

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
JUNE 7, 2018 - 7:00 p.m.

MEMBERS PRESENT: David Douglass
Marie Brilliant
Ruth Lyons
William Thompson
Roland Tufts

MEMBER(S) ABSENT: All present

STAFF PRESENT: Richard Roedner, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, June 7, 2018 in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine.

CALL TO ORDER

Chairman Douglass called the regular meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE/ROLL CALL

All present were invited to stand and recite the Pledge of Allegiance to the Flag. The recording secretary took the roll call and noted that all Selectmen were present.

TOWN MANAGER'S REPORT

The Planning Office has welcomed an intern for the summer. Theo Gardner-Puschak is a rising Junior at Bowdoin, majoring in Environmental Sciences and Government. He will be with us for the next 10 weeks or so, working on some mapping projects, and working with different departments to learn a bit about overall government jobs.

While all meetings of the Comprehensive Plan Committee are open to the public, and public input is always welcome, the next big opportunity for the public to connect with the Committee, receive updates and provide input is during the Comprehensive Plan Open House, Saturday, June 23. The event starts at noon with a BYOP – Bring Your Own Picnic. At 1:00 p.m. is an ice cream social, and at 2:00 p.m. starts the informational part of the afternoon. Things are planned to wind down by 4:00 p.m.

Next Thursday through Sunday, is the 2018 Shriner Conference here in Topsham. As part of this four-day event, the Shriners will be holding a parade down Main Street, onto Elm Street and back to the Fairgrounds. Staging will begin at 9:00 a.m. in the area around Town Hall. Monument Place will be closed from Horton Avenue to Main

Street starting at 9:00 a.m., and Main Street (from Monument to Elm) and Elm Street will both be closed to traffic starting at 9:45 a.m. for the duration of the parade. Signage will be going up in the next day or two to make sure motorists are aware of the closures.

Topsham was a busy place last Saturday. On top of all the normal recreational activities, we celebrated the dedication of the Head of Tide Park on Cathance Road. For those of you who don't know about this gem, you need to stop by – it has water, picnic areas, fishing, carry boat access and links to multiple trails. The project started about 12 years ago, and while there has been a lot of press about the various groups that have been involved, I want to highlight the inter-departmental cooperation and support that helped bring this project to completion. The Planning and Parks and Recreation Offices have been the spearhead departments since day 1. They have been more than ably assisted by our Economic and Community Development department. These three departments have been instrumental in the planning and funding for this project. The Fire Department helped prep the site with a controlled burn, and throughout the project, Public Works has been involved in a whole range of activities, including signs, gates, lawns, clean up, demolition, and a myriad of other small projects. The Police Department helps keep the park secure through locking and unlocking the gate during their patrol routes.

And, lastly, we have an election this next Tuesday. Our polling place is the Fairgrounds. Voting starts Tuesday morning at 8:00 a.m. and the polls close at 8:00 p.m.

BOARDS AND COMMITTEE REPORTS AND UPDATES

Comprehensive Plan Commission Update – Matthew Nixon presented a report of where the Comprehensive Plan Commission is with updating the Comprehensive Plan. Mr. Nixon said the group is reviewing initial drafts put together through various meetings with the committee, receiving input from citizens at the recent Charrette and work done from the consultant, Maine Design Workshop. The Committee has been meeting once a month for quite some time and twice a month during the past two months. Members of the public are encouraged to come to any of the meetings. An Open House is scheduled for June 23, 2018 with the hopes that citizens of Topsham will stop by and comment on how they would like to see their town grow in the future. A presentation will be made at that time by the consultant. A re-draft will be issued in September with last edits being made during December.

A series of “Big Ideas” has been developed, including:

- Streets for People
- Local and Regional Mobility
- Access to Nature and Open Spaces
- Meet Your Topsham
- Support Knowledge Economy
- Be Deliberate About Growth
- Housing Diversity
- Open Governance
- A Sustainable Future

Following Mr. Nixon's presentation, Chairman Douglass said he had hoped the committee would reach out to more citizens for ideas. He said to hear a draft is already written based on just one input from citizens doesn't seem to lend itself to big ideas. Mr. Nixon thanked Mr. Douglass for his comments and said he would bring them back to Mr. Fitch, Chairman of the Commission.

PUBLIC COMMENT – None noted.

CORRESPONDENCE – None noted.

ADJUSTMENTS TO THE AGENDA – None noted.

CONSENT CALENDAR

1. Approval of the minutes of the Selectmen's Meeting of 5/3/18.

Motion was made by Selectman Tufts, seconded by Selectman Lyons, and it was unanimously

VOTED

To approve the minutes of the May 3, 2018 Selectmen's Meeting as written.

PUBLIC HEARING

18-34 CONSIDERATION AND ANY APPROPRIATE ACTION ON AN APPLICATION FOR A NEW LIQUOR LICENSE FOR URBAN ELEMENT, LLC -225 LEWISTON ROAD

Chairman Douglass explained the process of a Public Hearing to those in attendance. The Public Hearing was declared open.

Michael Martinson represented the applicant, John Howard, who was also present at the meeting. Mr. Martinson said the applicant is applying for a new liquor license for the Urban Element, a restaurant to be operated where the former Boot and Buckle was located at 235 Lewiston Road. Chairman Douglass reviewed the application and a map which was enclosed in the package showing the setup of the interior of the restaurant. It was noted that letters are on file from the Codes Officer, Police and Fire Chiefs all stating they have no issues with the application.

Chairman Douglass asked if anyone wished to speak to the application. There being no response, the Public Hearing was declared closed. Motion was made by Selectman Tufts, seconded by Selectman Brilliant, and it was unanimously

VOTED

To approve the application for a new liquor license for Urban Element, LLC, 235 Lewiston Road.

18-35 CONSIDERATION AND ANY APPROPRIATE ACTION ON AN APPLICATION FOR A NEW LIQUOR LICENSE FOR KUME, 86 TOPSHAM FAIR MALL ROAD, UNIT 3

The Public Hearing was declared open. Chairman Douglass reviewed the application. Pin Yue Chen represented Kume and explained that the restaurant is mostly hibachi style and will serve steaks also. A plan of the kitchen and seating area with enclosed with the application. It was noted that letters are on file from the Codes Officer, Police and Fire Chiefs all stating they have no issues with he application.

Chairman Douglass asked if anyone wished to speak to the application. There being no response, the Public Hearing was declared closed. Motion was made by Selectman Tufts, seconded by Selectman Lyons, and it was unanimously

VOTED

To approve the application for a new liquor license for Kume at 86 Topsham Fair Mall Road, Unit 3.

UNFINISHED BUSINESS – None noted.

OLD BUSINESS - None noted.

NEW BUSINESS

18-36 CONSIDERATION AND ANY APPROPRIATE ACTION ON AMENDING POLICY ON NON-COMMERCIAL SIGN GUIDELINES

Town Manager Roedner spoke to this item saying the Board adopted Non-Commercial Sign Guidelines on September 21, 2017. Language covering primary contests was omitted and needs to be adjusted. New sentence saying “Non-commercial signs shall be allowed to be placed within the Right of Way of public roads for a period of six weeks, starting *five weeks before an election or primary, and concluding one week after an election or primary* was included in the Board package. The language was reviewed and accepted by the Board.

Motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To amend the policy on Non-Commercial Sign Guidelines as submitted.

18-37 CONSIDERATION AND ANY APPROPRIATE ACTION ON INSTALLING STOP SIGNS ON HOME PLACE WHERE IT BECOMES HOME PLACE EXTENSION AND AT SOMERSET PLACE WHERE IT BECOMES HOME PLACE EXTENSION

Town Manager Roedner began discussion by saying there is no Home Place Extension. The intention was to name the road “The Extension of Home Place” which is being called Home Place. It starts at Brookside, then it changes to Home Place and then it becomes Somerset.

The Planning Board heard comments from residents about issues of through traffic and following approval there was an agreement that a small traffic island would be installed prior to acceptance on the new portion of Home Place and the applicant was asked to work with the Board about requesting a stop sign at Home Place and Somerset. This is on the agenda because Mr. Bethea has requested that stop signs be installed.

The Board discussed letter from Dennis Cox, Public Works Director to the Town Manager dated May 9, 2018. In his letter, Mr. Cox states “The request for a stop sign on Homeplace at Merrymeeting Drive would be against the *Manual on Uniform Traffic Control Devices* (MUTCD) guide that is approved by the Federal Highway Administrator as the National Standard. In the manual starting on page 49, Section 2B.04 discusses the use of Yield and Stop signs. The manual reads as follows:

Yield or Stop signs should be used at an intersection if one or more of the following conditions exist:

- A. An intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law.
- B. A street entering a designated through highway or street.
- C. A signalized intersection in a signalized area.

Yield or Stop signs should not be used for speed control.”

It was noted that letter is also in file from the Police Chief, Chris Lewis, who agreed with the letter from Mr. Cox and that we should follow the manual. Chief Lewis also said in his letter that he has been communities who utilize well marked speed tables to slow traffic down as the roadway transitions from one area to the next. He added that this may break up a long through way and reduce the temptation to accelerate the entire length of the roadway.

During discussion between Board members, all agreed that there is a need for speed calming. Selectman Brilliant suggested considering temporary measures such as was done for the Elm Street Extension. The Board was reminded that the request being discussed at this meeting was the addition of stop signs and that further consideration could be given to how to calm speeding drivers.

After all comments were heard, motion was made by Chairman Douglass, seconded by Selectman Lyons to deny the installation of stop signs at the Home Place two intersections.

VOTE was called and the motion passed with 4 in favor and 1 abstention (Selectman Tufts).

18-38 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPROVAL TO SPEND MONEY FROM THE REVENUE LINE OF THE WOOD HARVEST TO REPLACE THE GATE AT THOMAS AVENUE

Pam LeDuc, Parks and Recreation Director, told the Board that the Town received \$13,584 from the wood harvested at the Foreside Recreational Area via our Forestry Plan for 2012. The Town was required to knock down the fencing and gate entry to the

Hillside Field.

Rod Melanson, Town Planner, said eventually, plans are to turn the logging yard created on Hillside in the woods into a parking lot, but this will have to go through the Planning Board process, which probably won't happen until mid-August. In the meantime, Ms. LeDuc is requesting permission to use funds in the amount of \$2,250 to install a gate that will fit into the plan of creating the parking lot in the near future.

Chairman Douglass asked if the new gate would be wider than the previous one. Response was that the gate will be approximately the same width, but ATVs, snowmobiles, etc. can enter using the walking path.

Following discussion, motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously

VOTED

To spend \$2,250 from the revenue line of the wood harvest to install a gate at Thomas Field.

18-39 CONSIDERATION AND ANY APPROPRIATE ACTION ON ANNUAL APPOINTMENTS

Motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously

VOTED

To approve the following annual appointments:

- | | |
|------------------|---|
| Tom Lister | Codes/health Officer |
| Carol Eyerman | Alternate CEO, Administrative/Enforcement |
| Mike Labbe | Civil Emergency |
| Chris McLaughlin | Fire Warden/Health Officer |
| Dennis Cox | Road Commissioner |
| Justin Hennessey | Town Assessor (5-year appointment) |

18-40 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE ATTACHED LIST OF REAPPOINTMENTS TO BOARDS/COMMITTEES

Motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To appoint (re-appoint) the following individuals to Boards and Committee as follows:

INDIVIDUAL	BOARD/COMMITTEE
Thomas Sawyer	Assessment Review
Michael Nelson	Assessment Review
Bruce Van Note (Re-appointment)	Planning Board
Joshua Spooner (Re-appointment)	Planning Board
Chris Wasileski “ “	Topsham Development, Inc.
Curtis Picard “ “	Topsham Development, Inc.
Mary Kate Reny “ “	Topsham Development, Inc.
Curtis Neufeld “ “	Topsham Development, Inc.
Angela Twitchell “ “	Topsham Development, Inc.
Ed Mendes/Alternate “ “	Historic District Commission
Dwight Balser “ “	Sewer District
Christopher Dawson “ “	Finance Committee
Ed Mendes/Alternate “ “	History Committee
Rod Melanson “ “	MCEDD
John Shattuck “ “	MCEDD

18-41 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE ANNUAL CONTRACT WITH THE COASTAL HUMANE SOCIETY

During discussion of this item it was noted the contract read exactly as the one signed the previous year.

Motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To approve the annual contract with Coastal Humane Society in the amount of \$12,034.08.

EXECUTIVE SESSION - None noted.

ADJOURNMENT

At 7:50 p.m., motion was made by Chairman Douglass to adjourn, seconded by Selectman Tufts, and it was so voted.

Respectfully submitted,

Patty Williams, Recording Secretary