

MINUTES
Ordinance Committee Meeting
Wednesday, January 14, 2026

Item 1. Call to Order. Councilor Shupe, called the meeting to order at 5:02pm

Item 2. Roll Call. Committee members Councilor Karin Shupe (Chair), Councilor William Donovan, and Councilor Jon Anderson were present. Liam Gallagher, Assistant Town Manager and Thomas Hall, Town Manager were also present.

Item 3. Public Comment. Councilor Shupe explained that she is going to take public comment on items that are not on the agenda at this time. No public comments were made.

Item 4. Approval of minutes from June 11, 2025. Motion by Councilor Donovan, seconded by Councilor Anderson, to move approval of the October 8, 2025 meeting minutes as written.

Vote: 3 Yeas. Motion Passes.

Item 5. Consider proposed changes to Chapter 1019 Manufactured Housing Community License Ordinance required for compliance with LD 949. Kristen Barth, Town Clerk provided an overview of this item. There were no public comments made for or against this item. Discussion ensued between staff and committee members.

Motion by Councilor Donovan, seconded by Councilor Anderson to move the proposed changes to Chapter 1019 Manufactured Housing Community License Ordinance required for compliance with LD 949 to the full Town Council on January 21, 2026, as follows:

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: 3 Yeas. Motion Passes.

Item 6. Review and consider amendments to Chapter 1015.A Mobile Food Vendor Ordinance. Kristen Barth, Town Clerk and John Brennan, Deputy Fire Chief gave an overview of this item and answered committee questions. There were no public comments made for or against this item.

Motion by Councilor Donovan, seconded by Councilor Anderson to move amendments to Chapter 1015.A Mobile Food Vendor Ordinance to the full Town Council on January 21, 2026, as follows:

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 ~~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 annual 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: 3 Yeas. Motion Passes.

Item 7. Renew and consider amendments to Chapter 1002 Shellfish Conservation Ordinance. Daryen Granata, Harbor Master gave an overview of this item and answered committee questions. There were no public comments made for or against this item. Discussion ensued between staff and committee members.

Motion by Councilor Donovan, seconded by Councilor Anderson to move the proposed amendments to Chapter 1002 Shellfish Conservation Ordinance to the full Town Council on January 21, 2026.

Motion by Councilor Shupe, seconded by Councilor Donovan, to amend the main motion for an additional .5 hours for each hour of survey conducted and bushel of shellfish from the shores and flats of this municipality ~~per day~~ at each tide.

Vote: 3 Yeas. Motion Passes.

Vote on Main Motion as Amended:

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 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 on Main Motion as Amended: 3 Yeas. Motion Passes.

Item 8. Review and consider amendments to Chapter 311 Schedule of Fees. Kristen Barth, Town Clerk, Daryen Granata, Harbor Master and Autumn Speer, Town Planner gave an overview of this item and answered committee questions.

The following public comment was made:

- Timothy Morris of Asselyn Drive spoke in support of the fee for in home. He requested that the committee consider having the Farmers Market and in home the same fee or excepting both.
- Andy Blanchard of Maple Ave spoke in regards to shellfish fees, what he has heard from licenses holders and shellfish revenue.

Discussion ensued between staff and committee members.

Motion by Councilor Donovan, seconded by Councilor Anderson to move amendments to Chapter 311 Schedule of Fees with the below amendments to the full Town Council on January 21, 2026, as follows:

Chapter 405 – Zoning	Fee
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)

Chapter 405A - Floodplain Management	Fee
Non-Refundable Permit Application Fee	\$50.00

Chapter 405B - Site Plan Review	Fee
<u>Planning Administrative Renew Fee (Adopted 05/07/2014)</u>	<u>\$75.00</u>
<u>Site Plan Minor Amendment Review Fee</u>	<u>\$250.00</u>
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

Chapter 1002 – Shellfish Ordinance, Fees	Fee
Resident Commercial	\$200.00 <u>400.00</u>
Non-resident Non-reciprocating Commercial	\$400.00 <u>800.00</u>
Resident Student Commercial	\$100.00 <u>200.00</u>
Non-resident Student Commercial	\$200.00 <u>400.00</u>
Over - 60 Years Resident Commercial (Bushel)	\$100.00 <u>200.00</u>
Resident Recreational (<u>200 licenses available</u>) (Over 65 Free)	<u>\$25.00</u> <u>50.00</u>
Non-Resident Recreational 20 A available —(Over 65 Free —14 Available) (Adopted 12/17/2003)	\$50.00 <u>100.00</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

Chapter 1015A – Mobile Food Vendor License (Adopted 01/08/2025)	
<u>Mobile Food Vendor License (Required for each Unit.)</u>	<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>

<u>Chapter 1015 -Food Handlers Registration Fee</u> <u>(Adopted 05/03/06)(Amended 05/21/08; 05/05/2010; 04/02/2025)</u>	
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
<u>Class 5: Temporary (Adopted 04/02/2025)</u>	<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 Licensing Ordinance [Amended 07/20/2022]</u>	<u>Fee</u>
<u>Application Fee, minimum</u>	<u>\$27.50</u>
<u>Each unit in excess of 10 (Amended 05/21/2008)</u>	<u>\$3.75</u>
<u>Maximum Fee (Amended 05/21/2008)</u>	<u>\$200.00</u>

<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: 3 Yeas. Motion Passes.

Item 9. Consider amendments to Chapter 405 Zoning Ordinance including the creation of a new section consolidating uses; updating all Zoning Districts to reference said new use section; update childcare and residential care uses, definitions and allowed districts based on State Statute requirements; add conservation, parks, trails and associated parking to the use table, definitions and allowed districts; amend definitions, performance standards and special exception standards to capture amendments and correct inconsistencies. Autumn Speer, Planning Director an overview of this item and answered committee questions. The following public comments were made:

- Timothy Morris of Asselyn Drive wanted speak in support for the table presented as this would have helped when he was starting his business in town and wants to recommend a special exemption for micro farming.
- Denise Hamilton of Two Rod Road spoke in regards to pros and cons of the table.

Motion by Councilor Anderson, seconded by Councilor Donovan to move a to Chapter 405 Zoning Ordinance including the creation of a new section consolidating uses; updating all Zoning Districts to reference said new use section; update childcare and residential care uses, definitions and allowed districts based on State Statute requirements; add conservation, parks,

trails and associated parking to the use table, definitions and allowed districts; amend definitions, performance standards and special exception standards to capture amendments and correct inconsistencies to the full Town Council in February 2026.

Motion by Councilor Anderson, seconded by Councilor Donovan to amend the main motion for the use table to allow Commercial Agriculture and Commercial Animal Husbandry with a Special Exception in R3, R4 and R4A zoning districts with the new table being presented to the full Town Council at the February 2026 meeting.

Vote: 3 Yeas. Motion Passes.

Vote on Main Motion as Amended:

Vote on Main Motion as Amended: 3 Yeas. Motion Passes.

Item 10. Review Short Term Rental Policy. Autumn Speer, Planning Director provided an overview of this item.

The following public comments were made:

- Averyl Hill of Maple Ave spoke in regards to the Short-Term Rental Policy not going through the proper steps for a policy and the currently policy being allowed until an ordinance is developed.
- Katie Foley of Acorn Lane and Higgins Beach Maine .com spoke in regards to if the policy is repealed what problems could happen between then and when the ordinance is developed.
- Denise Hamilton of Two Rod Road spoke in regards to legal issues by this policy and repealing now.
- Stephen Zamorowski of Theresa Massey Lane spoke in regards to quality of life issues and cost of living in addition of loss of housing stock.

Item 11. Future Meetings and Agenda Items. Item skipped due to time constraints.

Item 12. Adjournment. Motion by Councilor Anderson, seconded by Councilor Donovan, to move approval to adjourn the regular meeting of the Scarborough Ordinance Committee.

Vote: 3 Yeas. Motion Passes.

Meeting adjourned at 6:58pm

Respectfully submitted,

Kristen Barth
Town Clerk