

**TOWN OF ORONO
COUNCIL COMMUNITY DEVELOPMENT COMMITTEE MEETING**

**THURSDAY, JANUARY 24, 2019 AT 6:00PM
COUNCIL CHAMBER – MUNICIPAL BUILDING**

MINUTES

1. Roll Call

Councilors Present: Cindy Mehnert (Council Chair), Cheryl Robertson, Tom Perry, Sam Kunz, Town Manager Sophie Wilson, Community Development Director Dave Milan, Town Planner Kyle Drexler and Parks and Recreation Director Mitch Stone.

2. Discussion of the Town’s Potential Rights Related to the Proposed Construction of a Patio for 19 Mill Street

Ms. Wilson stated that the new owners of 19 Mill Street, Bazmpas, LLC had a survey done of the property and found that the property line for 19 Mill Street extends beyond the boundary of the building westerly past the current sidewalk and through much of the designated parking in the alley between Margaritas and their building. The owners would like to construct a patio to serve Black Bear Brewing.

Ms. Wilson stated that the Town has infrastructure located between these buildings - including sidewalk, parking and lights - and a history of improvements, both capital and regular maintenance. Based upon the historical public use (pedestrian travel and parking) and use of Town funds to construct and maintain this infrastructure, staff raised the question as to whether the Town has a prescriptive easement or right to continue this use. She explained the Town Attorney’s opinion on this matter and the process to determine the rights.

Ms. Wilson described the Town’s options: Elect to not assert the Town’s claim and allow construction of the patio; assert a full or partial claim to a Prescriptive Easement and seek to not allow change; or work to find a compromise with the property owner to allow for continuation of a reduced scope of public use.

The Committee reviewed the map (boundary lines), discussed the legal options and discussed the potential overall economic development benefits that could result from this expansion.

The Committee agreed to schedule an executive session on January 28, 2019 to give the Town Manager direction to negotiate options.

3. Request for Consideration of a Contract Zone by College Avenue Dental Associates (379 College Avenue in Orono - Map 11 Lot 72)

Town Planner Kyle Drexler spoke of College Avenue Dental Associates' desire to build a new dental building at their current location with the existing building to continue to be used for housing. The applicant desires to create a more modern facility that can better serve the community. To accomplish this idea, the applicant would like to pursue a contract zone.

Mr. Drexler described the reasons for pursuing a contract zone. A change in zone to the University district would make it feasible for the lot to be divided and both lots to meet the requirements of the district. A contract zone would allow the lots to be changed to the University district, but at the same time, require that this new lot be used only as a dental office. This would prevent the potential outcome of the applicant selling the lot and someone coming in to develop the lot in a way that would not fit with its residential surroundings.

The Committee supported a contract zone with low impact office use and encouraged the owners to talk with their neighbors as part of the next step.

4. Proposed Basin Omnibus Tax Increment Financing District and Related Credit Enhancement Agreement with HUB, LLC (69 Margin Street)

Proposed Basin Omnibus Tax Increment Financing District and Related Credit

Ms. Wilson stated that the Basin Omnibus Tax Incremental Finance (TIF) District is being proposed to encourage the redevelopment of Ayers Island and properties along Margin Street. Staff is working to further develop the application for the District and plans to discuss the draft application with Council at its next meeting. The Committee discussed details of the new TIF District.

The Committee agreed to set the date for a Council Public Hearing on February 11, 2019.

Enhancement Agreement with HUB, LLC (69 Margin Street)

Mr. Milan stated that a Credit Enhancement Agreement (CEA) has been proposed with HUB LLC, located at 69 Margin Street. HUB LLC is the owner of the property being developed by Woodman's Brewing Company, LLC, doing business as Orono Brewing Company. Abe and Heather Furth provided a presentation at the January 14th Council Workshop regarding their plans for repurposing a former maintenance facility into a state-of-the-art micro-brewery. The CEA would be part of The Basin Omnibus Tax Incremental Finance District, if approved.

The Committee agreed to set the date for a Council Public Hearing on February 11, 2019.

5. Council Permission to Construct a Pump Track on Town Owned Property Located Adjacent to the Orono High School

Ms. Wilson stated that a group of very enthusiastic community members have approached the Town with a request to construct a pump track on Town owned property located adjacent to the ice rink. The Community Development Committee sent this back to staff to construct a memorandum of understanding (MOU) between the Town and this group that codified the agreements/conditions upon which the permission was being granted. Staff worked with the lead representatives of this group and requests that the Committee consider an alternative mechanism to meet this goal. A MOU is a document agreed to and signed by two parties codifying a legal “contract” which is a bit problematic when working with a group with no defined leadership or clear responsible party. In this case, we have a group of dedicated and responsible members of the public and a business willing to coordinate the group’s responsibilities to the project. Staff has constructed a draft Council Resolution that will make it very clear that the permission to have the track on Town property is given with certain expectations and also outlines the roles of the Town and community.

The Committee reviewed details of the agreement. The Committee agreed to move the Pump Track Resolution to the February 11, 2019 Council Agenda for consideration.

6. Proposed Parks & Recreation Open Space Ordinance (Repeal and Replace Town of Orono Ordinance Chapter 26 Articles II and III)

The Committee reviewed the changes to the Parks and Recreation Open Space Ordinance.

The Committee agreed to set the date in February for a March 11, 2019 Council Public Hearing on the proposed Ordinance Amendment.

7. Brief Town Manager’s Update

Ms. Wilson gave a brief update on the following items:

59 Park Street sewer issue relating to illegal floor drains backing up. Staff has contacted the insurance company and the Maine Department of Transportation.

Recycling – Pine Tree Waste to Casella for Zero Sort Recycling. On April 1, 2019, Fiberight will be accepting waste.

8. Adjourned at 8:00 p.m.

Minutes are summary only. An audio recording of the meeting is available on the Town’s website at www.orono.org under Agendas and Minutes.

Respectfully submitted,
Nancy W. Ward
Executive Assistant