

**FALMOUTH TOWN COUNCIL
SPECIAL MEETING
FALMOUTH TOWN HALL
Monday, July 23, 2007
MINUTES**

Present and answering roll call: Councilors Payne, Goggin Libby, Armitage, Breen & Rodden.

Arrived after roll call: Councilor Wroblewski.

On motion (Armitage), duly seconded by (Libby), it was VOTED (6 Ayes: 1 abstention: Goggin) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF
FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

"To add Item #7: Discussion regarding Hat Trick Drive."

ITEM 1 - Public Hearing and order relative to amending the schedule of sewer service rates.

Chair Breen opened the public hearing.

There was no public comment.

Chair Breen closed the public hearing.

On motion (Armitage), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF
FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

"To amend the schedule of sewer service rates as follows:

**TOWN OF FALMOUTH
SCHEDULE OF SEWER SERVICE RATES**

The following rate schedule is adopted by order of the Falmouth Town council pursuant to Section 18-160 of the Falmouth Municipal Code of Ordinances:

Fees for Permit, Connections and Sewer Service

- (A) At the time of application for a sewer connection permit, a fee of \$100 for each residential unit or \$200 for each commercial unit shall be paid to the Town of Falmouth.
- (B) Connection charges from the connection of any building or property to the public sewer, exclusive of accessory apartments unless it requires a separate connection to the sewer system, are as follows:
 - (1) Single family dwelling and/or each apartment:
 - (a) On existing sewer line: \$2,000

(2) Multiplex: the greater of:

- (a) \$12 per foot of frontage of the lot to be served by the sewer on the street or public way in which the sewer is located; or
- (b) \$2500 for the first 30,000 square feet of lot area plus \$350 for each additional 15,000 square feet of lot area.

(3) Commercial and industrial uses: the greater of:

- (a) \$18 per foot of frontage of the lot to be served by the sewer on the street or public way in which the sewer is located; or
- (b) \$3,600 up to the first 30,000 square feet of area of the lot to be served by the sewer plus \$480 for each additional 15,000 square feet of area of the lot to be served on the street or public way in which the sewer is located.

(4) Municipal uses: the greater of:

- (a) \$9 per foot of frontage of the lot to be served by the sewer by the street or public way in which the sewer is located; or
- (b) \$1,250 up to the first 30,000 square feet of area of the lot to be served by the sewer plus \$240 for each additional 15,000 square feet of area of the lot to be served on the street or public way in which the sewer is located.

(C) Sewer service rate schedule:

(1) Residential rate - \$32.46 per month.

(2) Commercial rate – the greater of the following:

- (a) Minimum rate - \$32.46 per month for up to 1,000 cubic feet of water per month with additional usage at the rate of \$2.35 per hundred cubic feet of water.
- (b) First seventeen (17) interior fixture units for \$32.46 per month (minimum rate). Over seventeen (17) fixture units at \$1.53 per fixture unit per month.

(3) Multiple family and multiplex will be charged \$32.46 per month per each living unit.

(4) Town owned schools shall be charged \$30.51 per month for each 15 pupils and/or persons.

(D) The contents from septic tanks of Falmouth properties or boat holding tanks located in the Falmouth Harbor may be discharged to the public sewer system upon approval of the Superintendent. A fee of 9 cents per gallon shall be paid to the town prior to discharge.

- (E) If a floor drain, sump pump or roof drain is found connected to the sewer, a charge of \$30 per quarter shall be assessed until removed from the sewer system.
- (F) Under Section 18-131 through 18-164, the fees and rates set forth in this appendix may be modified from time to time by order of the Falmouth Town Council. "

ITEM 2 - Public Hearing per Zoning & Subdivision Ordinance, multiple sections: relative to proposed planning fees. (order: conditioned upon an order for ordinance fee in August to adopt a change in August.)

Chair Breen opened the public hearing.

There was no public comment.

Chair Breen closed the public hearing.

ITEM 3 - Order to adopt a new land use planning/application fee schedule.

On motion (Libby), duly seconded by (Armitage), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To adopt a new land use planning/application fee schedule conditioned upon an order to adopt an ordinance fee in August....."

ITEM 4 - Presentation of the new website.

Jennifer Phinney, IT Administrator presented the format for the new website which is expected to go live in early August.

ITEM 5 - Presentation & Public Hearing relative to residential land use planning procedures in Falmouth from CBI (Consensus Building Institute).

Background information was presented via a PowerPoint presentation relative to changes in the Planning Department. A summary of CBI's final report was presented by Patrick Field at the Town Council meeting Monday. Recommendations included: the possibility of creating two senior positions in the Planning Department. CBI recommends that a chief planner work on oversight and long-range planning and that a second, or senior planner, be responsible for operations and permit processing.

Recommendations from CBI included reaffirming and refining the role of the Comprehensive Plan Advisory Committee. And the membership in CPAC has become too big with liaisons that do not necessarily make sense.

CBI recommends that the council reauthorize CPAC to advise the council on the Comprehensive Plan and that the chairman of the Council's Community Development Committee serve as the council liaison to CAC. CBI recommends CPAC and the Council develop a work plan for the next year that includes preparations for the next Comprehensive Plan's development and implementation.

On motion (Wroblewski), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To take item #6 before item #5."

Chairman Breen opened the public hearing.

There was no public comment.

Chairman Breen closed the public hearing.

ITEM 6 - Introduction of an amendment to the Flood Plain Management Ordinance.

Al Farris spoke regarding the timeframe. He believes the state time line will be fine. Councilor Goggin is introducing this tonight. Mr. Farris stated that he is on tract with language to have it introduced... The state of Maine is requiring Falmouth to adopt an updated Flood plain Management Ordinance in order for residents to be eligible for flood plain insurance. It is necessary to update Falmouth's (FMO) Floodplain Management Ordinance to make it consistent with current FEMA standards and be approved by the State. The updated FMO is slated to be on the Council's agenda for a public hearing on August 27, 2007 with an introduction scheduled for the July 23rd meeting. Al is working with the State and a consultant to ensure that applicable standards and procedures are included in the Ordinance. On motion (Armitage), duly seconded by (Libby), it was VOTED (6 Ayes: 1 abstention: Goggin) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To add Item #7: Discussion regarding Hat Trick Drive."

ITEM 7: Discussion regarding Hat Trick Drive.

Town Manager, **Nathan Poore** explained that Wal Mart is looking to expand their outdoor garden space and parking may be added out back to be shared with Family Ice. This would link Depot Road to Clearwater Drive without going out to Route One. In exchange for access over that easement Falmouth Plaza was going to grant an easement to the town and a small piece near Clearwater that the town would provide an easement back of Falmouth Plaza. Shared parking was discussed. The parties agreed to split the cost into thirds way back when.

Attorney, Rick Shinay was called during the meeting to discuss details pertaining to this item.

On motion (Wroblewski), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To authorize Town Manager, Nathan Poore to enter into an agreement to proceed with the cost savings agreement conditioned upon amending the documents to include the following:

1. Provision to allow Metro/transportation function to be allowed in the parking lot by the gazebo & to qualify as a municipal use.

2. Have the ability to erect traffic control signs and enforce in the same manner as traffic enforcement on Hat Trick Drive.
3. Include a provision that does not prohibit general parking.
4. Include a provision that would prohibit employees of Falmouth Shopping Center from parking back there.

On motion (Goggin), duly seconded by (Wrobleski), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To amend the motion as "negotiated by Town Manager, Nathan Poore."

ADJOURN

On motion (Armitage), duly seconded by (Libby), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To adjourn the meeting at 10:05 PM."

Respectfully submitted,

Kathleen W. Babau

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Falmouth Town Clerk

** These minutes are not verbatim. For a CD version, please contact the Town Clerk's office at 781-5253, **