

MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JANUARY 21, 2026
HYBRID REGULAR MEETING – 7:00 P.M.

Item 1. Call to Order. Chairman Fellows called the regular meeting of the Scarborough Town Council to Order at 7:04 p.m.

Item 2. Pledge of Allegiance.

Item 3. Roll Call. Roll was called by Kristen Barth, Town Clerk. Thomas J. Hall, Town Manager and Liam Gallagher, Assistant Town Manager, were present. Those Councilors present:

Councilor Scott W. Doherty	Councilor Jonathan E. Anderson
Councilor Lawrence W. Cain - Vice Chair	Councilor William J. Donovan
Councilor Karin B. Shupe	Councilor Michelle T. Hayes
Chairman Cory R. Fellows	

Item 4. General Public Comments.

- Crescencia Maurer of Meeting House Road thanked the Council for the workshop and spoke in regards to the waterways/marsh being affected by LD 1829.
- Stephen Zamierowski of Theresa Masse Lane spoke in regards to the process of LD 1829, how Scarborough has done a lot on growth therefore should be exempt, how the bill does not include affordable housing, and promoting new types of building.
- Doug Doherty of Hollis and the President of the Saco Pathfinders Club spoke in regards to allocations from Scarborough ending and why those should be reinstated.
- Kali Harthorne of Stonebrooke Road and member of Scarborough Pathfinders Snowmobile Club spoke in regards to her history in Scarborough and the Pathfinders.
- Maryellen Knuth of Ocean Ave spoke in regards to LD 1829 and the enforcement of restrictions/codes. She also mentioned ADU enforcement for the Higgins Beach area.
- Mo Erickson of Pine Point Road spoke in regards to using public works resources to pick up Christmas trees. She also spoke in regard to Scarborough doing their share for housing and it time to stop.
- Angelina Harthorne of Stonebrooke Road and member of Scarborough Pathfinders spoke in regards to her history in Scarborough and the Pathfinders.
- Jim Pritchard of Maple Ave spoke in regards to LD1829 and his concerns.
- Allison Bristol of Bay Ave spoke in regards to LD1829 and the Higgins Beach character code.
- Karen Lothrop on behalf of Linda Libby of Running Hill Road spoke in regards to the danger of Running Road and other areas of traffic concern in Scarborough.
- Denise Hamilton of Two Rod Road thanked the Council and delegation for speaking in regards to growth. She mentioned the possibility of a State moratorium on Scarborough for a period of time so other municipalities can catch up.
- Liam Erickson of Pine Point Road and commercial shellfish harvester spoke in regards to the fee structure of licenses being proposed and spoke to amounts/costs of clams harvested.
- Andy Blanchard of Maple Ave spoke in support of LD1829 and the ADU requirements that do help people.

Liam Gallagher, Assistant Town Manager and Chair Fellows spoke in regards to Council Rules on decorum.

Item 5. Minutes: January 7, 2026 - Town Council Meeting. Motion by Councilor Donovan, seconded by Councilor Anderson to move approval of the January 7, 2026 minutes as written.

Vote: 7 Yeas. Motion Passes.

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

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

Item 8. Town Manager Report. Thomas J. Hall, Town Manager, gave the following updates and answered questions from the Council:

- **Scottow Hill Road Closure** -
 - Continue to consider options, collect information
 - MNRPC Grant awarded; MIAF now available
 - Town Council workshop scheduled for February 4th
 - Possible Council Corner Live event, TBD
- **LD 1829 Activity** -
 - Resolution approved on January 7th
 - Regional response from GPCOG issued January 13th
- **FY27 Budget Development** -
 - Budget Presentation - March 25th
 - Finance Committee Review - April 13th and 14th
- **Assessor Recruitment** -
 - First Round interviews yielded two candidates
 - Second Round interviews to be held on January 22nd - Chair Fellows involved
 - Town Council consideration of appointment in February
- **Metro - Micro Transit** -
 - Update to Transportation Committee on January 13th
 - Micro Transit service area in development
 - Town Council workshop in April requested
- **Portland West** - Reset of Gorham Connector Project
 - MDOT to lead
 - Inclusive process promised
 - Scarborough has offered to be a lead on the project
- **Road Project Updates** -
 - Pine Point Waterline Replacement
 - February start - completed by July 1st
 - Town to pave in Fall of 2026
 - East Grand Avenue Project
 - Design Plans available for review
 - Virtual Public Meeting- February 10th
 - Advocacy for inclusion in MDOT Work Plan
 - Spurwink Road - Phase 2
 - Awarded to Shaw Bros.
 - Work to be completed before Memorial Day

- **Quarterly Financial Updates – Norman Kildow, Finance Director**

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

- Councilor Anderson spoke in regards to dates for Conservations with Councilors and Coastal Marketplace paper inserts.
- Councilor Donovan spoke in regards to Sustainable Scarborough Day and posted the following names from the January 14, 2026 Appointments and Negations Committee:

Board of Assessment Review:

Appoint David Bourke as a full voting member with a term to expire 2028, Leroy Crockett as a full voting member with a term to expire 2027, Jean Marie Caterina as first alternate with a term to expire 2027, and Rebecca Hatt as second alternate with a term to expire 2028.

Coastal Waters and Harbor Advisory Committee:

Appoint Mike Slavin and Tyler Davis as full voting members with a term to expire 2028.

Community Services Advisory Board:

Appoint Brittaney Jackson as a full voting member with a term to expire 2027, Darryl Wright and Dennis Meehan as a full voting members with a term to expire 2028, Karolina Sands as first alternate with a term to expire 2028, and Mike Slavin as second alternate with a term to expire 2028.

Conservation Commission:

Appoint Cathleen Miller as a full voting member with a term to expire 2028, Christine Labaree as a full voting member with a term to expire 2026, Crayton Silsby as a full voting member with a term to expire 2027, Carrick Gambell as first alternate with a term to expire 2028, and Catilin Barry as second alternate with a term to expire 2028.

Long Range Planning Committee:

Appoint Robyn Saunders as a full voting member with a term to expire 2028 and Jean-Marie Caterina as a full voting member with a term to expire 2027, Ed Hodgson as a full voting member with a term to expire 2028, and Rebecca Hatt as first alternate with a term to expire 2028.

Parks and Conservation Land Board:

Appoint J. Anton Bodor as a full voting member with a term to expire 2027, Betts Armstrong as a full voting member with a term to expire 2028, and Susan Williams as second alternate with a term to expire 2028.

Personnel Board of Appeals:

Appoint Amanda Doherty as a full voting member with a term to expire 2028, appoint Penny Whitney-Asdourian as a full voting member with a term to expire 2026, Brittaney Jackson as first alternate with a term to expire 2027, and Susan Williams as second alternate with a term to expire 2028.

Planning Board:

Appoint Rick Meinking and James Hebert as a full voting member with a term to expire 2028, appoint Tyler Davis as a full voting member with a term to expire 2027, William Sedlack as first alternate with a term to expire 2026 and Carrick Gambell as second alternate as a term to expire 2028.

Scarborough Housing Alliance Committee:

Appoint Stephen Zamierowski and Mahir Hasanov as full voting members with a term to expire 2028.

Shellfish Conservation Commission:

Appoint Noah Nygren, Eric Quirk, Robert Willette as full voting members with a term to expire 2028.

Sustainability Committee:

Appoint Deb McDonough and Lydia Jopp as full voting members with a term to expire 2028.

Transportation Committee:

Appoint Portia Hirschman with a term to expire 2028.

Tree Care Advisory Board:

Appoint Andrew Mackie as a full voting member with a term to expire 2029.

Zoning Board of Appeals:

Appoint Richard Silkman as a full voting member with a term to expire 2028, Joseph Doherty as a full voting member with a term to expire 2026, Michael Campbell as first alternate with a term to expire 2026, and Rebecca Hatt as second alternate with a term to expire 2028.

- Councilor Shupe spoke in regards to the two items that were recently on the Planning Board agenda and the ECO Maine Board meeting.
- Councilor Cain spoke in regards to the Finance covering impact fees, beach fees, and the budget process.
- Councilor Doherty spoke in regards to Shellfish fees, how much clam diggers make, and the Town buying a new boat.

Order No. 26-003, 7:00 p.m. Public hearing and action on the new request from Zhou Min Zeng for a Medical Cultivation Facility Cannabis License, located at 10 Snow Canning Road, Unit #8. [Town Clerk's Office] The Town Clerk gave a brief over on this Order. Chairman Fellows opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:12pm.

Motion by Councilor Donovan, seconded by Councilor Anderson, to move approval on the new request from Zhou Min Zeng for a Medical Cultivation Facility Cannabis License, located at 10 Snow Canning Road, Unit #8.

Vote: 7 Yeas. Motion Passes.

Order No. 26-004, 7:00 p.m. Public hearing and action on the new for request for a Massage Establishment License from Kellie Lynne Rinaldi d/b/a Maine Laser Skin Care & Med Spa, located at 438 US Route One and a Massage License from Morgan Boilard working at Maine Laser Skin Care & Med Spa, located at 43 US Route One. [Town Clerk's Office] The Town Clerk gave a brief over on this Order. Chairman Fellows opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:13 p.m.

Motion by Councilor Hayes, seconded by Councilor Anderson, to move approval on the new for request for a Massage Establishment License from Kellie Lynne Rinaldi d/b/a Maine Laser Skin Care & Med Spa, located at 438 US Route One and a Massage License from Morgan Boilard working at Maine Laser Skin Care & Med Spa, located at 43 US Route One.

Vote: 7 Yeas. Motion Passes.

Order No. 26-005, 7:00 p.m. Public hearing and action on the new request for a Food Handlers License from Chananyu Phijarnwanit d/b/a Taste ME, located at 680 US Route One. [Town Clerk's Office] The Town Clerk gave a brief over on this Order. Chairman Fellows opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:14 p.m.

Motion by Councilor Donovan, seconded by Councilor Anderson, to move approval on the new request for a Food Handlers License from Chananyu Phijarnwanit d/b/a Taste ME, located at 680 US Route One.

Vote: 7 Yeas. Motion Passes.

OLD BUSINESS: None at this time.

NEW BUSINESS:

Order No. 26-006. First reading and schedule a public hearing and second reading on the proposed amendments to Chapter 1019, Manufactured Housing Community Ordinance with regards to LD949. [Town Clerk's Office] The Town Clerk gave a brief over on this Order.

Motion by Councilor Donovan, seconded by Councilor Anderson, to move approval of the first reading on the proposed amendments to Chapter 1019, Manufactured Housing Community Ordinance with regards to LD949 and schedule a public hearing and second reading for Wednesday, February 4, 2026, as follows:

**CHAPTER 1019
TOWN OF SCARBOROUGH
MANUFACTURED HOUSING COMMUNITY LICENSING ORDINANCE**

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following proposed amendments to Chapter 1019 - the Town of Scarborough Manufactured Housing Community Licensing Ordinance and reflects only that portion of the Ordinance that will be changed. Chapter 1019, hereby is amended, as follows (additions are underlined; deletions are struck through):

SECTION 2. Manufactured Housing Community License

- (1) It shall be unlawful for any person to establish, maintain or operate within the corporate limits of the Town of Scarborough any manufactured housing community, unless such person shall first obtain a license therefor as hereinafter provided.
- (2) Manufactured housing community licenses shall be issued by the Town Clerk only after approval of such license by vote of the Town Council.
- (3) Any person desiring to establish and operate a manufactured housing community shall file with the Town Clerk a written application for a license. Such license ~~application shall be accompanied by the required license fee and~~ shall state the name and address of the owner or lessee, the location of the manufactured housing community, the maximum number of manufactured housing units the park will accommodate and the name of the person who will be in charge and directly responsible for the operation and maintenance of the manufactured housing community.
- (4) After such investigations have been made as the Town Council may deem advisable, the Town Council shall approve or disapprove the license application, and if said application is approved by the Town Council the Town Clerk shall thereupon issue said license. License shall not be transferable from person to person or place to place.
 - A. Prior to license renewal, the Town Council shall confirm with the Tax Assessor that the applicant has furnished to the Tax Assessing Department a complete plan of the Community together with the names and location of all homeowners in the Community as of April 1st of the same year. The applicant shall also furnish the make, size and year of manufacture of all manufactured homes in the community. Failure to file the above information shall allow the Town Clerk to revoke the licensee's license.

- (5) ~~Each application for such license shall be accompanied by a license fee as specified in the *Schedule of License, Permit and Application Fees* established by the Town Council. Each such license shall expire at the end of the calendar year in which it is issued, but in event a license is issued more than six months after the beginning of any calendar year, the fee to be paid shall be reduced one half. Before any manufactured housing community license shall be renewed the premises shall be subjected to the same inspection as provided herein for the original application.~~
- (6) Such license shall be conspicuously posted on the premises of the manufactured housing community at all times.

Vote: 7 Yeas. Motion Passes.

Order No. 26-007. First reading and schedule a public hearing and second reading on the proposed amendments to Chapter 1015.A Mobile Food Vendor Ordinance. [Town Clerk's Office]
The Town Clerk gave a brief over on this Order.

Motion by Councilor Doherty, seconded by Councilor Cain, to move approval of the first reading on the proposed amendments to Chapter 1015.A Mobile Food Vendor Ordinance and schedule a public hearing and second reading for Wednesday, February 4, 2026, as follows:

**CHAPTER 1015.A
TOWN OF SCARBOROUGH
MOBILE FOOD VENDOR ORDINANCE**

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following proposed amendments to Chapter 1015.A - the Town of Scarborough Mobile Food Vendor Ordinance and reflects only that portion of the Ordinance that will be changed, Chapter 1015.A, hereby is amended, as follows (additions are underlined; deletions are struck through):

B. Permitted Mobile Food Vendor Locations

Approved Mobile Food Vendor Court. Mobile food vendors may operate at approved Mobile Food Vendor Courts with permission of the property owner.

One-time Events. Mobile food vendors may operate on private property for a private one-time event provided the unit ~~is not operational for more than thirty-six (36) hours.~~ has A ~~all other~~ required licenses and permissions must be obtained (i.e. Special Event Permit, Mass Gathering Permit).

Private Catered Events. Mobile food vendors may operate at a private catered event. A private catered event is an event that sells food and beverages coinciding with an event and only to the attendees of the event. Private catered events are not open to the general public and advertising to the public is prohibited.

Town Sponsored Events. Mobile food vendors may operate at Town sponsored events. Site locations shall be approved by Public Safety Departments.

D. Application Process

Every mobile food vendor shall obtain a license issued by the Town Clerk to conduct business in the Town. Each mobile food vendor unit requires a separate license.

A complete and signed application shall require the following information from the applicant to be considered:

1. Name of applicant, as well as physical street address, mailing address, telephone number(s), and e-mail address.
2. Legal name of business or entity.
3. Proof of a State of Maine health and Servsafe certificates at the time of application
4. Signed permission form, or provide notarized affidavit from the private property owner granting permission for unit placement.
5. Phone number for the private property owner on which the mobile food vendor unit will be placed.
6. Name, phone number and driver's license number of business owner and all employees or other persons authorized to operate the mobile food vendor.
7. Valid and current vehicle/trailer registration of mobile food unit.
8. Description of product being sold and menu.
9. The name(s) and applicable pad site location(s) of the approved mobile food vendor court at which the mobile food vendor will be located, and/or the permitted location at which the mobile food vendor will be located.
10. Identification of where the food prep operations will occur. If a commissary kitchen is located in the Town of Scarborough, it will be inspected as well.

E. Public Hearing Required

The Town Council shall hold a public hearing on all new seasonal applications for mobile food vendor licenses. Notice of the hearing shall be advertised in a local daily newspaper, at least seven (7) days prior to the hearing, at the expense of the applicant.

F. Approval Authority

Upon submission to the Town and prior to any public hearing, an application shall receive a recommendation for approval or disapproval with reasons noted by the Code Enforcement Officer, the Police Chief, the Fire Chief, and the Tax Collector, for the Town Council's consideration.

An initial application for a license to operate as a mobile food vendor within Scarborough shall be approved by the Town Council following a public hearing as described in Section E of this ordinance upon a determination that the application complies with the provisions of this ordinance. The Town Clerk, or their designee, may approve seasonal renewal licenses, 1 day or 2-7 consecutive day licenses, but may refer licenses to the Town Council.

J. License Requirements. Any applicant for a license under this ordinance must demonstrate each of the following:

1. General Standards

- a. A license shall only be granted if the applicant demonstrates compliance with all applicable Federal, State and local requirements, the applicant demonstrates that the premises will be conducted in a healthful and sanitary manner so as not to jeopardize the public health, safety and welfare, and that the applicant is not delinquent in the payment of any personal taxes or fees owed to the Town of Scarborough.
- b. An applicant must additionally and specifically demonstrate that the applicant:
 - i. Meets all State of Maine Health Department regulations;
 - ii. Holds a State of Maine Eating Place Mobile License;

iii. Servsafe Certificate

- iv. Complies with the State of Maine rules relating to eating and lodging places, as periodically amended; and
- v. Shall not sell anything other than food, beverages and associated related and incidental goods.

2. Equipment Standards

- a. Use of petroleum fuel powered generators is prohibited on mobile food vendor courts
- b. Mobile food vendors shall be attended at all times during operating hours.
- c. The allowable dimensions of a mobile food vendor (including all attachments, except hinged canopies that open to reveal food serving areas) shall be no more than 30 feet long, 13 feet tall, and nine feet wide.
- d. Mobile food vendors shall have a gray water holding tank.
- e. Mobile food vendor operators shall ensure that there is an adequate supply of potable water for cleaning equipment and the preparation of foods.
- f. Mobile food vendor operators shall ensure there is an adequate and safe source of electrical power.
- g. Mobile food vendor operators shall ensure all storage of food supplies and other business material is within the vehicle or other container secured to the vehicle. No loose material shall be permitted outside of the vehicle.
- h. The trailer, or vehicle, being used shall be registered, in good upkeep, and provide a neat appearance.

3. Inspections Required

- a. All cooking, heating and electrical equipment and all cooking practices must comply with applicable safety regulations, including but not limited to applicable fire and electrical codes and any other safety requirements imposed by the Town.
- b. If the cooking procedures involve producing grease laden vapors, a hood suppression system with a class k fire extinguisher must be in place in the food truck with current inspection tags attached.
- c. Mobile food vendors conducting cooking operations shall obtain an annual fire inspection from the Fire Department prior to operating its business.
- d. Open flame cooking, either within or outside a food vendor, is prohibited, except where such activity is specifically permitted by the Fire Department.
- e. The mobile food vendor will be subject to inspection upon submission of the license application through the Code Enforcement Department and the Fire Department, and may be subject to random inspection and upon reissuance of the permit. The inspection must be completed by April 15th.
- f. Inspections can be waived by the Code Enforcement Department or the Fire Department, if the applicant provides documentation of a passed inspection from another acceptable municipality.

K. License Fee Required

The ~~initial fee and renewal fees~~ payable for a mobile food vendor license shall be as specified in Chapter 311, the *Schedule of License, Permit and Application Fees* established by the Town Council.

L. Operating Without a License

If it is determined by Town staff that a Mobile Food Vendor is operating with a Town of Scarborough Mobile Food Vendor License, operation must cease immediately or the following steps can be taken:

- a. Complete requirements in Section J; and
- b. Pay license and after the fact fee outlined in Chapter 311 – Schedule of Fees.

Vote: 7 Yeas. Motion Passes.

Order No. 26-008. First reading and schedule a public hearing and second reading on the proposed amendments to Chapter 1002, Shellfish Conservation Ordinance. *[Marine Resource Officer]* Daryen Granata, Marine Resource Office, gave a brief overview on this Order.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval on the first reading on the proposed amendments to Chapter 1002, Shellfish Conservation Ordinance and schedule a public hearing and second reading for Wednesday, February 4, 2026, as follows:

**CHAPTER 1002
TOWN OF SCARBOROUGH
SHELLFISH CONSERVATION ORDINANCE**

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following proposed amendments to Chapter 1002 - the Town of Scarborough Shellfish Conservation Ordinance and reflects only that portion of the Ordinance that will be changed. Chapter 1002, hereby is amended, as follows (additions are underlined; deletions are struck through):

5. Licensing - Municipal Shellfish Digging is required:

It is unlawful for any person to dig or take shellfish from the shores and flats of this municipality without having a current license issued by this municipality as provided by this Ordinance.

A Commercial Digger must also have a valid **STATE OF MAINE COMMERCIAL SHELLFISH LICENSE** issued by the Department of Marine Resources, if state law makes possession of the state license a prerequisite to issuance of a municipal license.

A. Designation, Scope and Qualifications:

5. Over 60 Resident Commercial Bushel License:

The license is available to residents of the Town of Scarborough who are 60 years old and over. Applicants must show proof of age and residence. This license entitles the holder to dig or take one (1) bushel of shellfish from the shores and flats of this municipality ~~per day~~ at each tide. [Amended 02/18/98; 01/20/99]

7. 65 and Over Resident ~~Complimentary~~ Shellfish License:

The license is available to residents and real estate taxpayers of this municipality and entitles the holder to dig and take no more than one peck of shellfish in any one day for personal use. It is a violation of this ordinance for any person to sell, or otherwise receive remuneration for, any shellfish harvested pursuant to a 65 and over residential ~~complimentary~~ recreational shellfish license. Any holder of a 65 and over resident ~~complimentary~~ recreational shellfish license who is cited by the Shellfish Conservation Officer for selling or otherwise receiving remuneration for any shellfish harvested pursuant to that license, in addition to being subject to the other penalties provided in this ordinance, shall be ineligible for a recreational license in the next licensing year following that violation. The Shellfish Conservation Officer's determination of violation may be appealed in the same manner as a license suspension under Section 5(J). [Adopted 01/17/2024; Amended 02/05/2025]

7.a. 65 and Over Non-Resident ~~Complimentary~~ Shellfish License:

The license is available to non-residents of the Town of Scarborough and entitles the holder to dig and take no more than one peck of shellfish in any one day for personal use. It is a violation of this ordinance for any person to sell, or otherwise receive remuneration for, any shellfish harvested pursuant to a 65 and over non-resident ~~complimentary~~ recreational shellfish license. Any holder of a 65 and older non-resident ~~complimentary~~ recreational shellfish license who is cited by the Shellfish Conservation Officer for selling or otherwise receiving remuneration for any shellfish harvested pursuant to that license, in addition to being subject to the other penalties provided in this ordinance, shall be ineligible for a recreational license in the next licensing year following that violation. The Shellfish Conservation Officer's determination of violation may be appealed in the same manner as a license suspension under Section 5(J). [Adopted 01/17/2024; Amended 02/05/2025]

11. Commercial and Recreational License Applicant. A commercial and recreational license applicant may apply for those licenses that they qualify for; however, an applicant can ~~only~~ hold no more than one license. [Amended 01/17/24]

D. Conservation Activities: [Adopted 06-03-15]

The Town encourages all shellfish diggers to protect and enhance the resource by participating in conservation activities such as seeding clam beds, participating in shellfish surveys, and participating in other approved resource management activities. All Commercial License holders 18 years of age or older are required to participate in shellfish conservation projects as deemed necessary by the Shellfish Conservation Commission and/or the Marine Resource Officer. Seeding or other approved conservation activities also may be undertaken ~~on a volunteer basis~~. Commercial License Holders who complete the specified number of hours of conservation activities which may include required shellfish seeding hours and volunteer hours for a total of twelve (12), will be eligible for license renewal pursuant to Section 5.E.4.(a) of this Ordinance. An additional .5 hours for each hour of survey conducted. [Amended 01/07/2024; 02/05/2025]

E. Issuance of Shellfish Licenses: [Amended 06-03-15]

Clam resources vary in density and size distribution from year to year and over the limited soft clam producing area of the Town. It is essential that the town carefully husband its shellfish resources. Following the annual review of the town's clam resources, its size distribution, abundance and the warden's reports, as required by Section 3, the Shellfish Conservation Commission, in consultation with the D.M.R. area biologist, will determine whether limiting commercial or recreational shellfish licenses is an appropriate shellfish management option for the following year.

- 1) Prior to February 1 of 1998 and each succeeding year, the Commission shall report its findings and document recommendations for the allocation of commercial and recreational licenses to be made available for the following license-year to the Commissioner of Marine Resources for concurrence.
- 2) After receiving approval of proposed license allocations from the Commissioner of Marine Resources and prior to February 1 of 1998 and each succeeding year, the Shellfish Conservation Commission shall notify the Town Clerk in writing of the number and allocation of shellfish licenses to be issued.
- 3) Notice of the number of licenses and the procedure for application shall be published in a trade or industry publication, or in a ~~newspaper or combination of newspapers~~ with general circulation, as well as the town's social media sites or online posting, which the

municipal officers consider effective in reaching persons affected, not less than 10 days prior to the period of issuance and shall be posted in the municipal offices until the period concludes.

L. Penalty:

Any person who violates any provision of this ordinance will be held accountable ~~commits a crime, not a civil violation, punishable by a fine of up to \$1,500 per offense~~, as provided in 12 M.R.S.A. §6671(10) and (10-A). Any person holding a commercial license under this Ordinance who aids or abets the harvest of shellfish in violation of this Ordinance also commits a violation of this Ordinance and shall be subject to the same fines as the person he or she assisted. [Amended 04/04/07]

P. Method of Harvest of Taking Soft Shell Clams.

Pursuant to Title 12 Section 6623, it shall be unlawful to fish for or take soft shell clams. ~~The only acceptable method of harvest shall be by use of the hand-held clamrake, with a handle no more than eighteen inches in length. Use of shovels, spades and pitch forks shall be prohibited.~~ [Amended 03/01/06]

Vote: 6 Yeas and 1 Nay (Councilor Doherty). Motion Passes.

Order No. 26-009. First reading and schedule a public hearing and second reading on the proposed amendments to Chapter 311, Schedule of License, Permit and Application Fees. [Town Staff] Town Staff gave a brief overview on this Order.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the first reading on the proposed amendments to Chapter 311, Schedule of License, Permit and Application Fees and schedule a public hearing and second reading for Wednesday, February 4, 2026.

Motion by Councilor Cain, seconded by Councilor Anderson to amend the main motion to take the recommended increase to the commercial shellfish licenses and divide half and increase the 2026 Shellfish Season 50% and for the 2027 Shellfish Season increase it by the half, as follows:

<u>Chapter 1002 – Shellfish Ordinance, Fees</u>	<u>Fee</u>
Resident Commercial	~~\$200.00~~ <u>\$300.00 for 2026</u> <u>\$400.00 for 2027</u>
Non-resident Non-reciprocating Commercial	~~\$400.00~~ <u>\$600.00 for 2026</u> <u>\$800.00 for 2027</u>
Resident Student Commercial	~~\$100.00~~ <u>\$150.00 for 2026</u> <u>\$200.00 for 2027</u>
Non-resident Student Commercial	~~\$200.00~~ <u>\$300.00 for 2026</u> <u>\$400.00 for 2027</u>
Over - 60 ~~Years~~ Resident Commercial (Bushel)	~~\$100.00~~ <u>\$150.00 for 2026</u> <u>\$200.00 for 2027</u>

Vote on Amendment: 5 Yeas and 2 Nays (Councilors Doherty and Shupe).

Vote on Main Motion as Amended:

**CHAPTER 311
TOWN OF SCARBOROUGH
SCHEDULE OF 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 proposed amendments to Chapter 311- the Town of Scarborough Schedule of License, Permit and Application Fees and reflects only that portion of the Ordinance that will be changed. Chapter 311, hereby is amended, as follows (additions are underlined; deletions are struck through):

Recommendations from the Planning Director

<u>Chapter 405 – Zoning</u>	<u>Fee</u>
Requests for Zoning Amendments (Not from Planning Board or Town Council)	\$250.00
Contract Zoning – Non-Refundable Application Fee (Adopted 11/20/2002)(Amended 05/05/2004)	\$500.00
Zoning Determination Letter (Adopted 05/07/2014)	~~\$35.00~~ <u>50.00</u>
~~Planning Administrative Review Fee (Adopted 05/07/2014)~~	~~\$75.00~~
Review Fee for Private Way Registration (Amended 06/02/2004; 06/02/2021)	\$300.00
Paper Copy of the Official Zoning Map and/or the Official Shoreland Zoning Map (Amended 05/03/2023)	\$30.00 each
Plus Fee for inspections conducted by Town Staff, per hour (Section 7) (Adopted 06/02/2021)	\$75.00
One (1) Dwelling Unit Credit (<i>as per Section VIID(E)1, Development Transfer Provisions</i>) (July 18, 2007)(Amended 10/16/2019)	\$50,000.00
Affordable Housing In-Lieu Fee Per Dwelling Unit [Adopted 11/06/2013][Amended 10/16/19]	\$50,000.00
Utility-Scale Solar Energy System (Adopted 10/20/2021)	\$500.00
Electronic Vehicle Charging Station (EVCS) In-Lieu Fee Per Required Parking Space: [Adopted 05/03/2023]	
Level 3 EVCS	\$15,000.00
Level 2 EVCS	\$8,000.00
EVCS-Ready	\$3,000.00
EVCS-Capable	\$1,000.00
CODE ENFORCEMENT -	
Building Permit Fees [a minimum of] (Amended 05/06/2009)	\$50.00
Per Unit fee for each new dwelling unit created (Adopted 06/02/2021)	\$50.00
Residential / Commercial Unfinished, per square foot (Amended 05/05/04) (Amended 05/03/2006; 06/02/2021)	\$0.25
Residential / Commercial Finished, per square foot (Amended 05/05/04) (Amended 05/03/2006; 06/02/2021)	\$0.50
Renovations/Remodels/Alterations/Minor Additions, Residential/Commercial (Adopted 05/07/2014; Amended 06/02/2021)	\$12.50 per \$1,000 of est. cost of construction
Sheds less than 250 SF(Adopted 05/07/2014)	\$50.00

Permit After-The-Fact Double the Permit Fee	
Demolition Permit Fees (Amended 05/05/2004) (Amended 05/06/2009; 05/02/2012)	\$50.00
Zoning Board Of Appeals - Per Appeal (Amended 05/05/2004)	\$250.00
Certificate of Occupancy/Change of Use Fee [no charge if in conjunction with other active permits) (Adopted 05/06/2009) (Amended 05/07/2014)	\$50.00
Sign Permit Fees – Each [Adopted 05/03/2023]	~~\$35.00~~ 50.00
Temporary Storage Containers - Per Application (10/01/1997) (Amended 05/05/2004; 05/03/2023)	\$50.00
Heating Appliance Permit (Adopted 05/07/2014) (Amended 05/03/2023)	\$50.00
Utility-Scale Solar Energy System Installations: (Adopted 10/21/2021) 1 – 10 Panels	\$45.00
11 – 50 Panels	\$100.00
51 – 100 Panels	\$200.00
≥100 Panels	\$500.00
The fees for electrical permits, plumbing permits and building permits shall include one inspection of the work covered by each permit. Typically permits include the following inspections: A) Foundation; B) Bed bottom for leach fields; C) Leach bed; D) Electrical; E) Plumbing; F) Framing; and, G) Insulation and H) Certificate of Occupancy. For each re-inspection thereafter, per-permit, a fee of \$50 shall be charged. If a re-inspection is required because the permit holder called for an inspection before the work was ready for inspection, such re-inspection shall not occur for at least two (2) weeks, unless the permit holder pays a surcharge of \$200 in addition to the \$50 re-inspection fee. For after the fact Certification of Occupancy/Change of Use Permits and Inspections, the fee is doubled (Amended 10/06/2004; 05/07/2014; 05/03/2023)	

<u>Chapter 405A - Floodplain Management</u>	<u>Fee</u>
Non-Refundable Permit Application Fee	\$50.00

<u>Chapter 405B - Site Plan Review</u>	<u>Fee</u>
~~Planning Administrative Renew Fee (Adopted 05/07/2014)~~	~~\$75.00~~
~~Site Plan Minor Amendment Review Fee~~	~~\$250.00~~
Site Plan Application Fee (plus fee per Square Feet)(Adopted 05/07/2014)	\$500.00
Site Plan Amendment Fee (plus fee per Square Feet)(Adopted 05/07/2014)	\$250.00
Under 1,000 Square Feet (Amended 05/07/2014)	\$0.00
1,000 to 2,000 Square Feet (Amended 05/07/2014)	\$250.00
>2,000 to 5,000 Square Feet (Amended 05/07/2014)	\$500.00
>5,000 to 10,000 Square Feet (Amended 05/07/2014)	\$1,000.00
>10,000 Square feet and over, plus \$25.00 per 1,000 above 10,000 square feet (Amended 05/07/2014)	\$1,000.00
Inspection fee for inspections conducted by Town Staff, per hour (Section 11) (Adopted 06/02/2021) (Amended 05/03/2023)	\$100.00

Recommendations from the Shellfish Commission and the MRO

<u>Chapter 1002 – Shellfish Ordinance, Fees</u>	<u>Fee</u>
Resident Commercial	~~\$200.00~~ \$300.00 for 2026

	<u>\$400.00 for 2027</u>
Non-resident Non-reciprocating Commercial	~~\$400.00~~ <u>\$600.00 for 2026</u> <u>\$800.00 for 2027</u>
Resident Student Commercial	~~\$100.00~~ <u>\$150.00 for 2026</u> <u>\$200.00 for 2027</u>
Non-resident Student Commercial	~~\$200.00~~ <u>\$300.00 for 2026</u> <u>\$400.00 for 2027</u>
Over - 60 ~~Years~~ Resident Commercial (Bushel)	~~\$100.00~~ <u>\$150.00 for 2026</u> <u>\$200.00 for 2027</u>
Resident Recreational <u>(200 licenses available)</u> ~~(Over 65 Free)~~	~~\$200.00~~ <u>\$300.00 for 2026</u> <u>\$400.00 for 2027</u>
Non-Resident Recreational 20 ~~A~~ <u>a</u> available ~~—(Over 65 Free—14 Available)~~ (Adopted 12/17/2003)	~~\$400.00~~ <u>\$600.00 for 2026</u> <u>\$800.00 for 2027</u>
<u>Over 65 Resident Recreational (140 licenses available)</u>	<u>\$10.00</u>
<u>Over 65 Non-resident Recreational (14 licenses available)</u>	<u>\$15.00</u>
Resident Recreational Day Pass (Amended 04/06/05; 01/17/2024)	\$10.00
Non-Resident Recreational Day Pass (Adopted 01/17/2024)	\$20.00
Non-Resident Recreational 3 Day pass (Adopted 02/05/2025)	\$45.00

Recommendations from the Town Clerk

Chapter 1015A – Mobile Food Vendor License (Adopted 01/08/2025)	
~~Mobile Food Vendor License (Required for each Unit.)~~	<u>\$250.00</u>
<u>Class 1: Annual (New)</u>	<u>\$250.00</u>
<u>Class 1: Annual (Renewal)</u>	<u>\$150.00</u>
<u>Class 2: 2-7 consecutive days</u>	<u>\$100.00</u>
<u>Class 3: 1 day</u>	<u>\$50.00</u>
<u>After The Fact (in addition to the license fee)</u>	<u>½ license cost</u>

Chapter 1015 -Food Handlers Registration Fee (Adopted 05/03/06)(Amended 05/21/08; 05/05/2010; 04/02/2025)	
Class 1: Beer, Wine and Spirits (Adopted 04/02/2025)	\$600.00
Class 2: Beer and/or Wine (Adopted 04/02/2025)	\$500.00
Class 3: No Liquor (Adopted 04/02/2025)	\$400.00
Class 4: Catering (Adopted 04/02/2025)	\$300.00
~~Class 5: Temporary (Adopted 04/02/2025)~~	<u>\$50.00</u>
<u>Class 5: In-home</u>	<u>\$150.00</u>
<u>Class 6: Temporary (including Farmers Market)</u>	<u>\$50.00</u>

<u>Chapter 1019 Town of Scarborough Manufactured Housing Community</u> <u>Licensing Ordinance (Amended 07/20/2022)</u>	<u>Fee</u>
<u>Application Fee, minimum</u>	<u>\$27.50</u>

~~Each unit in excess of 10 (Amended 05/21/2008)~~	~~\$3.75~~
~~Maximum Fee (Amended 05/21/2008)~~	~~\$200.00~~

<u>Miscellaneous Fees [Adopted 05/03/2005] (Amended 02/15/2006; 04/03/2024)</u>	<u>Fee</u>
Application Fee for all <u>new</u> Town Clerk Licenses (Adopted 04/02/2025)	\$50.00
Marriage Ceremonies Performed (Amended 02/15/2006; 04/02/2025)	\$100.00

Vote: 6 Yeas and 1 Nay (Councilor Doherty). Motion Passes, as amended.

Order No. 26-010. Act on the request to accept the 2026 Town Council Goals. [Chairman Fellows]

Chairman Fellows gave a brief overview on this Order. The following public comments were made:

Motion by Councilor Anderson, seconded by Councilor Donovan, to move approval on the request to accept the 2026 Town Council Goals, as follows:

2026 Town Council Goals

Norms Discussion:

- Follow Roberts Rules of Order
- Don't get into back and forth with speakers
- Avoid bringing new topics to Manager's update or update the agenda afterwards
- Encourage healthy discussion and healthy debate and come to a respectful landing spot
- Don't deliberate over email
- Consensus is the goal, but it's okay when we don't get there, so long as we deliberate respectfully
- Begin and end with what is best for the community in mind (listening and acknowledging community input and considerations during the process).
- Be Present - Come to meetings prepared to be an active participant. Refrain from the use of cell phones and other distractions during public meetings.
- Practice civility and decorum in all interactions with each other, town staff, as well as members of the public.
- Refrain from public criticism of individuals.
- Be familiar with, and actively adhere to, Council Rules and Robert's Rules of Order.

Growth: (Cory, Larry, Michelle): Long Range, Planning Board, Housing Alliance, Conservation Commission)

- Advocate for Legislative Change
- By the end of Q1 to meet and discuss the scope of a moratorium and implement as soon as possible through good public process that considers levers to manage growth and actions such as:
 - Responding to LD1829
 - Inclusionary Zoning
 - Rate of Growth Ordinance updates
 - Modifying Comprehensive plan
 - Addressing traffic along key corridors
- Expand the use of impact fees for open space and public safety
- No interest in expanding or establishing a new TIF district or CEAs through December 2026
- Implement an STR ordinance

Communications & Engagement: (Jon, Larry, Michelle)

- Continue to engage with the public where they are and through engagement with neighborhood partners
- Continue to explore and budget for print engagement with the public

Conservation, Sustainability & Resiliency: (Karin, Bill, Scott: CS Rec Advisory Board, Conservation Commission, Transportation Committee)

- Continue to leverage land bond funds to pursue 30X30 goal, expand recreational uses and support historic preservation
- Explore other avenues of funding to support the vulnerability assessment
- Explore strategies to limit tree cutting for new commercial developments

Transportation and Traffic: (Jon, Michelle, Bill; Transportation Committee)

- Develop corridor specific plans to address mobility on Rt 1, Payne Rd and Gorham Road that considers multi-modal transportation (e.g. Toll structures on 95, Portland West, Reimagine Rt 1, Downs TMP, Sidewalks & Trails Master Plan, Complete Streets Toolbox, METRO bus pilot)

Financial, Affordability & Capital Planning: (Larry, Jon, Karin)

- Develop a 20-year financial plan by the end of the year to fund and respond to the results of the vulnerability assessment, transportation study, parks and facilities Master Plan, open space plan
- Work towards a 0% mil rate for the FY27 Budget to show restraint in advance of the school bond
- Defer any major capital projects (e.g. Library Expansion, Community Center)
- Advocate with regional agencies and the state on property tax relief legislation

OTHER ACTIONS:

- Jon to bring Traffic Calming Policy to Transportation Committee
- Karin to bring 3 strikes revision to Ordinance for action
- Jon to bring Black Point/Easter Rd to Transportation Committee for discussion and reassessment
- Michelle/Rules and Policy to further discuss Town Managers Report/Public Comment to see if there is a different approach to take on agendas as part of Council Rules and Policy
- Schedule mid-point progress on goals in the June Meeting

Vote: 7 Yeas. Motion Passes.

Item 10. Non-Action Item. None at this time.

Item 11. Council Member Comments.

- Councilor Doherty and Donovan spoke in regards to the offensive comments made during public comment and thanked Chair Fellows for stopping the comments.

Order No. 26-011. Act on the request for an executive session pursuant to Title 1, §405.6.(a) regarding the Town Manager's Performance Evaluation. [Chairman Fellows]

Motion by Councilor Anderson, seconded by Councilor Doherty, to move approval on the for an executive session pursuant to Title 1, §405.6.(a) regarding the Town Manager's Performance Evaluation, to return to public session to adjourn the meeting.

Vote: 7 Yeas. Motion Passes.

Meeting recessed to executive session at 8:50 p.m. Chairman Fellows reconvened the meeting at 10:32 p.m.

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

Vote: 7 Yeas. Motion Passes.

Meeting Adjourned at 10:33p.m.

Respectfully submitted,

Kristen Barth
Town Clerk