



**Town of Casco**  
Selectboard Minutes  
February 25, 2020

**Selectboard Members Present:**

Mary Fernandes, Holly Hancock (Vice Chair), Calvin Nutting, Tom Peaslee (Chair) and Grant Plummer

**Staff Present:**

Town Manager Courtney O'Donnell, Town Planner Jim Seymour, Code Enforcement Officer Alex Sirois, Administrative Assistant Sandy Fredricks, and Recording Secretary Robert Tooker

Selectboard Chair Tom Peaslee stated that a portion of this meeting will be a joint meeting with the Planning Board. Tom reminded the attending public that 1) Selectboard meetings are open to the public, but the public may not speak unless recognized by the Selectboard Chair or Vice Chair in their absence; 2) comment time [under public participation] is limited to two minutes per speaker; and 3) matters related to personnel will not be heard.

1. Review and Approval of the Meeting Agenda

**The Selectboard moved (Hancock), seconded (Fernandes) and voted to approve the agenda for the February 25, 2020 Selectboard meeting: 5 in favor, 0 opposed, 0 abstentions.**

2. Approval of Bills and Signing and Approval of All Open Warrants

**The Selectboard moved (Hancock), seconded (Fernandes) and voted to approve bills and sign and approve all open warrants: 5 in favor, 0 opposed, 0 abstentions.**

3. Approval of Minutes (*February 4, 2020*)

**The Selectboard moved (Plummer), seconded (Fernandes) and voted to approve the minutes of the February 4, 2020 Selectboard meeting: 5 in favor, 0 opposed, 0 abstentions.**

4. Manager's Update (*Courtney O'Donnell*)

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For detailed information about Casco Selectboard meetings, please refer to complete audio and video recordings available on the Town of Casco website at [www.cascomaine.org](http://www.cascomaine.org).

- Roads have been posted for weight limits. Interested parties may contact Courtney O'Donnell at (207) 627-4515.
- MSAD 61 School Superintendent Al Smith will be attending the March 10, 2020 Selectboard meeting to update the Selectboard on the Crooked River School project and the school budget.
- The second half of taxes are due on Wednesday, March 4, 2020.
- A Transfer Station Council meeting will be held on Thursday, March 5 specifically for the purpose of discussing the budget. The next regularly scheduled meeting will be held on Thursday, April 9. Both meetings will begin at 7:00 p.m. at the Naples Town Office.
- Budget workshops are underway for fiscal year 2020/2021. In an effort to improve accountability and transparency 1) accounts are being updated to show what each department actually costs; 2) new account categories are being created; and 3) the Town is moving towards a gross style of budgeting that shows all money coming and going as opposed the current net style of budgeting that excludes some expenses and revenue. As a result, some budget numbers presented at Town Meeting will appear larger than before. It is important to note that this does not necessarily mean that the Town will be requesting more tax dollars, only that the budget will include all money spent regardless of whether or not it is offset by revenue.
- Budget workshops will continue on Wednesday evenings at the Casco Community Center at 6:30 p.m. throughout March. Please check for cancellations on the Town website.

#### 5. Zone Change Request by P&K Sand and Gravel: Mineral Processing in Residential Zones

Bruce Plummer from P&K Sand and Gravel stated that a contract zoning agreement with the Town of Casco has existed since 1997 for the processing of material in Heath Quarry. Bruce stated that although the quarry is allowed to extract minerals in the Rural Residential Zone, mineral processing is not allowed in that zone. Bruce requested that the ordinance for the Rural Residential Zone be changed to allow mineral processing and cited a number of reasons for his request. Bruce stated that one of his significant concerns is that P&K Sand and Gravel's significant investment in equipment and people depends upon Town Meeting renewal of the contract zoning agreement every ten years, which results in uncertainty about its future.

In response to inquiries from Courtney O'Donnell, Town Planner Jim Seymour stated that 1) the operation is currently regulated by the Maine Department of Environmental Protection (DEP);

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2) if changes are made to the ordinance, then performance standards mimicking the DEP standards as well as measures to address other concerns would need to be incorporated; and 3) he would recommend to the Selectboard and the Planning Board that performance standards be developed for review.

In response to an inquiry from Courtney O'Donnell regarding the urgency of the request, Bruce Plummer indicated a time frame of a couple of years. Bruce emphasized that P&K Sand and Gravel does not want to go before the townspeople every ten years and take a risk on its investment.

The Selectboard agreed with Holly Hancock's call for a staff review and recommendations for the Selectboard and the Planning Board to consider.

## 6. Joint Meeting with Planning Board

- Review of Proposed Shore Land Ordinance Updates

Lynne Potter, Planning Board Chair, called the Planning Board session of the meeting to order.

Mike Morse, a private land use consultant, stated that he was contracted by the Town to draft amendments to the Town's Shore Land Zoning Ordinance and that he recently submitted his recommendations to the Town. Prior to reviewing his recommendations with the Selectboard and the Planning Board, Mike stated that 1) he would not spend time reviewing minutia, "housekeeping" or other minor changes; 2) his recommendations were consistent with State of Maine minimum shore land requirements; and 3) certain areas in the Town's ordinance and some of his recommendations are more restrictive than the State's minimum requirements.

Mike Morse, Town Planner Jim Seymour and Code Enforcement Officer Alex Sirois reviewed and commented on recommended changes to the following sections and areas of the Town's Shore Land Zoning Ordinance:

### Definitions:

- Campground
- Driveway
- Shore land zoning for state minimum standards
- Excavation contractors
- Foot print related to non-conforming structures
- Fresh water wetland

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- Hazard tree
- Storm damaged tree
- Dead tree
- Mineral extraction
- Net residential area
- Net residential density
- Stream
- Stream protection district
- Structure
- Upland edge of a wetland

Districts:

- Resource Protection (waterfowl and wildlife habitats)
- Limited Recreation Residential
- Stream Protection
- Watershed

Standards and Definitions

- Mineral extraction standards
- Stream setbacks
- Timber harvest standards
- Expansion of non-conforming structures
- New or replacement foundations for non-conforming structures
- Principal and accessory structure standards
- Piers, docks, wharfs and bridges
- Shoreline stabilization
- Individual private camp sites
- Roads and driveways
- Dead tree removal
- Exemptions to clearing and vegetation removal requirements
- Revegetation requirements
- Excavation contractor certification (for erosion and sedimentation control)

Administrative appeals

- Septic waste disposal

Courtney O'Donnell thanked Mike Morse and recommended that the Planning Board review his proposed changes at their March 9, 2020 meeting, make recommendations to the Selectboard to consider at a later March meeting and that the Planning Board hold a public hearing in April.

Members of the Planning Board in attendance moved, seconded and voted to adjourn the Planning Board session of the meeting.

#### 7. Town Owned (Foreclosed) Property Request: State Park Road, Tax Map 28, Lot 63

Courtney O'Donnell stated that Mike Arduini, of MDA Investment Trust, owns a lot, Tax Map 28, Lot 62, that abuts a Town-owned foreclosed lot, Tax Map 28, Lot 63. Courtney stated that when Mike purchased his lot, he thought that his lot and the Town-owned lot was one lot. Courtney explained that when the Town threatened foreclosure on the previous owner for unpaid taxes, the bank paid taxes on the lot with the house that Mike purchased but not the abutting lot, which the Town now owns as a result of tax foreclosure. Courtney stated that when Mike tried to resell his lot, it was discovered that part of a driveway and a building on Mike's lot appear to extend onto the Town-owned lot, which is holding up his closing until the matter is cleared-up.

Courtney stated that 1) Mike is requesting that he be allowed to purchase the Town-owned lot to clear the matter up; 2) she believes it would make the most sense because the lot is not of value to the Town and it would put the lot back on the tax rolls; 3) Town Meeting warrant allows the Selectboard to dispose of tax acquired property as they deem fit.

**The Selectboard moved (Hancock), seconded (Plummer) and voted to issue a quitclaim deed without covenants for tax acquired property account 1746, Tax Map 28, Lot 63, to MDA Investment Trust upon receipt of \$3,274.36: 5 in favor, 0 opposed, 0 abstentions.**

#### 8. Ambulance Vehicle Bid Award

Courtney O'Donnell stated that Special Town Meeting approved up to \$305,000 for a new ambulance and that both bids came in lower. Courtney stated that 1) Autotronics bid \$267,702 for a Braun Chief XL ambulance, which would amount to \$271,955 after exceptions are included; and 2) Greenwood Emergency Vehicles bid \$275,718 for a Horton Emergency Services ambulance.

Courtney stated that although it costs slightly more, Chief Cole recommends the Horton Emergency Services ambulance because 1) the service location is in Brunswick as opposed to Bangor; 2) it is a product the Town is familiar with; and 3) the delivery time is significantly shorter.

**The Selectboard moved (Nutting), seconded (Plummer) and voted to buy the Horton Emergency Services ambulance: 4 in favor, 0 opposed, 1 abstention.**

Holly Hancock abstained because she is employed by the Casco Fire Rescue Department.

#### 9. Selectboard Comments

- Holly Hancock 1) stated that a plaque honoring former longtime Town Manager David Morton was received; and 2) confirmed that the Selectboard will be holding a ceremony dedicating the Town Office building to him on Monday, March 9 at 6:30 p.m. The public is welcome and encouraged to attend.

#### 10. Public Participation: Any Topic *(limit of two minutes per speaker)*

None.

#### 11. Executive Session 1 M.R.S.A. § 405(6)(F) – Poverty Abatement Request 21120

**The Selectboard moved (Hancock), seconded (Fernandes) and voted to enter into executive session subject to 1 M.R.S.A. § 405(6)(F) to discuss a poverty abatement request: 5 in favor, 0 opposed, 0 abstentions.**

The Selectboard entered into executive session at 9:23 p.m.

The Selectboard returned from executive session at 9:35 p.m.

**The Selectboard moved (Hancock), seconded (Peaslee) and voted to come out of executive session: 5 in favor, 0 opposed, 0 abstentions.**

**The Selectboard moved (Hancock), seconded (Plummer) and voted to grant a poverty abatement in the amount of \$5,121.02 pursuant to Title 36 M.R.S.A. § 841(2) for case number 21120 for fiscal years 2018, 2019 and 2020: 5 in favor, 0 opposed, 0 abstentions.**

12. Adjournment

**The Selectboard moved (Hancock), seconded (Peaslee) and voted to adjourn at 9:37 p.m.: 5 in favor, 0 opposed, 0 abstentions.**

ATTEST:

Robert Tooker  
Recording Secretary