

**MINUTES**  
**SCARBOROUGH TOWN COUNCIL**  
**WEDNESDAY – DECEMBER 19, 2007**  
**REGULAR MEETING – 7:30 P.M.**

**Item 1. Call to Order.** Chairman Messer called the regular meeting of the Scarborough Town Council to order at 7:30 p.m.

**Item 2. Pledge of Allegiance.**

**Item 3. Roll Call.** Roll was called by Yolande P. Justice, Town Clerk. Ronald W. Owens, Town Manager, was also present.

Ronald D. Ahlquist, Vice Chair [Absent]	Michael J. Wood
Carol S. Rancourt	Judith L. Roy
Richard J. Sullivan, Jr. [Late]	Sylvia J. Most
Jeffrey A. Messer, Chair	

**Item 4. Minutes: December 5, 2007 – Regular Meeting.** Motion by Chairman Messer, seconded by Councillor Most, to move approval of the minutes of the December 5, 2007, regular Town Council meeting, as written.

Councillor Roy asked that the Council revisit the policy on minute taking in that there a brief overview and/or major points with regards to the discussion that take place on each Order be noted in the minutes. The Council agreed that the policy on minute taking would be revisited at a future meeting.

Vote: 6 yeas.

**Item 5. Items to be signed: a. Treasurer’s Warrants.** Treasurer’s Warrants were signed during the meeting.

**Recognition of Susan Auglis and Millard “Bud” Hanson, former Planning Board members and Patrick Dryzga, former Zoning Board of Appeals member for their dedication to the Town of Scarborough during their terms.** Chairman Messer presented the “Council Award” to Susan Auglis, Millard “Bud” Hanson and Patrick Dryzga, which was given as a lasting symbol of the Council’s appreciation of their most valuable contribution to the Town of Scarborough. There were comments from Council members.

**Order No. 07-158, 7:30 p.m. Public Hearing on the proposed sidewalk plan for the Dunstan area.** Chairman Messer opened the public hearing. The following individual made comments regarding Order No. 07-158: Patrick O’Reilly of 677 U.S. Route One, spoke in support of this recommendation and asked that granite curbing be implemented.

There being no further comments either for or against, the hearing was closed at 7:54 p.m. The second reading will be scheduled for Wednesday, January 2, 2008.

**Order No. 07-159, 7:30 p.m. Public Hearing and second reading on a six-month moratorium on a proposed subdivision development in the Running Hill area as a result of the current zoning**

**being inconsistent with the Comprehensive Plan.** Dan Bacon, Town Planner, gave a brief overview on this recommendation. Chairman Messer opened the public hearing.

The following individual made comments regarding Order No. 07-159: Jerry Libby of 111 Running Hill Road voice his concerns with what is going to happen and hoped that the neighbors will be involved with the process on what actually will take place in their neighborhood; Harry White of 135 Running Hill Road, indicated that he was very concerned with what develops out of this and would like to be part of the process.; Dennis Dinsmore of 119 Running Hill Road, supports the moratorium and opposes development in the area

As there were no comments either for or against, the hearing was closed at 8:05.

Motion by Chairman Messer, seconded by Councillor Most, to move approval of the second reading on a six-month moratorium on a proposed subdivision development in the Running Hill area as a result of the current zoning being inconsistent with the Comprehensive Plan, as follows:

**TOWN OF SCARBOROUGH  
MORATORIUM ON PROCESSING  
APPLICATIONS FOR NEW SUBDIVISIONS  
OR SITE PLANS IN THE GEOGRAPHIC AREA  
IDENTIFIED IN THE UPDATED COMPREHENSIVE PLAN  
AS THE “RUNNING HILL ROAD  
MIXED USE PLANNED DEVELOPMENT DISTRICT”**

WHEREAS, on July 19, 2006, the Town of Scarborough adopted An Updated Comprehensive Plan; and,

WHEREAS, the Updated Comprehensive Plan, in compliance with state law, has designated an area of Town identified as the Running Hill Road Mixed Use Planned Development District as a growth area appropriate for new commercial and mixed use development; and,

WHEREAS, the Town’s current land use ordinances have not been updated to implement the recommendations of the Updated Comprehensive Plan for the Running Hill Road Mixed Use Planned Development District; and,

WHEREAS, there are large tracts of undeveloped and underdeveloped land in the vicinity of the Running Hill Road Mixed Use Planned Development District that are currently zoned to allow only rural residential development and limited growth; and,

WHEREAS, the Updated Comprehensive Plan’s recommendations for the Running Hill Road Mixed Use Planned Development District to be a growth area for commercial, mixed use and economic development cannot be achieved under the current land use ordinances in place for the area; and,

WHEREAS, the existing roadways in the vicinity of the Running Hill Road Mixed Use Planned Development District do not have the structural capacity, width or alignment to accommodate the significant increases in traffic that would accompany new development in the district; and,

WHEREAS, the necessary wastewater infrastructure is not currently in place to accommodate the level of new development recommend by the Updated Comprehensive Plan for the district; and,

WHEREAS, the Running Hill Road Mixed Use Planned Development District is located in the Long Creek and Red Brook Urban Impaired Watersheds; and,

WHEREAS, the Town anticipates that continued residential growth in Greater Portland will put development pressure on the open land in the Running Hill Road Mixed Use Planned Development District in Scarborough; and,

WHEREAS, the Town needs a reasonable period of time to craft and adopt new land use ordinances in the Running Hill Road Mixed Use Planned Development District; and,

WHEREAS, the Town needs a reasonable period of time to plan for roadway infrastructure, wastewater infrastructure, and storm water provisions in the Running Hill Road Mixed Use Planned Development District; and,

WHEREAS, until the Town has taken the necessary steps to implement the recommendations of the Updated Comprehensive Plan for the Running Hill Road Mixed Use District, the application of the Town's existing land use ordinances for this area are inadequate to prevent serious public harm from rural residential development that will inhibit commercial, mixed use and economic development; and,

WHEREAS, until the Town has taken the necessary steps to plan for roadway, wastewater and storm water provisions, the application of the Town's existing land use ordinances for this area are inadequate to prevent serious harm from new development on the Long Creek and Red Brook watersheds and the roadway infrastructure in the Running Hill Road Mixed Use Planned Development District; and,

WHEREAS, new subdivisions and site plans in the Running Hill Road Mixed Use Planned Development District create the greatest potential for serious adverse impact if they are developed before the Town has had the opportunity to craft and adopt new land use ordinances and establish roadway, wastewater and storm water infrastructure plans for this area; and,

NOW, THEREFORE, be it ordained by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, as follows:

1. Acceptance, processing and acting upon applications prohibited. During the time this Ordinance is in effect, no officer, official, employee, office, board or agency of the Town of Scarborough shall accept, process, approve, deny, or in any other way act upon any application for a subdivision, as defined by 30-A M.R.S.A. § 4401(4), or any application for site plan review under the Town of Scarborough Site Plan Review Ordinance ( Chapter 405B of the Town of Scarborough), within the boundaries of the Running Hill Road Mixed Use Planned Development District (map attached).
2. Applicability. Notwithstanding anything to the contrary in 1 M.R.S.A. § 302, this Ordinance applies to any application for a subdivision as defined in 30-A M.R.S.A. § 4401(4) or site plan, as per Chapter 405B of the Town of Scarborough, whether or not such application had become a "pending proceeding" as defined in 1 M.R.S.A. § 302 prior to enactment of this Ordinance.

3. Effective date and duration. This Ordinance takes effect at 12:00 a.m. on the date following enactment by Town Council vote and shall remain in effect for 180 days thereafter, unless extended, amended or repealed by further Town Council vote.
4. Exception for amendments to previously approved subdivisions and site plans. This Ordinance shall not apply to any application to amend a previously approved subdivision plan, provided no new lots or units are created by the amendment, or to an application to amend a previously approved site plan, provided no new buildings or building additions are proposed.

Vote: 6 yeas.

**Order No. 07-166, 7:30 p.m. Public Hearing on the renewal request for a liquor license from Van Reeo, Inc., d/b/a Pizza Time/Dimitris Restaurant, located at 185 U.S. Route One and the new request from the Texas Roadhouse, located at 600 Gallery Boulevard.** Chairman Messer opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:08 p.m. Chairman Messer asked that the question be divided.

Motion by Chairman Messer, seconded by Councillor Roy, to move approval on the renewal request for a liquor license from Van Reeo, Inc., d/b/a Pizza Time/Dimitris Restaurant, located at 185 U.S. Route One, with the condition that the application will be sent to the State only after the outstanding personal property taxes are paid and are current.

Vote: 6 yeas.

Motion by Chairman Messer, seconded by Councillor Most, to move approval on the new request for a liquor license from the Texas Roadhouse, located at 600 Gallery Boulevard.

Vote: 6 yeas.

**Order No. 07-167, 7:30 p.m. Public Hearing on the new request for Food Handlers license from the Texas Roadhouse, located at 600 Gallery Boulevard.** Chairman Messer opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:12 p.m.

Motion by Councillor Rancourt, seconded by Councillor Roy, to move approval on the new request for Food Handlers license from the Texas Roadhouse, located at 600 Gallery Boulevard.

Vote: 6 yeas.

### **OLD BUSINESS:**

**Order No. 07-168. Act on the names posted to the Comprehensive Implementation Committee, by the Town Council Chairman to confirm the appointment of Susan Auglis – who is replacing Doug McKeown and Allen Paul as the Planning Board Representative.** Motion by Chairman Messer, seconded by Councillor Roy, to move approval on the names posted to the Comprehensive Implementation Committee, by the Town Council Chairman to confirm the appointment of Susan Auglis – who is replacing Doug McKeown and Allen Paul as the Planning Board Representative.

Vote: 6 yeas.

**NEW BUSINESS:**

**Order No 07-169. First reading and refer to the Planning Board the proposed amendment to the Shoreland Zoning Ordinance.** Dan Bacon, Town Planner, gave a brief overview on this proposed amendment and answered questions from the Town Council.

Motion by Chairman Messer, seconded by Councillor Roy, to move approval of the first reading and refer to the Planning Board the proposed amendment to the Shoreland Zoning Ordinance and schedule a public hearing for the next regular meeting following the filing of the recommendations of the Planning Board, as follows:

**Proposed Amendments to the Shoreland Zoning Ordinance  
And Zoning Ordinance to Increase the Width of the Stream Protection District  
Along Stuart Brook**

WHEREAS, the Town's adopted Comprehensive Plan proposes that the Town increase the width of the existing Stream Protection District adjacent to Stuart Brook as part of revised zoning for the Route One corridor that includes allowing limited commercial use in the area between the expanded Stream Protection District and the Town line with Saco,

AND WHEREAS, the Town desires to make the changes in the Zoning Ordinance necessary to bring it into conformance with the adopted Comprehensive Plan,

THEREFORE BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following amendments to the Shoreland Zoning Ordinance and Zoning Ordinance of the Town of Scarborough, Maine, be and hereby are adopted:

**Amend the Official Shoreland Zoning Map to increase the width of the Stream Protection District on both sides of Stuart Brook from seventy-five (75) feet to two-hundred fifty (250) feet as shown on the attached fragmentary zoning map.**

**Amend Section 3 Applicability of the Shoreland Zoning Ordinance to read:**

**Section 3. Applicability**

This Ordinance applies to all land areas within 250 feet, horizontal distance, of the normal high-water line of any great pond, river or saltwater body; within 250 feet, horizontal distance, of the upland edge of a coastal or freshwater wetland; within two-hundred fifty (250) feet, horizontal distance, of Stuart Brook, and within 75 feet, horizontal distance, of the normal high-water line of any other stream. This Ordinance also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending beyond the normal high-water line of a water body or within a wetland.

Amend Section 13. B. Stream Protection District of the Shoreland Zoning Ordinance to read:

**B. Stream Protection District**

The Stream Protection District includes all land areas within two-hundred fifty (250) feet, horizontal distance, of the normal high-water line of Stuart Brook and seventy-five (75) feet, horizontal distance, of the normal high-water line of any other stream, exclusive of those areas within two -hundred and fifty (250) feet, horizontal distance, of the normal high-water

line of a great pond, river or saltwater body, or within two-hundred and fifty (250) feet, horizontal distance, of the upland edge of a freshwater or coastal wetland. Where a stream and its associated shoreland area is located within two-hundred and fifty (250) feet, horizontal distance, of the above water bodies or wetlands, that land area shall be regulated under the terms of the shoreland district associated with that water body or wetland.

**Amend Section 15. A. Minimum Lot Standards of the Shoreland Zoning Ordinance by adding a new item 4. to read:**

4. If a property owner voluntarily transfers the fee simple ownership of land within the Stream Protection District to the Town of Scarborough or to a land trust or other conservation organization approved by the Planning Board for the purpose of public open space and public access to or along the stream, the property owner shall be entitled to a density bonus. The amount of the bonus shall be one and one half times the number of the dwelling units that could have been built on the transferred land within the Stream Protection District without consideration of the stream setback requirement based upon the net residential area and density for the zone that determines the applicable density and lot area for the land based upon the requirements as set out in the Zoning Ordinance. This bonus shall be in addition to any other density bonus provided for in the Zoning Ordinance including the density bonus for the transfer of development rights. The units resulting from this density bonus may be:

- a) Developed on another portion of the same parcel on which development is permitted that is not located within the Stream Protection District, or
- b) Transferred to another parcel in accordance with the Development Transfer Provisions of Section VIID of the Zoning Ordinance.

Units resulting from this density bonus must be built or transferred in accordance with Section VIID of the Zoning Ordinance within ten (10) years of the date of the transfer of the land to the Town, land trust, or conservation organization. The right to build or transfer a unit shall lapse at the conclusion of the ten (10) year period. The Planning Department shall establish and maintain a registry of any bonus units created under this provision and shall track the utilization of those units over time to ensure compliance with these provisions.

**Amend Section 15. B. Principal and Accessory Structures of the Shoreland Zoning Ordinance so that item 1. reads:**

**B. Principal and Accessory Structures**

1. All new principal and accessory structures shall be set back at least two-hundred fifty (250) feet from the normal high water line of Stuart Brook and seventy-five (75) feet from the normal high water line of other water bodies, tributary streams, or the upland edge of a wetland.

In addition:

- a. The water body or wetland setback provision shall neither apply to structures which require direct access to the water as an operational necessity, such as piers, docks and retaining walls, nor to other functionally water-dependent uses.

**Amend Section VI Definitions of the Zoning Ordinance so that the second bullet under item 2. in the definition of Lot Area reads:**

- Portions of the lot located in the Stream Protection District pursuant to the Shoreland Zoning Ordinance for the Town of Scarborough, Maine that are within seventy-five (75) feet, measured horizontally, of the normal high water line of the stream.

Vote: 6 yeas.

**Order No 07-170. First reading and refer to the Planning Board the proposed amendment to the Zoning Ordinance to Revise the Signage Regulations specific to the Haigis Parkway (HP) Zoning District.** Harvey Rosenfeld, President of SEDCO, gave a brief presentation regarding the proposed recommendations to revise the Signage Regulations specific to the Haigis Parkway and responded to questions from the Town Council.

Michael Scarks of Neptune Properties, LLC presented a copy of a memo that he sent to Mr. Rosenfeld regarding his concerns pertaining to the current signage.

Motion by Chairman Messer, seconded by Councillor Roy, to move approval of the first reading and refer to the Planning Board the proposed amendment to the Zoning Ordinance to Revise the Signage Regulations specific to the Haigis Parkway (HP) Zoning District and schedule a public hearing for the next regular meeting following the filing of the recommendations of the Planning Board, as follows:

**Proposed Amendment to the Zoning Ordinance**

**To Revise the Signage Regulations specific to the Haigis Parkway (HP) Zoning District**

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following amendment to the Zoning Ordinance of the Town of Scarborough, Maine, be and hereby are adopted:

Amend Sub-section A.9. h. Campus Directional Sign and x. Off-Premise Sign to read (additions are underlined; deletions are struck through):

**h. Campus Directional Sign:**

A freestanding, ~~on-premise~~ sign located along a public right-of-way or within an area designated as a Unified Development that directs people to ~~a number of~~one or more named destinations reachable along that roadway.

**x. Off-premise Sign:**

A sign that identifies one or more businesses that is located off the premises of the said business(es) and that is located within the public right-of-~~indicated by said sign.~~

**Amend Sub-section L. of Section XII. SIGN REGULATIONS to read (additions are underlined; deletions are struck through):**

**L. HAIGIS PARKWAY SIGN [07/21/2004]**

The following provisions relate to signage within the Haigis Parkway Zoning District.

**1. Freestanding Signage - Haigis Parkway Right Of Way:**

- a. ~~Official Business Directional S~~Private signages shall not be allowed ~~on~~within the Haigis Parkway ~~between Payne Road and Route One~~right-of-way.
- b. Street signs and State traffic control signs shall be allowed as per local and state ordinances.
- c. ~~Buffer zones. No signs shall be located within the 25' buffer zone adjacent to the Haigis Parkway, except as allowed at the intersection with access roads.~~

**2. Freestanding Signage - Intersection of Lots Located Along Haigis Parkway or Payne Road and Access Roads**

**a. Entrance Signs**

~~1a. Entrance Sign.—~~Unified Developments, multi-tenant sites or individual businesssingle tenant sites within the HP Zone may ~~only~~ be identified with ~~a common entrance freestanding signage. at the principal entrance(s) to the development.~~ No phone numbers, website URL' s, product or service descriptions, slogans, or other forms of advertising shall be permitted on the sign. Private drives serving a single business or building shall display the street address along Haigis Parkway.

b. Type of Signage. The freestanding signage may be in the form of a sign advertising a single tenant or use on the lot; a development identification sign; or a business directory sign in the case of a unified development, a multi-tenant building or multiple businesses accessible through the entrance.

2c. Location. Entrance-Freestanding signs may be located within the Haigis Parkway landscape buffer zone at either the principal entrance to the development or at some other location along the frontage of the lot. , between 2' and 25' from the access road right-of-way. There is No minimum setbacks are required for freestanding signs from the Haigis Parkway R/Wright-of-way. The minimum setback for a freestanding sign from the Payne Road right-of-way shall be 10'.

~~3. Application.— Applicants for Site Plan approval shall provide a site plan of the entranceway that illustrates all proposed signage and orientation maps, landscaping, lighting, curbing, driveway, and other infrastructure. Applicants shall also provide written notification from MDOT that the entrance design, including the location of all proposed signage, meets current state standards for access off the Haigis Parkway.~~

d.4.—Design Standards

Such signs shall not exceed the following standards:

<b><u>FREESTANDING SIGNS</u></b>	
<u>Maximum height</u>	<u>10'</u>
<u>Maximum total number of freestanding signs</u>	<u>2/lot</u>
<u>Minimum Haigis Parkway and/or Payne Road street frontage for 2 signs</u>	<u>300'</u>
<u>Minimum separation b/n signs</u>	<u>150' measured long R.O.W. or front property line</u>
<u>Maximum number of business directory signs</u>	<u>1/lot</u>
<u>Maximum area for general freestanding signs (Gross Area)</u>	<u>50 SF</u>
<u>Maximum area for business directory signs (Gross Area)</u>	<u>100 SF</u>

~~Maximum height 10'~~  
~~Maximum length 40'~~

~~Maximum area 48 SFe. Application. Applicants for Site Plan approval shall provide a site plan of the entranceway and lot frontage that illustrates all proposed signage and orientation maps, landscaping, lighting, curbing, driveway, and other infrastructure. Applicants shall also provide written notification from MDOT that the entrance design, including the location of all proposed signage, meets current state standards for access off the Haigis Parkway.~~

### **3. Orientation Maps for Unified Developments**

~~1a. Location. Orientation Maps for unified developments shall be permitted adjacent to the Right of Way for the access internal roadsstreet or site drives within the Haigis Parkway district. Orientation Maps shall be located on paved pull-offs to allow motorists to view the sign without constricting traffic along the access internal roadstreet. Pull-offs shall be a minimum of 9' in width and 25' in length (measured at the side nearest the sign). One such sign shall be allowed per access internal roadstreet. The location of Orientation Maps shall be coordinated with other elements of the site plan to avoid conflicts with visibility or traffic movement.~~

~~2b. Content. Orientation Maps shall be designed to guide motorists to individual lots, buildings, business establishments or parking lots within the Unified Development, ~~and not to specific business establishments~~. Signs shall provide maps of the immediate location to assist in way finding. Advertising shall not be permitted on the orientation map.~~

#### 3c. Design Standards

~~Maximum height 8'~~~~Maximum length 12'~~  
Maximum area  
<6 buildings ~~48~~50 SF  
>6 buildings ~~60~~75 SF

#### ~~4. Street Names and Numbers.~~

### **4. Freestanding Signage - Individual Lots Located off Internal Streets**

Individual lots accessed off of internal streets may be identified with a common freestanding entrance sign or a business directory sign at the principal entrance to the lot from the internal street. No phone numbers, website URL's, product or service descriptions, slogans, or other forms of advertising shall be permitted on the sign.

a. Design Standards

Such signs shall not exceed the following standards:

<u>FREESTANDING SIGNS</u>	<u>Single Tenant Lot</u>	<u>Multi-Tenant Lot</u>
<u>Maximum height</u>	<u>8'</u>	<u>10'</u>
<u>Maximum area</u>	<u>25 SF</u>	<u>50 SF</u>
<u>Maximum number</u>	<u>1/lot</u>	<u>1/lot</u>
<u>Setback</u>	<u>5' from internal street R.O.W.</u>	<u>5' from internal street R.O.W.</u>

**35. Wall Signs for Individual Buildings (Single Tenant and Multi-Tenant) Or Lots**

a. Design. Signs for individual buildings or tenants shall be restricted to the name of the tenant and/or their respective logo. No phone numbers, website URL's, product or service descriptions, slogans, or other forms of advertising shall be permitted on the sign. ~~Freestanding signs shall include the street address.~~

~~b. **Directional Signs.** In addition to the principal sign on the exterior wall(s) of the building, buildings may have one entrance sign, either free standing or wall mounted indicating the location of, or direction to, a separate function performed within one portion of that building. Where used, the area of wall mounted directional signs shall be deducted from the maximum allowable area for wall signs.~~

b. Design Standards

Such signs shall not exceed the following standards:

<u>WALL SIGNS</u>	<u>Single Tenant Building</u>	<u>Multi-Tenant Building</u>	<u>Directional Signs</u>
<del>Maximum</del> height	<del>No limit</del> Shall not exceed height of <u>building on which it is located</u>	<del>No limit</del> Shall not exceed <u>height of building on which it is located</u>	<u>14"</u>
<del>Maximum</del> gross area / sign	<u>100-50 SF (Total gross area of all wall signs shall not exceed 10% of the wall area on which they are located)</u>	<u>100-50 SF (Total gross area of all wall signs shall not exceed 10% of the wall area on which they are located)</u>	<u>12 SF</u>
<del>Maximum</del> number	<u>12 per building; 1 on bldg façade facing abutting street &amp; 1 on bldg. façade facing parking</u>	<u>2 per tenant; 1 per tenant on bldg. façade facing street &amp; 1 per tenant on bldg. façade facing parking</u>	<u>1/entrance</u>

**6. Campus Directional Signs**

Campus Directional Signs are allowed in the Haigis Parkway District in accordance with Section XII.(K)

**7. Directional Signs**

Directional signs that indicate ingress or egress to a property and do not contain either identification or advertising copy are allowed in accordance with the following standards:

<b><u>DIRECTIONAL SIGNS</u></b>	
<u>Gross Area</u>	<u>3 SF</u>
<u>Maximum height</u>	<u>7'</u>

**8. Signs Not Allowed**

The following signs are not allowed within the Haigis Parkway District:

- a. promotional flags, banners, or streamers
- b. readerboards
- c. temporary signs, except for one 32 SF construction sign
- d. signs that contain strings of light
- e. signs that contain neon or other inert type gas illumination, other than when used to backlit an internally illuminated sign
- f. electronic message signs
- g. Time and Temperature signs

Vote: 6 yeas.

**Order No 07-171. Act to accept the following streets, pursuant to Title 23, M.R.S.A. §3025 and the requirements of Section 4, of the Scarborough Street Acceptance Ordinance: Hunter Point Drive and Laughton Circle, located in Hunter Point Subdivision; Foxwell Drive, Ryefield Drive and Alger Drive, located in Blue Point Woods Subdivision – all phases; Magnolia Lane, Honeysuckle Lane, Lilac Lane and Coralburst Lane, located in Magnolia Place 1 & Magnolia Place II; Juneberry Lane and Mulberry Lane, located in Juneberry Place and Millbrook Road Hammerhead.** Motion by Councillor Most, seconded by Councillor Rancourt, to move approval to accept the following streets, pursuant to Title 23, M.R.S.A. §3025 and the requirements of Section 4, of the Scarborough Street Acceptance Ordinance: Hunter Point Drive and Laughton Circle, located in Hunter Point Subdivision; Foxwell Drive, Ryefield Drive and Alger Drive, located in Blue Point Woods Subdivision – all phases; Magnolia Lane, Honeysuckle Lane, Lilac Lane and Coralburst Lane, located in Magnolia Place 1 & Magnolia Place II; Juneberry Lane and Mulberry Lane, located in Juneberry Place and Millbrook Road Hammerhead.

Vote: 6 yeas.

**Order No 07-172. Act on the proposed changes to the Scarborough Economic Development Corporation’s By-Laws.** Motion by Councillor Wood, seconded by Councillor Roy, to move approval of the proposed changes to the Scarborough Economic Development Corporation’s By-Laws, as follows:

**SCARBOROUGH ECONOMIC  
DEVELOPMENT CORPORATION BY-LAWS**

**ARTICLE III**

**Directors**

1.c. Residence Requirement: ~~Effective September 1, 2006, the Directors shall be residents of the Town of Scarborough,~~ Effective January 1, 2008, the Directors shall be residents of the Town of Scarborough, except that two of the nine Directors' slots may be available to non-Town of Scarborough residents who are an owner, principal, or senior-level employee at a business or non-profit organization located in Scarborough.

Vote: 6 yeas.

**Order No 07-173. Act on Chairman's Council appointments.** Motion by Chairman Messer, seconded by Councillor , to move approval on the following Council liaison appointments:

Appointments Committee: Councillors Roy\*, Wood and Ahlquist  
Ordinance Committee: Councillors Most\*, Roy and Rancourt  
Finance Committee: Councillors Ahlquist\*, Wood and Sullivan  
Fair Hearing: Councillors Wood\*, Messer and Sullivan  
350<sup>th</sup> Committee: Councillor Rancourt  
ADA Advisory Committee: Councillor Rancourt  
Council of Governments, General Assembly: Councillors Ahlquist and Roy  
Council of Governments, Executive Committee: Councillor Ahlquist  
Comprehensive Plan Implementation Committee: Councillor Most  
ecomaine: Councillor Messer and Town Manager Owens (term to expire in June 2008)  
Firing Range: Councillor Sullivan  
School Board: Councillor Messer  
SEDCO: Councillor Most  
Senior Liaison: Councillor Rancourt  
Shellfish Committee: Councillor Sullivan

Vote: 6 yeas.

**Item 6. Non-Action Items.** None at this time.

**Item 7. Town Manager Report.**

- **Public Safety Building Committee** – Mr. Owens handed out an information sheet as to the makeup of the Public Safety Building Committee. There would be 14 members and currently all but two positions have been filled. There is still a need for a community member/contractor and a Council Liaison. Councillors Roy and Wood both noted that they would be interested in this committee.

**Item 8. Committee Reports: Standing Committee Reports and Other Committee Reports.** There were no standing committee reports as the Council appointments were just made. However, it would be likely that meetings would be scheduled the first of the year.

**Item 9. Public Comments.** None at this time.

**Item 10. Council Member Comments.** Closing comments were made by Councillor members.

**Order No. 07-174. Act on the request for an executive session concerning possible land acquisition, pursuant to Title 1, of the MRSA §405(6)(C).** Motion by Chairman Messer, seconded by Councillor Rancourt, to move approval on the request for an executive session concerning possible land acquisition, pursuant to Title 1, of the MRSA §405(6)(C); to return to public session for adjournment.

Vote: 6 yeas.

The Town Council recessed to executive session at 9:18 p.m. Chairman Messer reconvened the meeting at 9:40 p.m.

**Item 11. Adjournment.** Motion by Chairman Messer, seconded by Councillor Rancourt, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 6 yeas.

Meeting adjourned at 9:40 p.m.

Respectfully submitted,

Yolande P. Justice  
Town Clerk