

**TOWN OF WINSLOW, MAINE  
REGULAR COUNCIL MEETING  
December 11, 2017  
7:00 p.m.**

REGULAR COUNCIL MEETING

1. Roll Call
2. Recite the Pledge of Allegiance
3. Approval of Minutes of Previous Meetings (November 13)
4. Communications
  - a. Legislative Report
  - b. Public Comment
5. Appointments
  - o Reappoint Shawn O'Leary to the Safety Committee
6. Reports of Committees and Commission
  - a. Town Manager's Report
  - b. Department Reports
  - c. Finance Committee Report (Treasurer's Warrants)
  - d. Financial Report

UNFINISHED BUSINESS

1. Order No. 17-2017: Providing for the Sale of Tax Acquired Property. (Second Reading) Sponsored by Administration.

NEW BUSINESS

1. Ordinance No. 14-2017: Providing for an Amendment to the Winslow Zoning Map to Rezone the entire lot owned by Gloria Veilleux Tax Map 16 Lot 34 (55 China Road) from the High Density Residential District to the Mixed Use District. (One Reading) Sponsored by Administration.
2. Ordinance No. 15-2017: Providing for an Amendment to Chapter 14, Article VI, § 14-61 D of the Winslow Town Code, titled 'General Site and Use Standards' by deleting the strikethrough language in the attached section. (First Reading) Sponsored by Administration.
3. Ordinance No. 16-2017: Providing for an Amendment to Chapter 14, Article VI, § 14-61 F of the Winslow Town Code, titled 'General Site and Use Standards' by adding the underlined language and deleting the strikethrough language in the attached section. (First Reading) Sponsored by Administration.

4. Order No. 18-2017: Providing for an Order calling for a Special Election on March 13, 2018. (First Reading) Sponsored by Administration.
5. Resolution No. 39-2017: Providing for a Pawnbroker's License for James A. Smith d/b/a Jim's Gun Shop, 46 Bay Street. (One Reading) Sponsored by Steve Russell.
6. Resolution No. 40-2017: Providing for Authorization for the Town Manager to sign a contract between the Town of Winslow and the Maine Public Employees Retirement System (MainePERS) for the Public Works and Fire Department Employees. (One Reading) Sponsored by Administration.
7. Resolution No. 41-2017: Providing for Establishing a not to exceed budget Amount of \$\_\_\_\_\_ for the School Department's Building and Renovation Project for the Relocation of the Jr. High Students from the Jr. High Building. (One Reading) Sponsored by Administration.

DISCUSSION

- Police Association Range
- School Budget

ADJOURN COUNCIL MEETING



## Town Manager's Report to the Town Council

Submitted by:  
Michael W. Heavener  
December 6, 2017

Town of Winslow - In the heart of Central Maine representing People, Pride and Progress.

### **SPECIAL ELECTION**

As you know, the Town Clerk declared a tie in the district 3 Council race following a recount. Councilor Quirion is appealing the Clerk's decision to count a contested ballot in favor of Mr. Trahan. As a result, a Judge will ultimately decide if the contested ballot should have been counted.

In the meantime, I have prepared Order No. 18-2017 that calls for a special election on Tuesday, March 13, 2018. The special election will resolve the tie for the district 3 Town Council seat and will ask the voters if they wish to dissolve the AOS92. We can take the first reading of the order on December 11th and if the Court has not resolved the tie by the second reading then we can remove the District 3 vote from the special election and proceed with the AOS92 vote.

### **INDUSTRIAL PARK TURNING LANE UPDATE**

As you may recall, MDOT is requiring that we install a left-hand turning lane on Rt. 201 at the intersection of our Industrial Park (Millennium Drive). We received a grant from the Northern Border Regional Commission in the amount of \$300,000 to help fund the project.

On November 29th, I advertised an RFQ for engineering services for the turning lane. To date, 12 engineering firms have requested an RFQ. The deadline for RFQ submissions is December 21st. I hope to select a firm no later than January 5th.

I hope to put construction bids out this

winter with a construction start date by April 30, 2018.

### **JR. HIGH BUILDING COMMITTEE UPDATE**

In light of the fact that the School Bond Referendum Question did not pass, the Jr. High Building Committee decided to put the review of Mr. Mullins' proposal for the Jr. High building on hold. The concern was that the School Department may reconsider its use of the Jr. High site as it revisits its construction and renovation options.

### **KENNETH ESKELUND DR. / ELANCO UPDATE**

During our March 2017 Town Council meeting a representative from Elanco attended our meeting and expressed an interest on Elanco's part of acquiring Kenneth Eskelund Drive from the Town. The representative explained that Elanco would like to put a gate across the road to control access and improve security.

On 12/05/2017, I spoke with the Elanco representative and was told they are finalizing their acquisition materials and plan to present the materials to the Town Council at the January 2018 Council meeting. The Town can then proceed with the process of discontinuing the road.

  
Happy  
Holidays



# TOWN OF WINSLOW, MAINE

(207) 872-2776 Phone  
(207) 872-1999 Fax

www.winslow-me.gov

114 Benton Avenue  
Winslow, ME 04901

Public Hearing: \_\_\_\_\_

## TOWN COUNCIL

## ORDINANCE NO. 14-2017

### AN ORDINANCE

Providing for: An Amendment to the Winslow Zoning Map to Rezone the entire lot owned by Gloria Veilleux on Tax Map 16, Lot 34 (55 China Rd) from the High Density Residential District to the Mixed Use District.

**BE IT ORDAINED** by the Town Council of the Town of Winslow, as follows:

**WHEREAS**, Gloria Veilleux owns a lot in the Town of Winslow shown on the Town of Winslow Tax Map 16, Lot 34, which is located in the High Density Residential District. This lot borders the Mixed Use District; and

**WHEREAS**, Ms. Veilleux wishes to have her property rezoned to be included in the Mixed Use District; and

**WHEREAS**, The Winslow Planning Board recommends this parcel located on Map 16, Lot 34 be rezoned by extending the Mixed Use District to include this entire parcel; now, therefore,

**BE IT ORDAINED** by the Town Council that such property owned by Gloria Veilleux on Tax Map 16 Lot 34 (55 China Rd) be Rezoned as Mixed Use District and the Winslow Zoning Map be so-amended.

**SPONSORED BY:** Administration

### IN THE TOWN COUNCIL

\_\_\_\_\_, 2017

First Reading \_\_\_\_\_  
accepted rejected

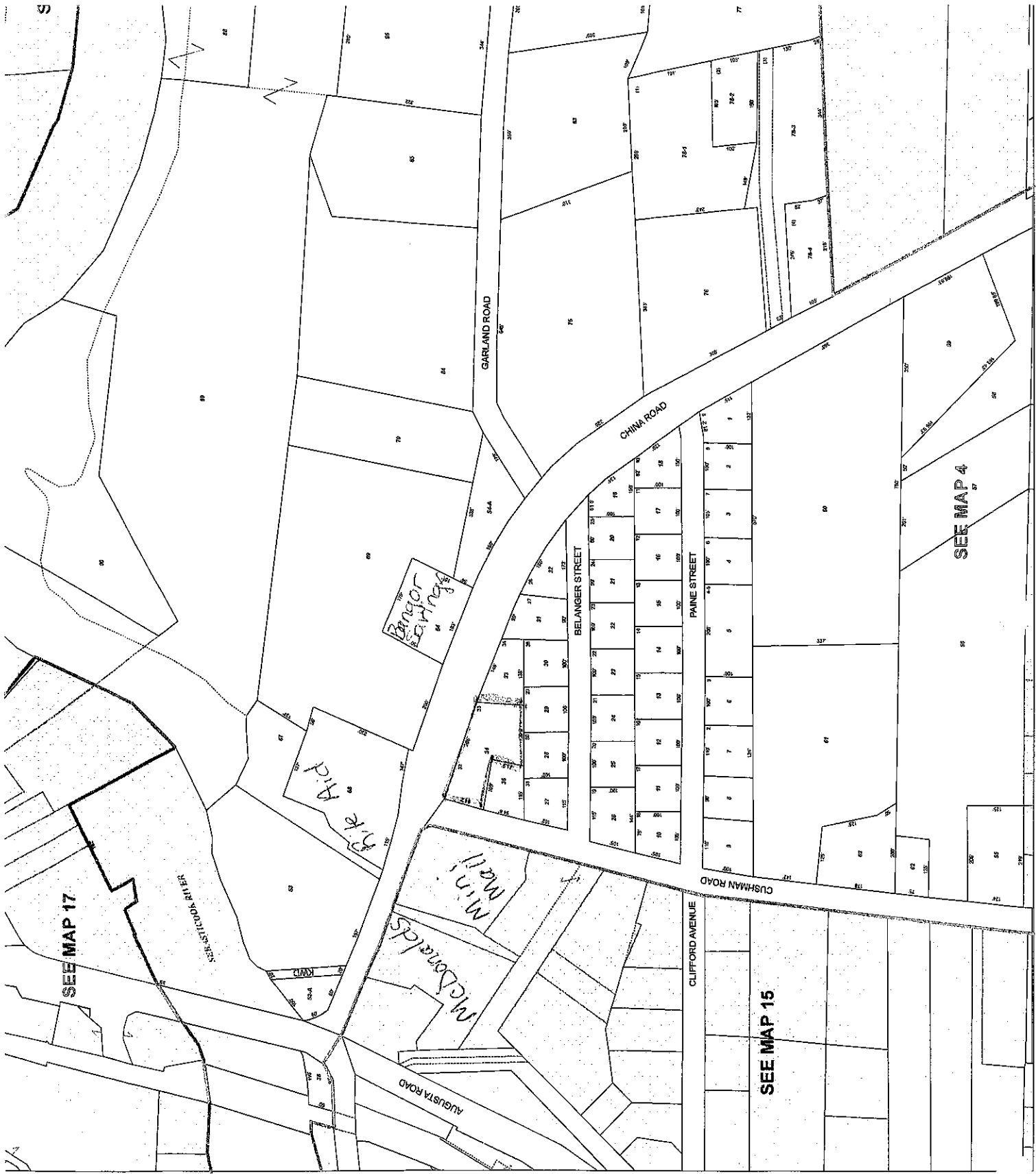
\_\_\_\_\_, 2018

Second Reading \_\_\_\_\_  
adopted rejected

\_\_\_\_\_  
Town Clerk

APPROVED: \_\_\_\_\_, 2018

CHAIRMAN: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



SEE MAP 17

SEN-LETCOOK AVE

Bk Aid

Bangor Savings

McDonalds

Minn. Mail

AUGUSTA ROAD

GARLAND ROAD

CHINA ROAD

BELANGER STREET

PAINE STREET

CLIFFORD AVENUE

CUSHMAN ROAD

SEE MAP 15

SEE MAP 4



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**PUBLIC HEARING** \_\_\_\_\_

**TOWN COUNCIL**

**ORDINANCE NO. 15-2017**

**AN ORDINANCE**

Providing for: an Amendment to Chapter 14, Article VI, §14-61 D of the Winslow Town Code, titled 'General Site and Use Standards' by deleting the strikethrough (~~strikethrough~~) language in the attached section.

**BE IT ORDAINED** by the Town Council of the Town of Winslow as follows:

**WHEREAS**, the Code Enforcement Officer and the Planning Board are proposing an amendment to Chapter 14, Article VI, §14-61 D to allow accessory structures when no principal structure is present; now, therefore

**BE IT ORDAINED** by the Town Council of the Town of Winslow, Maine, that Chapter 14, Article VI, §14-61 D of the Winslow Town Code, titled 'General Site and Use Standards' be amended by deleting the strikethrough (~~strikethrough~~) language in the attached section.

**SPONSORED BY:** Administration

**IN THE TOWN COUNCIL**

\_\_\_\_\_, 2017

First Reading, \_\_\_\_\_  
accepted          rejected

\_\_\_\_\_, 2018

Second Reading, \_\_\_\_\_  
adopted          rejected

\_\_\_\_\_  
Town Clerk

APPROVED: \_\_\_\_\_, 2018

CHAIRMAN: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Chapter 14: Zoning

### Article VI General Performance Standards

#### § 14-61. General site and use standards.

- A. Only those uses specified for a district shall be permitted. Principal uses shall require a permit from the Code Enforcement Officer. Conditional uses shall require site review by the Planning Board. A conditional use is eligible for a permit from the Code Enforcement Officer only after the Planning Board approves the Site Review Application.
- B. Unclassified or unspecified uses may be permitted by the Planning Board provided that such uses are similar in character to the uses permitted in the district.
- C. Temporary uses such as real estate, field offices, or shelters for materials and equipment being used in the construction of a permanent structure, may be permitted by the Planning Board.
- D. Accessory uses and structures are permitted in any district ~~but not until their principal structure is present or under construction~~. Accessory uses include: incidental repairs; storage; parking facilities; private emergency shelters; and gardening, servants, itinerant agriculture labor's and watchman's quarters not for rent. Accessory uses and structures are required to meet all yard requirements except that swimming pools shall conform to the standards contained in § 14-64.
- E. No land shall be used or structure erected where the land is held unsuitable for such use or structure by the Code Enforcement Officer by reason of: flooding; concentrated runoff; adverse soil or rock formation; unfavorable topography; low bearing strength; erosion susceptibility; or any other feature likely to be harmful to the health, safety, and general welfare of the community. The Code Enforcement Officer shall in writing list the particular facts for making a determination that a particular site is unsuitable for development based upon the reasons listed above. The applicant shall have an opportunity to contest such unsuitability through the Board of Appeals.
- F. All principal structures shall be located on a lot; and only one principal structure shall be located; erected; or moved onto a lot, unless the structures have been approved as an open space development.
- G. In any district where public sewer is not available: the width and area of all lots shall be sufficient to permit the use of a subsurface wastewater disposal system designed in accordance with the State of Maine Subsurface Wastewater Disposal Rules.

- H. All subsurface wastewater disposal systems shall be located in areas of suitable soil of at least 1,000 square feet in size in all shoreland areas. No structure or land use requiring a subsurface wastewater disposal system shall be issued a permit without first having been issued a subsurface wastewater disposal permit from the Local Plumbing Inspector.
- I. Lots abutting more restrictive district boundaries shall provide side and rear yards not less than those required in the more restrictive abutting district. The street yards on the less restrictive, if more than 60 feet from the district boundary line, may be adjusted so as to equal the average street yards required in both districts.
- J. In any district, the street yard requirements may be reduced to equal the average of the existing street yards for buildings existing on the adjacent lot on either side of a proposed building with the approval of the Code Enforcement Officer. However, in no event shall such reduction be allowed to interfere with traffic visibility.
- K. Any non-residential use abutting a residential use or dwelling, or a residential zoning district shall incorporate along the affected property lines a year-round visual barrier sufficient to screen the proposed use from the property line to a minimum height of six feet. The screen shall consist of one or more of the following; existing or proposed vegetation, fence, or other similar structure. The visual barrier shall be installed within a buffer area with a minimum width of 25 feet, extending along the affected property lines.





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PUBLIC HEARING \_\_\_\_\_

## TOWN COUNCIL

## ORDINANCE NO. 16-2017

### AN ORDINANCE

Providing for: an Amendment to Chapter 14, Article VI, §14-61 F of the Winslow Town Code, titled 'General Site and Use Standards' by adding the underlined language and deleting the ~~strikethrough~~ language in the attached section.

**BE IT ORDAINED** by the Town Council of the Town of Winslow as follows:

**WHEREAS**, the Town Manager, Code Enforcement Officer and the Planning Board are proposing an amendment to Chapter 14, Article VI, §14-61 F to allow multiple principal structures on a parcel, therefore

**BE IT ORDAINED** by the Town Council of the Town of Winslow, Maine, that Chapter 14, Article VI, §14-61 F of the Winslow Town Code, titled 'General Site and Use Standards' be amended by adding the underlined language and deleting the ~~strikethrough~~ language in the attached section.

**SPONSORED BY:** Administration

### IN THE TOWN COUNCIL

\_\_\_\_\_, 2017

First Reading, \_\_\_\_\_  
accepted          rejected

\_\_\_\_\_, 2018

Second Reading, \_\_\_\_\_  
adopted          rejected

\_\_\_\_\_  
Town Clerk

APPROVED: \_\_\_\_\_, 2018

CHAIRMAN: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Chapter 14: Zoning

### Article VI General Performance Standards

#### § 14-61. General site and use standards.

- A. Only those uses specified for a district shall be permitted. Principal uses shall require a permit from the Code Enforcement Officer. Conditional uses shall require site review by the Planning Board. A conditional use is eligible for a permit from the Code Enforcement Officer only after the Planning Board approves the Site Review Application.
- B. Unclassified or unspecified uses may be permitted by the Planning Board provided that such uses are similar in character to the uses permitted in the district.
- C. Temporary uses such as real estate, field offices, or shelters for materials and equipment being used in the construction of a permanent structure, may be permitted by the Planning Board.
- D. Accessory uses and structures are permitted in any district but not until their principal structure is present or under construction. Accessory uses include: incidental repairs; storage; parking facilities; private emergency shelters; and gardening, servants, itinerant agriculture labor's and watchman's quarters not for rent. Accessory uses and structures are required to meet all yard requirements except that swimming pools shall conform to the standards contained in § 14-64.
- E. No land shall be used or structure erected where the land is held unsuitable for such use or structure by the Code Enforcement Officer by reason of: flooding; concentrated runoff; adverse soil or rock formation; unfavorable topography; low bearing strength; erosion susceptibility; or any other feature likely to be harmful to the health, safety, and general welfare of the community. The Code Enforcement Officer shall in writing list the particular facts for making a determination that a particular site is unsuitable for development based upon the reasons listed above. The applicant shall have an opportunity to contest such unsuitability through the Board of Appeals.
- F. All principal structures shall be located on a lot; and Multiple principal structures may be located, erected, or moved onto a lot as long as all structures adhere to the dimensional requirements of the zone in which located~~only one principal structure shall be located; erected; or moved onto a lot, unless the structures have been approved as an open space development. In addition, the standard requirements outlined in Chapter 11, Article I, §11-3 must be met.~~
- G. In any district where public sewer is not available: the width and area of all lots shall be sufficient to permit the use of a subsurface wastewater disposal system designed in accordance with the State of Maine Subsurface Wastewater Disposal Rules.

- H. All subsurface wastewater disposal systems shall be located in areas of suitable soil of at least 1,000 square feet in size in all shoreland areas. No structure or land use requiring a subsurface wastewater disposal system shall be issued a permit without first having been issued a subsurface wastewater disposal permit from the Local Plumbing Inspector.
- I. Lots abutting more restrictive district boundaries shall provide side and rear yards not less than those required in the more restrictive abutting district. The street yards on the less restrictive, if more than 60 feet from the district boundary line, may be adjusted so as to equal the average street yards required in both districts.
- J. In any district, the street yard requirements may be reduced to equal the average of the existing street yards for buildings existing on the adjacent lot on either side of a proposed building with the approval of the Code Enforcement Officer. However, in no event shall such reduction be allowed to interfere with traffic visibility.
- K. Any non-residential use abutting a residential use or dwelling, or a residential zoning district shall incorporate along the affected property lines a year-round visual barrier sufficient to screen the proposed use from the property line to a minimum height of six feet. The screen shall consist of one or more of the following; existing or proposed vegetation, fence, or other similar structure. The visual barrier shall be installed within a buffer area with a minimum width of 25 feet, extending along the affected property lines.



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TOWN COUNCIL

ORDER NO. 18-2017

AN ORDER calling for a Special Election on March 13, 2018.

BE IT ORDERED by the Town Council of the Town of Winslow as follows:

WHEREAS, the Town Clerk has determined there was a tie for the Town Council District 3 Seat which needs to be resolved with a special election, and

WHEREAS, the School Department is requesting a special election be called to dissolve the AOS92; now, therefore

BE IT ORDERED by the Town Council that a Special Election be called on March 13, 2018 to resolve the tie for the Town Council District 3 seat and to dissolve the AOS92.

SPONSORED BY: Administration

IN THE TOWN COUNCIL

\_\_\_\_\_, 2017

First Reading, \_\_\_\_\_  
accepted      rejected

\_\_\_\_\_, 2018

Second Reading, \_\_\_\_\_  
adopted      rejected

\_\_\_\_\_  
Town Clerk

APPROVED: \_\_\_\_\_, 2018

CHAIRMAN: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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## TOWN COUNCIL

## RESOLUTION NO. 39 -2017

### A RESOLUTION

Providing for a Pawnbroker's License for: James A. Smith d/b/a Jim's Gun Shop  
46 Bay Street.

BE IT RESOLVED by the Town Council of the Town of Winslow, as follows:

The Town Council, acting as Municipal Officers, approve the issuance of a

### PAWNBROKER'S LICENSE

To: James A. Smith  
d/b/a Jim's Gun Shop  
46 Bay Street  
Winslow, ME 04901

SPONSORED BY: Steve Russell

IN THE TOWN COUNCIL

\_\_\_\_\_, 2017

First Reading and Adopted.

\_\_\_\_\_  
Town Clerk

APPROVED \_\_\_\_\_, 2017

CHAIRMAN: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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## TOWN COUNCIL

## RESOLUTION NO. 40- 2017

### **A RESOLUTION**

Providing for: Authorization for the Town Manager to sign a contract between the Town of Winslow and the Maine Public Employees Retirement System (MainePERS) for the Public Works and Fire Department Employees.

**BE IT RESOLVED** by the Town Council of the Town of Winslow as follows:

**WHEREAS**, the Town Council wishes to join MainePERS effective July 1, 2018 and offer Special Plan2C to its Fire Department employees and Plan AC to its Public Works employees; and

**WHEREAS**, the Town Council excludes less than full-time employees from the plans (Full-time is currently defined as 80 or more hours per two-week pay period). All non full-time employees are excluded from MainePERS participation but they are currently covered under Social Security; and

**WHEREAS**, the Town Council will allow employees to purchase service rendered prior to July 1, 2018. The Town will not participate in the purchase of the prior service; employees are responsible for paying the full liability associated with this service; now, therefore,

**BE IT RESOLVED** by the Town Council of the Town of Winslow that the Town Manager is hereby authorized to sign a contract between the Town of Winslow and the Maine Public Employees Retirement System for the Fire Department and Public Works Employees.

**SPONSORED BY:** Administration

### **IN THE TOWN COUNCIL**

\_\_\_\_\_, 2017

One Reading, \_\_\_\_\_

accepted

rejected

\_\_\_\_\_  
Town Clerk

APPROVED: \_\_\_\_\_, 2017

CHAIRMAN: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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Public Hearing: \_\_\_\_\_

## **TOWN COUNCIL**

## **ORDINANCE NO. 14-2017**

### **AN ORDINANCE**

Providing for: An Amendment to the Winslow Zoning Map to Rezone the entire lot owned by Gloria Veilleux on Tax Map 16, Lot 34 (55 China Rd) from the High Density Residential District to the Mixed Use District.

**BE IT ORDAINED** by the Town Council of the Town of Winslow, as follows:

**WHEREAS**, Gloria Veilleux owns a lot in the Town of Winslow shown on the Town of Winslow Tax Map 16, Lot 34, which is located in the High Density Residential District. This lot borders the Mixed Use District; and

**WHEREAS**, Ms. Veilleux wishes to have her property rezoned to be included in the Mixed Use District; and

**WHEREAS**, The Winslow Planning Board recommends this parcel located on Map 16, Lot 34 be rezoned by extending the Mixed Use District to include this entire parcel; now, therefore,

**BE IT ORDAINED** by the Town Council that such property owned by Gloria Veilleux on Tax Map 16 Lot 34 (55 China Rd) be Rezoned as Mixed Use District and the Winslow Zoning Map be so-amended.

**SPONSORED BY: Administration**

### **IN THE TOWN COUNCIL**

\_\_\_\_\_, 2017

First Reading \_\_\_\_\_  
accepted rejected

\_\_\_\_\_, 2018

Second Reading \_\_\_\_\_  
adopted rejected

\_\_\_\_\_  
Town Clerk

**APPROVED:** \_\_\_\_\_, 2018

**CHAIRMAN:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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## TOWN COUNCIL

## RESOLUTION NO. 41- 2017

### A RESOLUTION

Providing for: Establishing a not to exceed budget amount of \$ \_\_\_\_\_ for the School Department's Building and Renovation Project for the Relocation of the Jr. High Students from the Jr. High Building.

**BE IT RESOLVED** by the Town Council of the Town of Winslow as follows:

**WHEREAS**, the School Department has voted to close the Jr. High Building; and

**WHEREAS**, the voters rejected a School Department proposed Building and Renovation project of 10.325 million at the November 2017 election; and

**WHEREAS**, the Town Council wishes to provide some guidance to the School Department by establishing a not to exceed budget amount for the Building and Renovation Project; now, therefore,

**BE IT RESOLVED** by the Town Council of the Town of Winslow that a not to exceed budget amount of \$ \_\_\_\_\_ is hereby established for the School Department's Building and Renovation Project for the Relocation of the Jr. High Students from the Jr. High Building.

**SPONSORED BY:** Administration

### IN THE TOWN COUNCIL

\_\_\_\_\_, 2017

One Reading, \_\_\_\_\_  
accepted                      rejected

\_\_\_\_\_  
Town Clerk

APPROVED: \_\_\_\_\_, 2017

CHAIRMAN: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_