the principal building or use except that the Planning Board may authorize residential off-street parking to be located within 300 feet of principal residential uses, measured along lines of public access, where it cannot reasonably be provided on the same lot. Such parking areas shall be held under the same ownership or lease as the residential uses served and evidence of such control or lease shall be required.

I. Required non-residential off-street parking in all business and industrial zones shall be located on the same lot with the principal building or use, or within 100 feet measured along lines of public access, except that where off-street parking cannot be provided within these limits, the Planning Board may permit such off-street parking to be located a reasonable distance from the principal building or use, measured along lines of public access, if the premises to be used for parking are held under the same ownership or lease. Evidence of such control or lease shall be required and such lots shall be located within business or industrial districts.

Required residential EV parking spaces shall be located on the same lot as the principal building(s) or use except that the Planning Board may authorize residential EV spaces to be combined in a centralized location with an adjacent residential project so long as the parking spaces are located within 300 feet of each principal residential structure, measured along lines of public access. Such parking areas shall be held under the same ownership or lease as the residential uses served and evidence of such control or lease shall be required.

Required non-residential EV parking spaces shall be located on the same lot as the principal building(s) or use except that the Planning Board may authorize non-residential EV spaces to be combined in a centralized location with an adjacent non-residential project so long as the parking spaces are located within 300 feet of each principal non-residential structure, measured along lines of public access. Such parking areas shall be held under the same ownership or lease as the non-residential uses served and evidence of such control or lease shall be required.

J. Where off-street parking for uses other than single or two-family dwellings is required or provided on a lot and vehicles are to be or may be parked within the area otherwise required to be kept open and unoccupied for front, side and rear yards in the zone in which such parking is located, the following requirements shall be met.

1. Where vehicles are to be or may be parked within ten feet of any street line a continuous guard curb, rectangular in cross-section, at least six inches in height and permanently anchored shall be provided and maintained at least five feet from the street or lot line between such off-street parking and that part of the street or lot line involved; or a continuous bumper guard of adequate strength, the top of which shall be at least 20 inches in height, shall be provided and maintained between such off-street parking and that part of the street or lot line involved so that bumpers of vehicles cannot project beyond its face toward the street or line involved, either above or below the impact surface.

2. No parking shall be located within a ~~required landscape buffer~~ ~~green strip buffer required pursuant to Section IV(F)(10) of the Town of Scarborough Site Plan Review Ordinance.~~

Shared Parking

E. The Planning Board may approve the joint use of a parking facility by two or more principal buildings or uses where it is clearly demonstrated that said parking facility will substantially meet the intent of the requirements by reasons of variation in the probable time of maximum use by patrons or employees among such establishments.

Parking Design and Construction - General

~~A. Off street parking shall be designed, constructed and maintained as follows: [amended 01/06/10]~~

~~1. For all uses, each off-street parking space must have an area no less than 9 feet wide by 18 feet long; except that the size of the parking spaces may be determine by the Planning Board in accordance with the requirements of Section IV(D)(1) of the Site Plane Ordinance.~~

~~2. Where required by applicable federal or state law, all off-street parking areas shall include handicapped accessible parking spaces in accordance with the ADA Standards for Accessible Design and the Site Plan Review Ordinance.~~

~~3. For all uses, parking spaces must be adequately served by isles and drives in accordance with the requirements of the Site Plan Review Ordinance.~~

K. Where off-street parking for any use other than single or two-family dwellings is required or provided, the following construction requirements shall apply: [Adopted 01/04/2023]

1. Appropriate driveways from streets or alleys, as well as maneuvering areas, shall be provided (see Site Plan Review Ordinance, Section IV for requirements). When access to parking areas is available

~~from more than one street, ingress and egress to and from the lot shall have the approval of the Planning Board.~~

~~2. The surface of driveways, maneuvering areas and parking areas shall be uniformly graded with a subgrade consisting of gravel or equivalent materials at least six inches in depth, well compacted and with a wearing surface equivalent in qualities of compaction and durability of fine gravel. Unless otherwise specifically approved by the Planning Board, the surface of driveways, maneuvering areas and parking areas in all Business Zones shall be paved.~~

~~3. A system of surface drainage shall be provided in such a way that the water runoff shall not run over or across any public sidewalk or street.~~

~~4. Where artificial lighting is provided cut off fixtures shall be used to control glare, skyglow and spillover onto adjacent properties.~~

~~**B. The following minimum off-street parking requirements shall be provided and maintained. Where a use is not specifically mentioned in this provision, the Planning Board shall determine the minimum parking requirements. The number of parking spaces required shall be determined by the Planning Board based on the nature of the use, the intensity of the proposed use and the parking demand expected to be generated by the specific proposal.**~~

~~**1. Standards for off-street parking.**~~

~~USE~~	~~Number of Parking Spaces Require~~ ~~*FA=Floor Area~~ ~~*GLA=Gross Leaseable Area~~
~~Dwellings~~	
~~a. Single Family~~	~~2 for each dwelling unit.~~
~~b. Two Family~~	~~2 for each dwelling unit~~
~~c. Multi-family~~	~~2 for each dwelling unit containing 2 or more bedrooms 1.5 for each dwelling unit containing fewer than 2 bedrooms~~
~~d. Accessory Unit~~	~~None required~~
~~e. Senior housing~~	~~1 parking space per dwelling unit and 1 parking space for each employee based on the expected average employee occupancy.~~
~~Hotels, motels and other transient lodging establishments~~	~~1 for each guest room.~~
~~Schools.....~~	~~1 per teacher and staff member, plus 1 space per 2 classroom.~~
~~a. Elementary and Middle School:~~	
~~b. High School:~~	~~1 per teacher and staff member on the largest shift, plus 1 space per 5 non-bused students.~~
~~c. College:~~	~~1 space per staff member on the largest shift, plus 1 space per 2 students of the largest class attendance period.~~
~~d. Group Day Care Homes, Day Care Centers, Nursery Schools~~	~~1 per 4 children the facility is licensed for, plus 1 for each employee required by the State of Maine licensing standards for child to staff ratio~~

~~Hospitals, Boarding Care Facilities for the Elderly, nursing homes, residential and long-term care facilities for the ill, aged or disabled~~	~~1 per 3 beds, plus 1 for each employee based on the expected average employee occupancy.~~
~~Place of assembly, amusement, culture and places of worship~~	~~1 for each 4 seats or for each 100 square feet or major fraction thereof of assemblage space if no fixed seats.~~
~~Retail sales & services~~	~~4 per 1,000 sq. ft. of FA~~
~~Business services and business offices; Professional offices~~	~~4 per 1,000 sq. ft. of GLA~~
~~Financial, Insurance and Real Estate Offices~~	~~3.5 per 1,000 sq. ft. of GLA~~
~~Personal services~~	~~3.5 per 1,000 sq. ft. of GLA~~
~~High Technology Facility~~	~~2 per 1,000 sq. ft. of FA~~
~~Data Processing/Telemarketing~~	~~6 per 1,000 sq. ft. of GLA~~
~~Medical and Dental Offices~~	~~4 per 1,000 sq. ft. of GLA~~
~~Restaurants & drinking establishments without drive-thru or take-out services~~	~~1 per 4 table or booth seats, plus 1 per 2 counter or bar seats, plus 1 for each 60 square feet of customer standing or waiting area, plus 1 for every 2 employees, based on highest employee occupancy~~
~~Restaurants & drinking establishments with drive-thru and/or take-out services~~	~~Standards described above apply, provided that the minimum number of parking spaces is 10, plus 6 stack spaces for each drive-up window, at least 3 of which must be designated for the ordering station, located so as not to impede pedestrian or vehicular circulation on the site of any adjacent street~~
~~Mobile Food Vendor Court [amended 01/08/2025]~~	~~1 per mobile food vendor pad site; not including the required parking spaces for any other use on site. ADA parking shall be provided. Parking requirements shall be subject to Planning board site plan approval.~~
~~Work space in a live/work unit~~	~~2.5 per 1,000 sq. ft. of GLA, provided that the Planning Board has required, as a condition of approval of the site plan or subdivision plan which includes the live/work unit, that the work space shall be principally used by one or more of the residents of the live/work unit and provided that the work space is in fact so used. That restriction on the use of the work space must be incorporated into all deeds to or leases of the live/work unit or any part thereof. Alternatively, 4 per 1,000 sq. ft. of GLA, when the non-residential space is not required to be principally used by one or more of the residents of the live/work unit.~~
~~Industry, manufacturing, warehousing and distribution [amended 01/06/2010]~~	~~2 per 1,000 sq. ft. of FA (additional spaces required for area(s) occupied for office and/or sales use) [amended 01/06/2010]~~

Health Club [amended 01/06/2010]	3.5 per 1,000 sq. ft. Of FA, except that areas occupied by, and only to be used for specific activities (i.e. tennis or racquetball courts, exclusive of gymnasiums) require 3 per court.
Funeral Home	10 per 1,000 sq. ft. of FA in slumber rooms, parlors, and individual service rooms
Water Dependent Golf Driving Ranges	1.5 spaces for each tee area.

Parking Design and Construction – EVCS Spaces

Site design must provide electrical, associated ventilation, accessible parking, and wiring connection to transformer to support the additional potential future electric vehicle charging stations. ~~For redeveloped parking facilities, EVCS standards shall apply to the redeveloped parking area(s) and not the parking facility as a whole.~~

When EVCS spaces are required, they shall be installed as Level 2 charging stations. One Level 3 charging station may substitute for four Level 2 charging stations. However, the total required number of overall parking spaces shall not be reduced.

Electric vehicle charging stations within single-family and two-family residences are exempt from the below general station requirements. This does not exempt electrical or other permit obligations.

General Station Requirements

5.2.1 Size. A standard size parking space shall be used for an electric vehicle charging station where such a station is required or planned.

5.2.2 Equipment Standards and Protection. Where provided, parking for electric vehicle charging purposes shall meet the standards below:

1. Clearance. Charging station equipment mounted on pedestals, light posts, bollards or other devices shall be a minimum of 24 inches clear from the face of curb.
2. Charging Station Equipment. Charging station outlets and connector devices shall be no less than 36 inches or no higher than 48 inches from the top of surface where mounted, and shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.
3. Charging Station Equipment Protection. When the electric vehicle parking space is perpendicular or at an angle to curb face and charging equipment, adequate equipment protection, such as wheel stops or concrete-filled steel bollards shall be used.
4. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.

5.2.3 Signage. Electric vehicle charging stations, other than in residential use, shall have posted signage allowing only charging electric vehicles to park in such spaces. For the purposes of this subsection, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.

5.2.4 Operational Hours. The EVCS must be operational during the normal business hours of the use(s) that it serves. EVCS may be de-energized or otherwise restricted after normal business hours of the use(s) it serves. *Operation hours of the chargers and a phone number for public assistance must be placed in a prominent position visual from the parking space.*

5.2.5—Usage Fees. The property owner or operator is not restricted from collecting a service fee for the use of an electric vehicle charging station made available to visitors of the property.

5.3. Accessible Facilities. Where electric vehicle charging stations are provided in parking lots or parking garages, excluding garages in single-family or two-family residential units, accessible electric vehicle charging stations shall be provided according to the ratios shown in ~~the table below~~ **Table 2**. The first column indicates the number of electric vehicle stations being provided on-site and the second column indicates the number of accessible charging stations that are to be provided for the corresponding number(s) of charging stations. Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel.

~~Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel.~~

Table 2—Minimum Number of ADA Accessible Electric Vehicle (EV) Charging Stations

Number of EV charging stations	Minimum accessible EV charging stations
1-50	1
51-100	2
101+	3

Off-Street Parking Reductions

Planning Board Authority.

C. In specific cases where it is demonstrated that a particular building can be occupied or use carried on with fewer parking spaces than required under this section, the Planning Board may reduce the requirements for off-street parking upon finding the following requirements are met:

1. That the undeveloped parking spaces are shown on an approved site plan as reserved future parking spaces. Such reserved future parking spaces shall be designed to meet all requirements of this Ordinance and of the Site Plan Review Ordinance and shall be treated by the Planning Board in the same manner as developed parking spaces for purposes of determining the compliance of the site plan with ordinance standards, including, but not limited to, stormwater management standards, grading, vehicular access and circulation.
2. If at any time after construction of the development the Code Enforcement Officer determines that actual need for parking exceeds the number of spaces actually developed, the Code Enforcement Officer may order the owner of the property to appear before the Planning Board for a determination by the Board as to whether some or all of the reserved future parking spaces must be developed.

~~For non-residential and multi-family commercial development, the EVCS requirements outlined in Table 1 may be revised upward or downward~~ **reduced** by the Planning Board as part of an application review based on verifiable information pertaining to parking. Sites where EVCS requirements are reduced will be subject to in-lieu fees outlined in ~~section L.3 below~~.

D. ~~In specific cases where two or more uses listed in section B(1), above occupy segregated areas of the same building or structure the off-street parking requirements shall be based on the total area occupied by each distinct use.~~

~~E. The Planning Board may approve the joint use of a parking facility by two or more principal buildings or uses where it is clearly demonstrated that said parking facility will substantially meet the intent of the requirements by reasons of variation in the probable time of maximum use by patrons or employees among such establishments.~~

Board of Appeals Authority. ~~F. In specific cases where it is demonstrated that a particular building can be occupied or use carried on with fewer parking spaces than required under this section, the Board of Appeals may reduce the requirements for off-street parking upon finding that such reduction will not detract from neighborhood values, inconvenience the public, or increase congestion in the street. The granting of such reduction shall not be construed as the granting of a variance to relieve undue hardship.~~

~~2. For single family and two family dwellings, the requirements in Table 1 may be waived by the Zoning Administrator as part of the building permit application process. An in-lieu fee will apply, as outline in section L.3.~~

~~G. On street parking cannot be used to satisfy the requirements of this section unless it is specifically authorized in another section of this Ordinance.~~

~~H. Required off-street parking in all districts shall be located on the same lot as the principal building or use except that the Planning Board may authorize residential off-street parking to be located within 300 feet of principal residential uses, measured along lines of public access, where it cannot reasonably be provided on the same lot. Such parking areas shall be held under the same ownership or lease as the residential uses served and evidence of such control or lease shall be required.~~

~~I. Required off-street parking in all business and industrial zones shall be located on the same lot with the principal building or use, or within 100 feet measured along lines of public access, except that where off-street parking cannot be provided within these limits, the Planning Board may permit such off-street parking to be located a reasonable distance from the principal building or use, measured along lines of public access, if the premises to be used for parking are held under the same ownership or lease. Evidence of such control or lease shall be required and such lots shall be located within business or industrial districts.~~

~~J. Where off-street parking for uses other than single or two family dwellings is required or provided on a lot and vehicles are to be or may be parked within the area otherwise required to be kept open and unoccupied for front, side and rear yards in the zone in which such parking is located, the following requirements shall be met:~~

~~1. Where vehicles are to be or may be parked within ten feet of any street line a continuous guard curb, rectangular in cross section, at least six inches in height and permanently anchored shall be provided and maintained at least five feet from the street or lot line between such off-street parking and that part of the street or lot line involved; or a continuous bumper guard of adequate strength, the top of which shall be at least 20 inches in height, shall be provided and maintained between such off-street parking and that part of the street or lot line involved so that bumpers of vehicles cannot project beyond its face toward the street or line involved, either above or below the impact surface.~~

~~2. No parking shall be located within a green strip buffer required pursuant to Section IV(F)(10) of the Town of Scarborough Site Plan Review Ordinance.~~

~~K. Where off-street parking for any use other than single or two family dwellings is required or provided, the following construction requirements shall apply: [Adopted 01/04/2023]~~

~~1. Appropriate driveways from streets or alleys, as well as maneuvering areas, shall be provided (see Site Plan Review Ordinance, Section IV for requirements). When access to parking areas~~

~~is available from more than one street, ingress and egress to and from the lot shall have the approval of the Planning Board.~~

~~2. The surface of driveways, maneuvering areas and parking areas shall be uniformly graded with a subgrade consisting of gravel or equivalent materials at least six inches in depth, well compacted and with a wearing surface equivalent in qualities of compaction and durability of fine gravel. Unless otherwise specifically approved by the Planning Board, the surface of driveways, maneuvering areas and parking areas in all Business Zones shall be paved.~~

~~3. A system of surface drainage shall be provided in such a way that the water runoff shall not run over or across any public sidewalk or street.~~

~~4. Where artificial lighting is provided cut-off fixtures shall be used to control glare, skyglow, and spillover onto adjacent properties.~~

~~L. Electrical Vehicle Charging Infrastructure. The purpose of this provision is to facilitate and encourage the use of electric vehicles, to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure, and to establish minimum requirements for such infrastructure to serve both long-term and short-term parking needs.~~

~~2. For commercial development, the requirements outlined in Table 1 may be revised upward or downward by the Planning Board as part of an application review based on verifiable information pertaining to parking. Sites where EVCS requirements are reduced will be subject to in-lieu fees outlined in section L.3.~~

Electrical Vehicle Charging Fee in Lieu

~~4. Those who approved for a reduction in EVCS parking requirements must do not wish to meet EVCS requirements may~~ pay an in-lieu fee to the Town of Scarborough in the following amounts:

- ~~\$15,000 per required Level 3 EVCS installed parking space~~
- ~~\$8,000 per required Level 2 EVCS-installed parking space~~
- ~~\$3,000 per required EVCS-ready parking space~~
- ~~\$1,000 per required EVCS-capable parking space~~

~~4.1, EVCS in-lieu fees collected by the Town shall be deposited into a specific account, segregated from the Town's general revenue, and created for supporting electric vehicle infrastructure energy efficiency and sustainability projects in the Town of Scarborough. These funds shall be used in accordance with the following:~~

- ~~a. The funds contributed to the specific account, entitled Electric Vehicle Charging Infrastructure Fund the Sustainability Reserve Account, shall be used to further the electric vehicle infrastructure implement efficiency projects within the Town. More specifically, these funds may be used for equipment, and/or construction costs of electric vehicle charging infrastructure in existing or new municipally owned parking lots within Scarborough.~~
- ~~b. A portion of these funds may also be used for administrative, legal, engineering, or other costs related to the planning, design, and permitting, and property acquisition for electric vehicle charging projects approved by Town Council.~~
- ~~c. A portion of these funds may also be used to establish a grant or revolving loan program to provide direct financial assistance to offset the cost of retrofitting existing parking areas with electric vehicle charging infrastructure.~~
- ~~d. The Electric Vehicle Charging Infrastructure Fund Sustainability Reserve Account may be used in combination with other Town funds and other private, non-profit, and government funding, for expanding electric vehicle charging infrastructure within Scarborough.~~

- e. ~~The in-lieu fees contributed by a development shall not be used by the same or other developments to fund the electric vehicle charging infrastructure that is required to meet the minimum zoning standards.~~
- f. e. The in-lieu fees collected by the Town shall not be utilized to fund electric vehicle charging infrastructure that is otherwise required ~~to included electric vehicle charging infrastructure in order~~ to meet minimum zoning standards.

Table 1. EV Charging Infrastructure Requirements
(Table based on table in section B.1)

USE	Number of Parking Spaces Required *FA = Floor Area *GLA = Gross Leasable Area	~~Electric Vehicle Charging Station (EVCS) Requirements~~				
		~~EVCS-installed parking spaces~~	~~EVCS-ready parking spaces~~	~~EVCS-capable parking spaces~~	~~TOTAL Spaces~~	~~Minimum type of EVCS~~
Dwellings	-					
a. Single Family	2 for each dwelling unit.	—	100%	—	100%	Level 2
b. Two Family	2 for each dwelling unit	—	100%	—	100%	Level 2
c. Multi-family	2 for each dwelling unit containing 2 or more bedrooms 1.5 for each dwelling unit containing fewer than 2 bedrooms *EVCS: 100% indoor parking spaces EVCS-ready	5%	30%*	65%	100%	Level 2
d. ~~Accessory Unit~~	1 for each unit					
e. Senior housing	1 parking space per dwelling unit and 1 parking space for each employee based on the expected average employee occupancy. **EVCS requirements apply only to residential parking spaces	10%**	20%**	70%**	100%	Level 2
Schools	-	~~EVCS targeted in faculty/staff parking spaces~~				-
a. Elementary and Middle School:	1 per teacher and staff member, plus 1 space per 2 classrooms.	5%	5%	15%	25%	Level 2

b. High School:	1 per teacher and staff member on the largest shift, plus 1 space per 5 non-based students.	5%	5%	15%	25%	Level 2
c. College:	1 space per staff member on the largest shift, plus 1 space per 2 students of the largest class attendance period.	5%	5%	15%	25%	Level 2
d. Group Day Care Homes, Day Care Centers, Nursery Schools	1 per 4 children the facility is licensed for, plus 1 for each employee required by the State of Maine licensing standards for child to staff ratio		5%	20%	25%	Level 2
Commercial	-					-
Retail sales & services (> 25,000 sq. ft.)	4 per 1,000 sq. ft. of FA	5%	10%	10%	25%	50% Level 2 50% Level 3
Retail sales & services (< 25,000 sq. ft.)	4 per 1,000 sq. ft. of FA		5%	20%	25%	Level 2
Mobile food Vendor Court [Amended 01/08/2025]	1 per mobile food vendor pad site	—	—	—	—	NA
Health Club	3.5 per 1,000 sq. ft. Of FA, except that areas occupied by, and only to be used for specific activities (i.e. tennis or racquetball courts; exclusive of gymnasiums) require 3 per court.	5%	10%	10%	25%	Level 2
Hotels, motels and other transient lodging establishments	1 for each guest room.	10%	10%	80%	100%	Level 2
All other commercial uses	Refer to Table 1 in Ch. 405 Section XI. Off Street Parking Regulations for		5%	20%	25%	Level 2

	required number of parking spaces					
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~~5.—General Requirements for Electric Vehicle Infrastructure~~

~~5.1 Electric vehicle charging stations within single family and two family residences are exempt from the below general requirements. This does not exempt electrical or other permit obligations.~~

~~5.2 General station requirements~~

~~5.2.1 Size. A standard size parking space shall be used for an electric vehicle charging station where such a station is required or planned.~~

~~EVCS parking spaces are to be included in the calculation for both the number of minimum and maximum parking spaces required.~~

~~5.2.2 Equipment Standards and Protection. Where provided, parking for electric vehicle charging purposes shall meet the standards of subsections 5.2.2 (1) through (4) of this section.~~

~~5. Clearance. Charging station equipment mounted on pedestals, light posts, bollards or other devices shall be a minimum of 24 inches clear from the face of curb.~~

~~6. Charging Station Equipment. Charging station outlets and connector devices shall be no less than 36 inches or no higher than 48 inches from the top of surface where mounted, and shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.~~

~~7. Charging Station Equipment Protection. When the electric vehicle parking space is perpendicular or at an angle to curb face and charging equipment, adequate equipment protection, such as wheel stops or concrete filled steel bollards shall be used.~~

~~8. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.~~

~~5.2.3. Signage. Electric vehicle charging stations, other than in residential use, shall have posted signage allowing only charging electric vehicles to park in such spaces. For the purposes of this subsection, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.~~

~~5.2.4. The EVCS must be operational during the normal business hours of the use(s) that it serves. EVCS may be de-energized or otherwise restricted after normal business hours of the use(s) it serves. Operation hours of the chargers and a phone number for public assistance must be placed in a prominent position visual from the parking space.~~

~~5.2.5. Usage Fees. The property owner or operator is not restricted from collecting a service fee for the use of an electric vehicle charging station made available to visitors of the property.~~

~~6. Definitions Specific to Electric Vehicle Infrastructure~~

~~Charging levels means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and 3 are the most common charging levels, and include the following specifications:~~

- ~~• Level 1 provides charging through a 120-volt (V), alternating current (AC) plug~~
- ~~• Level 2 charging is through a 240V, AC plug~~
- ~~• Level 3 charging is through a 480V, direct current (DC) plug.~~

~~EVCS capable means parking spaces with necessary conduit installed but lacking required electrical capacity to install EVCS.~~

~~EVCS installed means parking spaces equipped with electrified EVCS.~~

~~EVCS ready means parking spaces with necessary conduit installed and electrical capacity available to install EVCS.~~

~~Electric vehicle infrastructure means conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations.~~

~~Electric vehicle parking space means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.~~

~~Electrical capacity shall mean, at minimum:~~

- ~~• Panel capacity to accommodate a dedicated branch circuit and service capacity to install a 208/240V outlet per charger;~~
- ~~• Conduit from an electric panel to future EVCS location(s).~~

~~Non-electric vehicle means any motor vehicle that is licensed and registered for operation on public and private highways, roads, and streets that does not meet the definition of an electric vehicle.~~

~~Redevelopment means the excavation or grading (not including paving or fine grading) of existing parking areas in excess of 25% of the existing parking area.~~

Roll Call Vote:

Councilor Scott W. Doherty - Nay	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Nay	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

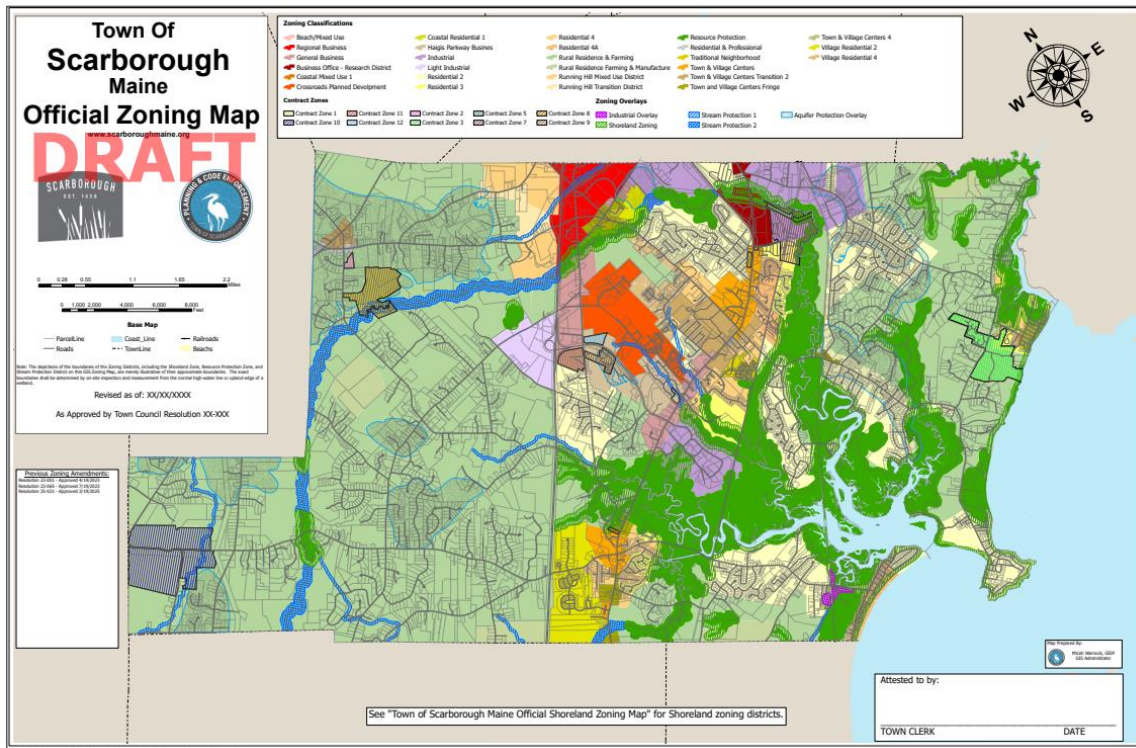
Motion Passes.

Order No. 25-035. First reading and schedule a public hearing and second reading, to consider a zoning change request for a portion of R050002, being an approximately 2.15-acre parcel located at 42 Two Rod Road, currently zoned Rural Farming (RF) to Residential 2 (R2) and amend the official zoning map of the Town of Scarborough. [Request from Applicant] Autumn Speer, Planning Director, gave a brief overview on this Order.

The following individuals spoke on this Order:

- Nina McKee of Black Point Road, asked if whether the change would make any dent on future rural farming? Councilor Chair Sither noted that this could be addressed during Council discussion.
- Katie Treem of Old Neck Road & Applicant, gave a brief overview on her request and hoped that the Town Council would approve the Order before them.

Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval of the first reading to consider a zoning change request for a portion of R050002, being an approximately 2.15-acre parcel located at 42 Two Rod Road, currently zoned Rural Farming (RF) to Residential 2 (R2) and amend the official zoning map of the Town of Scarborough and schedule a public hearing and second reading for Wednesday, April 16, 2025, as follows:



Roll Call Vote:

Councilor Scott W. Doherty - Yea	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Nay	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

Motion Passes.

Order No. 25-036. First reading and schedule a public hearing and second reading on the proposed amended Chapter 421, the Town of Scarborough Authorization of Outdoor Services Ordinance, amending the applicable time period for May 1, 2025 through November 15, 2025. [Planning Director] Autumn Speer, Planning Director, gave a brief overview on this Order.

Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval of the first reading on the proposed amended Chapter 421, the Town of Scarborough Authorization of Outdoor Services Ordinance, amending the applicable time period for May 1, 2025 through November 15, 2025 and schedule a public hearing and second reading for Wednesday, April 16, 2025, as follows:

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, approves Chapter 421, the Temporary Authorization of Outdoor Services Ordinance of the Town of Scarborough, Maine, as follows:

Chapter 421 – Town of Scarborough

Temporary Seasonal Authorization of Outdoor Services Ordinance

Section 1. Purpose: To implement this ordinance to allow businesses who wish to expand their current services to include outdoor services for the summer season beginning May 1, 2025 through November 15, 2025.

Section 2. Provisions: Notwithstanding any Town ordinance provisions to the contrary, the outdoor activity, display, sale of merchandise, and sale, service and consumption of food or drinks, including alcoholic beverages for restaurant and retail sales and services (together referred to as “outdoor services”) in certain temporary outdoor areas on private property is permitted subject to the following:

- 1) All properly licensed and/or permitted businesses at the time of enactment of this ordinance in the Town of Scarborough wishing to create or expand existing outdoor services shall first apply to the Town of Scarborough’s Planning Department and receive correspondence of approval from the Town;
- 2) In addition to the creation or expansion of outdoor services areas, temporary awnings, tents or other temporary structures may be permitted to protect the outdoor service areas from the elements;
- 3) All applications for outdoor services shall be submitted by entities properly licensed and/or permitted by the appropriate state and local agencies to perform the sales and services;

Approval for outdoor services under this temporary ordinance shall be granted through the Planning Department in coordination with the Administrative Review Team described below. To receive approval for outdoor services businesses must demonstrate how they shall:

- 1) Refrain from creating or increasing noise, such as playing or allowing amplified music, in violation of Chapter 616, the Good Neighbor Ordinance.
- 2) Not encroach on public right-of-ways.
- 3) Not interfere with handicap parking spaces.
- 4) Maintain adequate parking for patrons (the expansion or creation of outdoor services associated with approved uses may not exceed the approved capacity of the business unless additional parking is available.
- 5) Maintain safe pedestrian and vehicular access.
- 6) Maintain all access required under the Americans with Disabilities Act.
- 7) Not impede fire and emergency access nor not block fire lanes.
- 8) Provide physical barriers between the outdoor services areas and the parking field.
- 9) Demonstrate that any temporary structure complies with the rules and policies of the Town.
- 10) Outdoor service areas can only be used between the hours of 9am and 9pm Sunday to Thursday and 9am to 10pm Friday and Saturday.
- 11) Shall be in compliance with the provisions of the Maine Alcoholic Beverages and Lottery Operations - Division of Liquor Licensing and Enforcement and other federal, state and local laws or regulations. Additionally, any business legally serving alcoholic beverages in the outdoor services area shall clearly delineate, by use of physical markers and barricade, areas where

alcoholic beverages are to be served and consumed, and such consumption shall not take place outside of the marked areas. Signage reading, “No Alcohol Beyond This Point” shall be posted at all exit points and as necessary.

12) Each business seeking approval for outdoor services under this Ordinance shall apply to the Planning Department.

13) All applications shall be approved or denied by an Administrative Review Team consisting of the Town Planner, or their designee, the Zoning Administrator, or their designee, the Police Chief, or their designee, and the Fire Chief, or their designee. Approvals require unanimous decision of the administrative review team. Appeals of any denials may be made in accordance with the provisions of Chapter 405, section V.B.1.

The application shall include the following:

- 1) A narrative and plan describing the nature of the use, including responses or illustrations demonstrating how the proposal meets the requirements stated above.
- 2) A plan, survey, or aerial of the lot on which the proposed outdoor services will be located with clearly marked limits and capacity of the proposed outdoor services area.
- 3) Details of the proposed barriers used to delineate the outdoor service area.
- 4) Details of any temporary awning, tents or other temporary structures proposed (depending on size and materials additional permits may be required).
- 5) If parking capacity is to be met utilizing off-site parking spaces the application shall include the proposed location, capacity and rights of use of such off-site parking spaces.
- 6) Any additional materials as deemed necessary by the Administrative Review Team to ensure compliance with the standards.

If after the establishment of the outdoor services area the Administrative Review Team determines that the activity is proposing unforeseen hazards and concerns for public health, welfare, and safety the Town may suspend or revoke any permits under this order. Suspended or revoked activities may resubmit an application following the procedures above for review and reconsideration.

Approved outdoor service areas are valid and allowed until the expiration of this Ordinance or any extensions, modifications or replacements thereto, unless revoked by the Town.

Section 3. Sunset Clause. This ordinance shall expire on the 15th day of November, 2025.

Roll Call Vote:

Councilor Scott W. Doherty - Yea	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

Motion Passes.

Order No. 25-037. First reading and schedule a second reading, to approve the expenditure, in an amount not to exceed, \$260,000 from the Land Acquisition Reserve Fund for the purpose of purchasing property located at 49 Grant Road, identified by the Scarborough Tax Assessors Map R029/Lot 007, as recommended by the Parks and Conservation Land Board, and authorize the Town Manager, to execute any and all documents as are necessary to protect the Town’s interest. [Parks and Conservation Land Board] Jessica Sargent, Chair of the Parks and conservation

Land Board, gave a brief overview on this Order and responded to questions from the Town Council. The following individuals spoke on this Order:

- Scott Kunkler, Director of the Scarborough Land Trust and spoke in support of this recommendation.
- Andrew Mackie, Executive Director of the Scarborough Land Trust, spoke on what a conservation land easement is and went on to voice his support of this Order and responded to questions from the Council.
- Betsy Barrett of High Point Road and a member of the Board of Directors of the Land Trust spoke in support of this Order.
- Peggy Pennoyer of High Point Road, echoed the comments of the prior speakers and thanked the Council for their conservation on this Order.
- Caitlin Barry of Robinson Road also supported the comments that had been made and encourage the Council to support this application.
- Eric Stunkel of Robinson Road also spoke in support of this Order.

Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval of the first reading to approve the expenditure, in an amount not to exceed, \$260,000 from the Land Acquisition Reserve Fund for the purpose of purchasing property located at 49 Grant Road, identified by the Scarborough Tax Assessors Map R029/Lot 007, as recommended by the Parks and Conservation Land Board, and authorize the Town Manager, to execute any and all documents as are necessary to protect the Town's interest and schedule second reading for Wednesday, April 16, 2025.

Roll Call Vote:

Councilor Scott W. Doherty - Yea	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither - Yea	

Motion Passes.

Order No. 25-038. Act on the request to formally accept the resignation of Councilor Donald Cushing, Jr., which will take effective on Thursday, May 8, 2025 and set the date for nomination papers to be available for this seat on the Town Council, with a term to expire in November of 2026, from Thursday, April 3, 2025 to Monday, April 14, 2025, and set the Special Municipal Election for Tuesday, June 10, 2025, to coincide with the School Budget Validation Referendum and the Board of Education Election. [Town Clerk's Office] Thomas J. Hall, Town Manager, gave a brief overview on this Order.

The following individual spoke on this Order:

- Nina McKee of Black Point Road, thanked Councilor Cushing for his service to the community.

Motion by Councilor Donovan, seconded by Councilor Fellows, to move approval to formally accept the resignation of Councilor Donald Cushing, Jr., which will take effective on Thursday, May 8, 2025 and set the date for nomination papers to be available for this seat on the Town Council, with a term to expire in November of 2026, from Thursday, April 3, 2025 to Monday, April 14, 2025, and set the Special Municipal Election for Tuesday, June 10, 2025, to coincide with the School Budget Validation Referendum and the Board of Education Election.

Roll Call Vote:

Councilor Scott W. Doherty - Yea	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither – Yea	

Motion Passes.

Item 9. Non-Action Item. None at this time.

Item 11. Council Member Comments.

- Council Chair Sither noted that her boys took the opportunity to go to the State House to participate in the Honorary Page Program this past Tuesday and they thoroughly enjoyed the experience.

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

Roll Call Vote:

Councilor Scott W. Doherty - Yea	Councilor Cory R. Fellows -Yea
Councilor Donald W. Cushing, Jr. -Yea	Councilor William J. Donovan - Yea
Councilor Karin B. Shupe - Yea	Councilor Jonathan E. Anderson - Yea
Council Chair April V. Sither – Yea	

Motion Passes.

Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Yolande P. Justice
Clerk to the Council