

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JANUARY 15, 2014
APPOINTMENTS COMMITTEE MEETING – 6:30 P.M.
REGULAR MEETING – 7:00 P.M.

NO NEW BUSINESS SHALL BE TAKEN UP AFTER 10:00 P.M.

- Item 1.** Call to Order.
- Item 2.** Pledge of Allegiance.
- Item 3.** Roll Call.
- Item 4.** General Public Comments.*
- Item 5.** Minutes: December 18, 2013 – Regular Meeting.
- Item 6.** Adjustment to the Agenda.
- Item 7.** Items to be signed: a. Treasurer's Warrants.
- Item 8.** Non Action Items.
- a. Update from the Wentworth Building Committee.

***Procedure for Addressing Council** [Posted in Chambers.]

Order No. 13-97, 7:00 p.m. Public hearing and action on the following applicants who have applied for renewal of their Manufactured Housing Communities License:

<u>Name</u>	<u>Address</u>
1. Crystal Springs Manufactured Housing Community Donna Alexander	U.S. Route 22

Order No. 14-01, 7:00 p.m. Public Hearing and action on the renewal request for a Junkyard Permit from A. Gagnon/E. Perry Iron & Metal, located at Rigby Road.

Order No. 14-02, 7:00 p.m. Public Hearing and action on the new request for a Food Handlers License from RSR LLC d/b/a Tim Hortons, located at 398 U.S. Route One.

OLD BUSINESS:

Order No. 14-03. Act on the names posted to the various committees/boards, as recommended by the Appointments Committee on Wednesday, December 18, 2013.

NEW BUSINESS:

Order No. 14-04. Act on the request to accept Roundabout Drive, including, for the purposes of confirmation and clarification, all portions of said Roundabout Drive previously accepted by the Town of Scarborough, pursuant to Title 23, M.R.S.A. §3025 and the requirements of Section 4, of the Scarborough Street Acceptance Ordinance and as recommended by the Town Engineer.

Order No. 14-05. Act on the request from the Shellfish Commission to approve the Allocations of Licenses for 2014.

Order No. 14-06. Act on the request to approve the Council Goals for 2014.

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

Item 10. Town Manager Report.

Item 11. Council Member Comments.

Item 12. Adjournment.

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SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JANUARY 15, 2014
REGULAR MEETING – 7:00 P.M.

Order No. 13-97. Move approval to table the renewal request from Crystal Springs Manufactured Housing Community, located at US Route 22, until all violations have been corrected, as recommended by the Zoning Administrator.

Town of Scarborough, Maine

Planning and Code Enforcement

INTEROFFICE MEMO

Subject: Crystal Springs Manufactured Housing Community Annual Operator's License Renewal

To: Tody Justice, Town Clerk
Tom Hall, Town Manager

From: Brian Longstaff, Zoning Administrator

Date: January 10, 2014

In response to your request for current status of the subject's compliance with zoning and other regulations, please note that as of this date, one known violation exists.

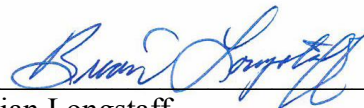
There has been an older manufactured home located on to the lot at 1 David Drive, which we understand to have come from a location in Westbrook. We have received no permit application for this unit and have contacted the park manager requesting an application and proof that all property taxes have been paid in the previous municipality pursuant to 30-A MRSA §4103 (3)(C), which requires that we receive this documentation before we can issue a permit and/or certificate of occupancy. I have included an explanation of the statute below for your reference.

We believe the unit is currently being occupied and we have contacted the Maine Manufactured Housing Board's Executive Director Robert LeClair for assistance in pursuing enforcement action to gain compliance from the Crystal Springs park manager. We expect to coordinate this enforcement action as early as next week.

Given the current status of 1 David Drive, we respectfully recommend that the Scarborough Town Council table any motion to approve license renewal until the violation is corrected.

30-A M.R.S.A. §4103(3)(C) prohibits local officials from issuing a permit to install a mobile home which was previously installed in another municipality without proof that all property taxes owed in that other municipality have been paid.

Very truly yours,



Brian Longstaff
Zoning Administrator
Town of Scarborough

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Order No. 14-01. Move approval on the renewal request for a Junkyard Permit from A. Gagnon/E. Perry Iron & Metal, located at Rigby Road.

Town of Scarborough, Maine

Town Clerk's Office

259 US ROUTE ONE

PO BOX 360

SCARBOROUGH, MAINE • 04070-0360

TO: Members of the Town Council

FROM: Yolande P. Justice, Town Clerk

DATE: January 10, 2014

RE: Request for Automobile Graveyard and/or Junkyard Permit

The following applicant is re-applying for an Automobile Graveyard and/or Junkyard Permit:

Business

A. Gagnon or E. Perry Iron & Metal

Address

Rigby Road

Application is on file in the Town Clerk's Office and it is recommended that this permit be re-issued upon final inspection from the Code Office.

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SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JANUARY 15, 2014
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Order No. 14-02, 7:00 p.m. Public Hearing and action on the new request for a Food Handlers License from RSR LLC d/b/a Tim Hortons, located at 398 U.S. Route One.

Town of Scarborough, Maine

Town Clerk's Office

259 US ROUTE ONE

PO BOX 360

SCARBOROUGH, MAINE • 04070-0360

TO: Town Council Members

FROM: Yolande P. Justice, Town Clerk

DATE: January 10, 2014

RE: Request for a Food Handlers License

The following applicant is seeking approval on their new request for a Food Handlers License:

- Tim Hortons USA Inc., d/b/a Tim Hortons, located at 398 U.S. Route One

The completed application is on file with Clerk's Office and there are no outstanding issues and it is recommended that this license be approved.

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Order No. 14-03. Move approval on the names posted to the various committees/boards, as recommended by the Appointments Committee on Wednesday, December 18, 2013, as follows:

Board of Assessment Review:

Move William Frothingham, Jr. the first alternate to a full voting member on the Board of Assessment Review with a term to expire in 2015.

Coastal Waters & Harbor Advisory Committee:

Post the name of Chris Rule to be re-appointed as a full voting member on the Coastal Waters & Harbor Committee with a term to expire in 2016.

Community Services and Recreation Advisory Board:

Post the name of Art Dillon to be re-appointed as a full voting member on the Community Services and Recreation Advisory Board with a term to expire in 2016.

Conservation Commission:

Post the names as full voting members on the Conservation Commission, Chris Herrick and Peter Slovinsky to be re-appointed as a full voting members with terms to expire in 2016 and to post the name of Sean Flaherty to be appointed as a full voting member with a term to expire in 2014.

Energy Committee:

Post the name of Sandi Dargi as a full voting member on the Energy Committee with terms to expire in 2016.

Historic Preservation Ad Hoc Advisory Committee:

Move Craig Friedrich the 1st Alternate and Becky Delaware, 2nd Alternate as full voting members on the Historic Preservation Ad Hoc Advisory Committee with terms to expire in 2016.

Housing Alliance:

Post the names of Craig Friedrich and Bryan Shumway for re-appointment as full voting members on the Housing Alliance with terms to expire in 2016.

Parks and Conservation Land Board:

Post the names of Suzanne Foley-Ferguson and Douglas Williams for re-appointment as full voting members on the Parks and Conservation Land Board with terms to expire in 2016 and appoint Sean Flaherty as a full voting member with a term to expire in 2014.

Pest Management Advisory Committee:

Post the name of Terri Eddy for re-appointment as full voting member on the Pest Management Advisory Committee with a term to expire in 2016.

Planning Board:

Post the name as full voting member on the Planning Board of Ronald Mazer for re-appointment as a full voting member with a term to expire in 2016 and move John Dupont from 1st Alternate to a full voting member with a term to expire in 2015 and move Nicholas McGee from 2nd Alternate to 1st Alternate with a term to expire in 2016 and post the name of Susan Auglis as the 2n Alternate with a term to expire in 2016.

Seniors Program Advisory Board:

Move Brian Young from 1st Alternate to a full voting member on the Seniors Program Advisory Board with a term to expire in 2015.

Transportation Ad Hoc Committee:

Post the name of Judy Roy as the Long Range Planning Representative to the Transportation Ad Hoc Committee

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JANUARY 15, 2014
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Order No. 14-04. Move approval to accept Roundabout Drive, including, for the purposes of confirmation and clarification, all portions of said Roundabout Drive previously accepted by the Town of Scarborough, pursuant to Title 23, M.R.S.A. §3025 and the requirements of Section 4, of the Scarborough Street Acceptance Ordinance and as recommended by the Town Engineer, as follows:



Town of Scarborough, Maine

P.O. BOX 360 • SCARBOROUGH, MAINE 04070-0360

MEMORANDUM

TO: Thomas Hall, Town Manager
Town Council
Phil Saucier, BSSN
Brenda Buchanan, SLT

FROM: Jim Wendel, PE, Town Engineer *JW*

DATE: January 8, 2014

RE: Street Acceptance-Roundabout Drive, circa 1960 and 1971
Development Owner-Neal A. Jannelle

In May/June of 2013 Staff was approached by the attorney for the Scarborough Land Trust (SLT) to discuss the ownership status of Roundabout Drive. The SLT was in negotiations with the State of Maine to facilitate the acquisition of remaining undeveloped land from the subdivision still owned by the Jannelle estate for integration into the Marsh. It is our understanding that the State of Maine will accept some portion of the remaining land that is located behind the cul-de-sac and bordering the Marsh.

Staff felt that this was an opportunity to clear-up Town's ownership of older roads that the Town has maintained and considered Town infrastructure; the Town has maintained the whole road for years. Attached, for your review, is a GIS based and survey plan of the road. Autumn Lane is private and not under consideration.

A significant research effort of Town records indicate that a portion of the road was accepted. The first 705 ft. of Roundabout Drive was accepted by the Town in two segments; i.e. 365 ft. at the annual town mtg of 3/9/63, and a 340 ft. extension by the Council on 2/4/70. The remaining, approximately 400 ft. of road, to the back of the cul-de-sac, has not been accepted, pursuant to an approved subdivision amendment in June 1971 by the Planning Board. The right of way width for the whole road is 50 ft.

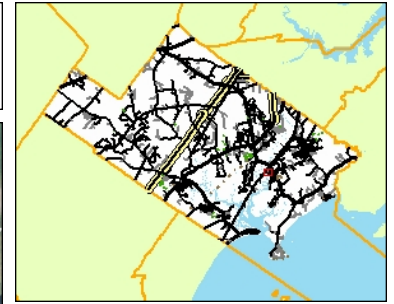
In consultation with the Town attorney and Staff, SLT has prepared a deed and a survey plan for the whole road, including previous Town acceptance actions, to bring the full road ownership up to current standards. Copies of the draft deed and survey plan are provided for your review.

In keeping with Staff's efforts to clear-up Town ownership of roads, Staff requests that the Council accept the deed for the road as represented in the executed deed. Final documentation for this action will include a boundary survey plan and deed that will be recorded at the CCRD.

Thank you,



Roundabout Drive



Legend

- Address Points
- Railroad
- Road Centerlines
 - Highway
 - State Road
 - Town Road
 - Private Road
 - Private Driveway
 - Trail
 - Not Yet Built
- Light Parcel Lines
- Dark Parcel Lines
- *Parcels with Owner Info
- Townlines
- Coastline & Major Rivers
- GeoLibrary_3in_2012_1ft
- GeoLibrary_6in_2012
- Cumberland_Co_1ft_2009
- Surrounding Towns

1: 2,380



396.7 0 198.35 396.7 Feet

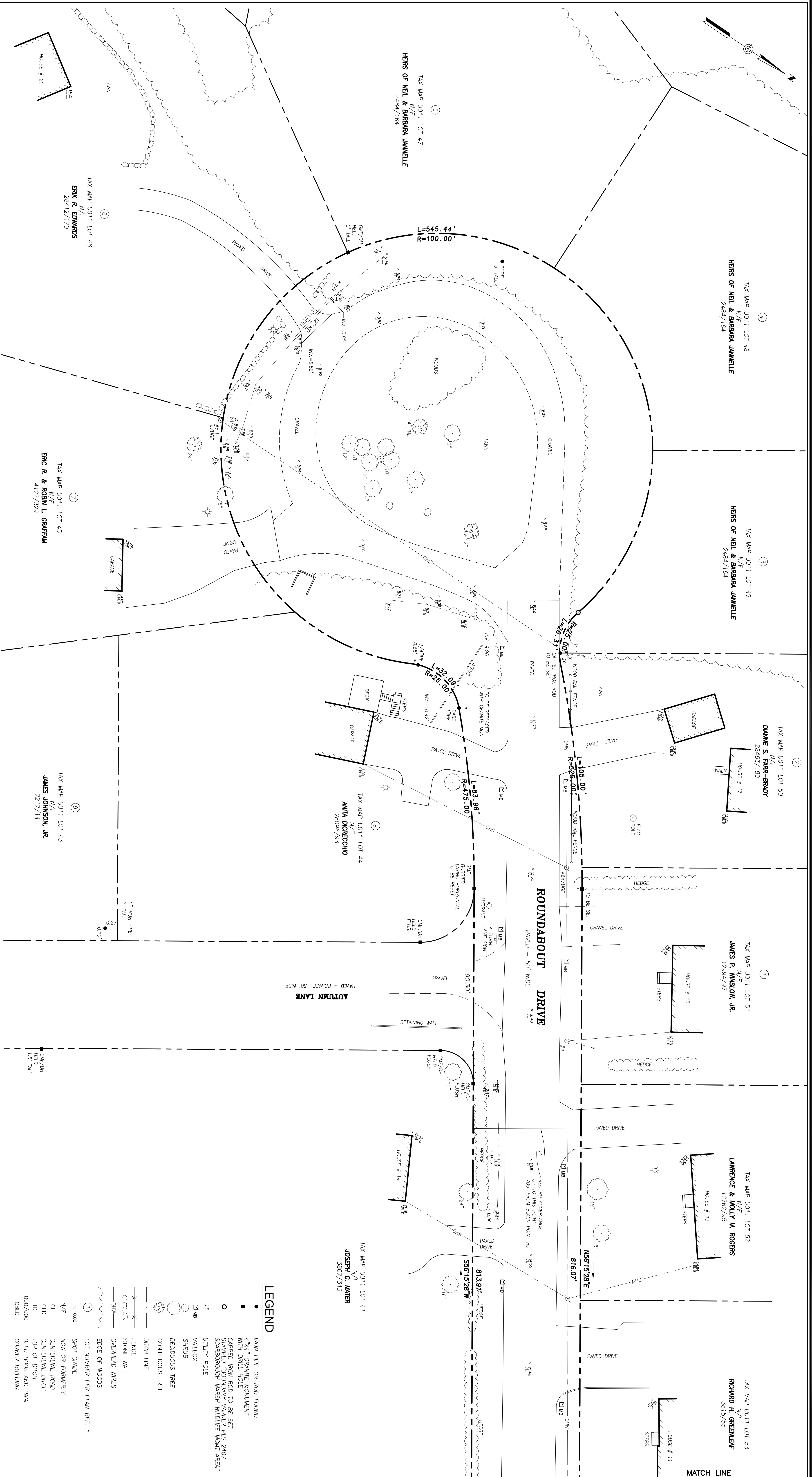
Town of Scarborough, Maine

Disclaimer

This map is a user generated static output from the Town of Scarborough internet mapping site (WebGIS) and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Notes

This map was automatically generated using the Town of Scarborough WebGIS.



- LEGEND**
- IRON PIPE OR ROD FOUND
 - 4"x4" GRANITE MONUMENT WITH DRILL HOLE
 - CAPPED IRON ROD TO BE SET
 - SPOT GRADE
 - NOW OR FORMERLY
 - CENTERLINE ROAD
 - CENTERLINE DITCH
 - TOP OF DITCH
 - DEED BOOK AND PAGE
 - CBLD
 - CORNER BUILDING
 - LOT NUMBER PER PLAN REF. 1
 - EDGE OF WOODS
 - SPOT GRADE
 - NOW OR FORMERLY
 - CENTERLINE ROAD
 - CENTERLINE DITCH
 - TOP OF DITCH
 - DEED BOOK AND PAGE
 - CBLD
 - CORNER BUILDING

RIGHT OF WAY SURVEY
ROUNDABOUT DRIVE
SCARBOROUGH, MAINE
MADE FOR
SCARBOROUGH LAND CONSERVATION TRUST
P.O. BOX 1237 SCARBOROUGH, MAINE 04070

OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424
PROFESSIONAL LAND SURVEYORS

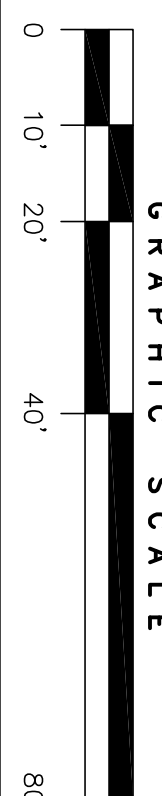
Drawn By	REL	Date	Job No.
Trace By	REL	JANUARY 9, 2014	2013-086 SC
Check By	JWS	Scale	Drwg. No.
Book No.	1119.1123	1" = 20'	1 OF 2

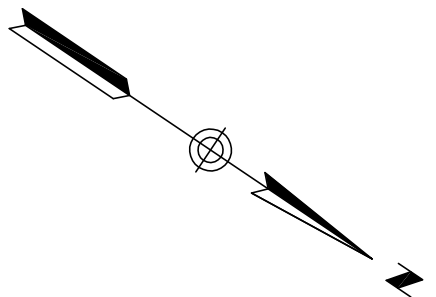
GENERAL NOTES

1. OWNER OF RECORD: HERS OF NEIL & BARBARA JANNELLE AND THE TOWN OF SCARBOROUGH.
2. BEARINGS ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD83.
3. ELEVATIONS ARE BASED ON NAVD 88.
4. THE ADJUTTER LINES SHOWN WERE NOT SURVEYED, THEREFORE THEY ARE APPROXIMATE.

PLAN REFERENCES

1. "PLAN OF LAND IN SCARBOROUGH, MAINE FOR NEAL A. JANNELLE" BY OWEN HASKELL, INC. DATED MARCH 1971. RECORDED IN PLAN BOOK 86 PAGE 20.
2. "SKETCH FOR NEAL JANNELLE SCARBOROUGH MAINE" BY C.T. PILLSBURY C.E. DATED JULY 1969.
3. "BOUNDARY SURVEY ON ROUNDABOUT DRIVE, SCARBOROUGH, MAINE OWNER OF RECORD HERS OF NEIL & BARBARA JANNELLE MADE FOR SCARBOROUGH LAND CONSERVATION TRUST" BY OWEN HASKELL, INC. DATED JUNE 19, 2013.





MATCH LINE

TAX MAP U011 LOT 53
N/F
RICHARD H. GREENLEAF
3815/35

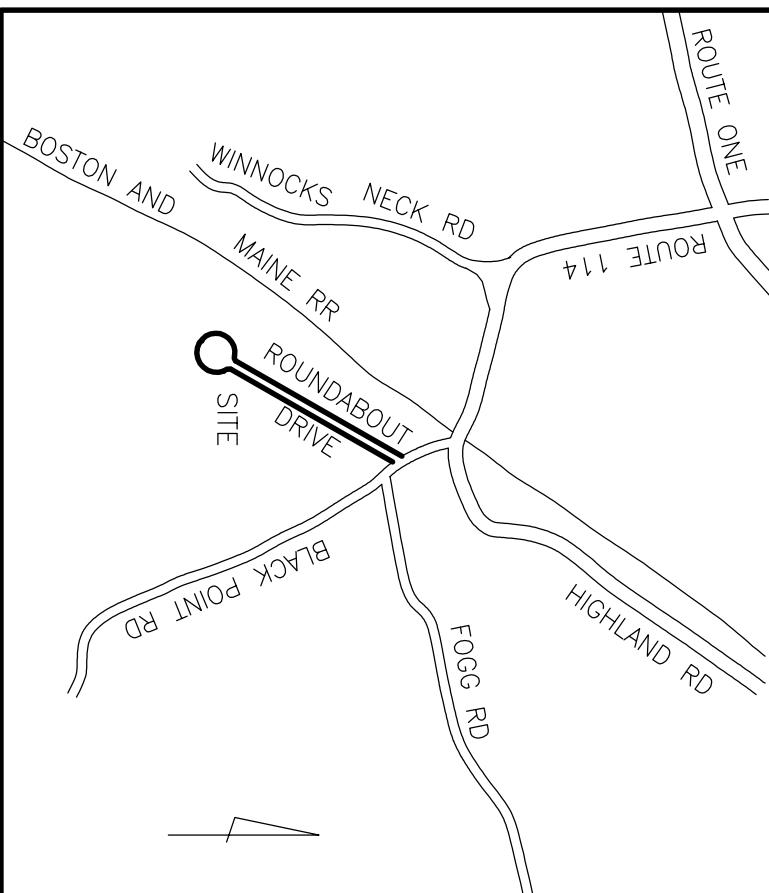
TAX MAP U011 LOT 54
N/F
WILLIAM CUREY, JR.
3813/292

TAX MAP U011 LOT 55A
N/F
GARY D. & DEBORAH A. LEMONS
12515/246

TAX MAP U011 LOT 55
N/F
DEBORAH A. LEMONS
12515/246

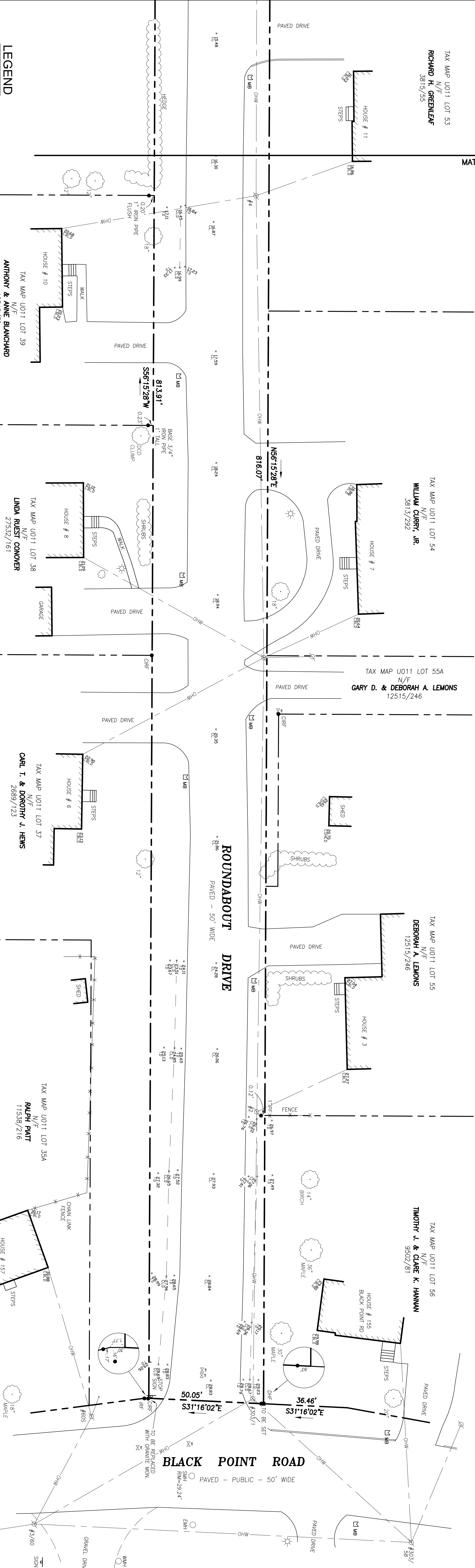
TAX MAP U011 LOT 56
N/F
TIMOTHY J. & CLARE K. HANNAN
9502/81

LOCATION MAP
N.T.S.



ROUNDABOUT DRIVE
PAVED - 50' WIDE

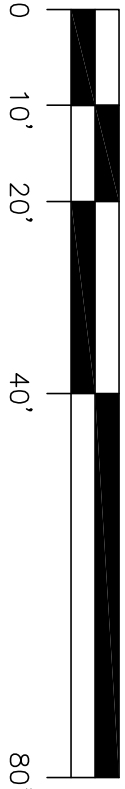
BLACK POINT ROAD
PAVED - PUBLIC - 50' WIDE



LEGEND

- IRON PIPE OR ROD FOUND
- 4"x4" GRANITE MONUMENT WITH DRILL HOLE
- CAVED POND ROD TO BE SET
- STANDARD SURVEY MARKERS PLS. 2407
- SCARBOROUGH MARSH WILDLIFE MGMT AREA*
- UTILITY POLE
- MALBOK
- SHRUB
- DECIDUOUS TREE
- CONIFEROUS TREE
- DITCH LINE
- FENCE
- STONE WALL
- OVERHEAD WIRES
- EDGE OF WOODS
- SPOT GRADE
- LOT NUMBER PER PLAN REF. 1
- N/F
- CL
- OLD
- TD
- 000/000
- CGD

GRAPHIC SCALE



PLAN REFERENCES

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3. "BOUNDARY SURVEY ON ROUNDABOUT DRIVE, SCARBOROUGH, MAINE OWNER OF RECORD HEIRS OF NEIL & BARBARA JANNELLE MADE FOR SCARBOROUGH LAND CONSERVATION TRUST" BY OWEN HASKELL, INC. DATED JUNE 19, 2013.

GENERAL NOTES

1. OWNER OF RECORD: HEIRS OF NEIL & BARBARA JANNELLE AND THE TOWN OF SCARBOROUGH.
2. BEARINGS ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD83.
3. ELEVATIONS ARE BASED ON NAVD 88.
4. THE ADJUTER LINES SHOWN WERE NOT SURVEYED, THEREFORE THEY ARE APPROXIMATE.
5. HISTORY OF ROUNDABOUT DRIVE PER CITY RECORDS
 - THERE WAS NO ROAD ACCEPTANCE PRIOR TO 1963 TOWN MEETING, EVEN THOUGH THE PROCESS HAD BEEN STARTED IN 1960
 - THE FIRST PORTION ACCEPTED BY THE 1963 TOWN MEETING WAS 365 FEET IN FROM BLACK POINT ROAD, 50 FEET IN WIDTH
 - THE 1970 TOWN COUNCIL ACCEPTANCE ADDED 340 FEET, ALSO 50 FEET WIDE

RIGHT OF WAY SURVEY

ROUNDABOUT DRIVE
SCARBOROUGH, MAINE

MADE FOR

SCARBOROUGH LAND CONSERVATION TRUST
P.O. BOX 1237 SCARBOROUGH, MAINE 04070

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390 U.S. ROUTE ONE, PALMOUTH, ME 04105 (207) 774-0424
PROFESSIONAL LAND SURVEYORS

Drawn By	REL	Date	Job No.
Trace By	JWS	JANUARY 9, 2014	2013-086 SC
Check By	REL	Scale	Drng. No.
Book No.	1119.1123	1" = 20'	2 OF 2

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JANUARY 15, 2014
REGULAR MEETING – 7:00 P.M.

Order No. 14-05. Move approval on the request from the Shellfish Commission to approve the Allocations of Licenses for 2014, as follows:

TOWN OF SCARBOROUGH

Office of the Town Clerk
P.O. Box 360
Scarborough, ME 04070-0360
207.730.4020
Fax: 207.730.4033

www.scarborough.me.us

yjustice@ci.scarborough.me.us

TO: Members of the Town Council

FROM: Yolande P. Justice, Town Clerk

DATE: January 10, 2014

RE: Request for 2014 Shellfish Allocations

At the Shellfish Conservation Commission meeting held on December 10, 2013, the Commission approved the following Shellfish Allocations for 2014. The proposed allocation are as follows:

	2014	2013
	<u>Proposed Allocations</u>	<u>Allocations</u>
• Resident Commercial Licenses:	30	29
• Non – Resident Commercial Licenses:	4	4
• Over 60 Commercial Bushel Licenses:	1	3
• Resident Student Commercial License:	10	10
• Non- Resident Student Commercial License:	1	1
• Resident Recreational Licenses:	200	200
• Non- Resident Recreational License:	20	20
• Day Permits:	10 per day	10 per day

Fees:

• Resident Commercial License	\$200
• Non-Resident Commercial License	\$400
• Over 60 Commercial Bushel License	\$100
• Resident Student Commercial License	\$100
• Non-Resident Student Commercial License	\$200
• Resident Recreational License	\$25
• Non-Resident Recreational License	\$50
• Day Permits	\$10

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JANUARY 15, 2014
REGULAR MEETING – 7:00 P.M.

Order No. 14-06. Move approval on the request to approve the Council Goals for 2014, as follows:

2014 Scarborough Town Council Goals

*** *Responsible Budgeting:***

- Conservative Assumptions – Plan for the Worst
- Review Fees & Fines
- Flat 0% Spending/Stable Tax Rate
- Advocate for Scarborough with Legislature
- Capital Budgeting

****Senior Services:***

- Partnerships
- Enhance/Expand Programming

****Workforce Housing***

****Business Friendly Permitting & Business Focus:***

- Town Departments/SEDCO/SCC/Buy Local
- “Whatever it takes” Attitude
- Streamline Permitting and Approval Process
- Review of Standards/Requirements
- Home-Based Businesses

****Improved Communication:***

- Internal among Councilors
- External
 - Website
 - CATV
 - E-Newsletter
 - Tax Bill Insert

****Revised Flood Maps:*** Educate Residents

****Encourage School Dept. to adopt an Employee Incentive Program***

****Historic Preservation:***

- Renew Committee
- Action Plan

****Sharing Services/Privatization:*** Gain Efficiencies

****Enforcement:***

- Zoning and Building Codes

****Independent Town-Wide Revaluation***

****Ongoing Dialogue with Legislative Delegation***

****Committee Reports:*** Minutes on website - Transparency

****Long Range Facility Planning***

*Goals are not listed in order of priority.