

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

**THURSDAY, MARCH 28, 2019 AT 6:00 P.M.
COUNCIL CHAMBER – MUNICIPAL BUILDING**

MINUTES

1. Roll Call

Present: Sam Kunz (Community Development Chair), Cindy Mehnert (Council Chair), Laurie Osher, Cheryl Robertson, Terry Greenier, Town Manager Sophie Wilson, Community Development Director Dave Milan, Police Chief Josh Ewing and Fire Chief Geoffrey Low.

2. PRESENTATION: Local Regulation of Commercial Use of Plastic Bags and Polystyrene

A group of UMaine students gave a presentation on the local option of banning polystyrene and single use plastic bags. *(See presentation attached.)*

The Committee thanked the students for their information and discussed the impacts of banning plastic bags and polystyrene on local businesses. Ms. Osher noted there is a bill before the State Legislature to consider banning polystyrene. Terry Greenier commented that even small changes are important and spoke of voluntary compliance from businesses.

Business owner Bruce Farnsworth gave an example of the added cost of changing from plastic to paper straws. He noted the difficulty for some businesses to be able to make the changes.

The Committee suggested the UMaine students research/survey the impacts on Orono businesses. Ms. Wilson stated she would work with the students and bring back information later.

3. Local Regulation of Residency for a Certain Classification of Convicted Sex Offenders

Ms. Wilson explained that the State of Maine has pre-empted municipal regulation of sex offenders, except for allowing a municipality to use its home rule authority to restrict the residency of those convicted of sexual offenses against minors under the age of 14. This delegated authority can only restrict residency (not presence) a maximum of 750 feet from real property of 1) a public or private elementary, middle, or secondary school; 2) municipally owned or state owned park, athletic field, or recreational facility where children are the primary users; or 3) municipally or state owned park, athletic field, or recreational facility where children are the primary users that have been leased to a non-profit (for the same purpose). The Town of Orono does not currently have an ordinance that restricts residency of sex offenders - and, the adoption of any ordinance in the future will only apply to those "qualifying individuals" who seek to move into a "restricted area" after the adoption of the ordinance (as opposed to those already in residence).

Staff provided the Committee with a better understanding of State Statute and the limited home rule authority allowed to municipalities. The Committee reviewed a map that illustrates the 750-foot buffer zone. Police Chief Ewing explained the police department's role in the risk assessment and the restrictions to enforce.

Ms. Mehnert questioned whether an ordinance would accomplish what was wanted. Mr. Kunz commented that an ordinance would send a message that we value our children and schools and we are doing what we can. Ms. Osher suggested doing a community outreach to educate those most vulnerable in the community.

The Committee agreed to discuss this item at a future Council Workshop. Ms. Wilson stated she would provide Councilors with ordinances from other communities; check to see who owns the ball field near the old St. Mary's Church; and check with the attorney on the laws.

4. Clarification of the James D. Swett Living Trust Credit Enhancement Agreement Timeframe

Ms. Wilson explained that the Department of Economic and Community Development (DECD) reviewed the James D. Swett Living Trust Credit Enhancement Agreement and has determined that we erred in making the timeframe of the agreement based on April 1, 2014 to April 1, 2024 as this actually spans eleven tax years. The Town Council has a stated local policy goal of 10-year terms for CEA's within the Downtown and Transit Oriented Tax Increment Financing (TIF) District. Based upon conversation with DECD, staff is requesting the Committee consider moving an amendment forward to Council that revises the CEA end date of the agreement to April 1, 2023 to comply with DECD's request.

The Committee agreed to forward an amendment to Council to correct the James D. Swett Living Trust Credit Enhancement Agreement timeframe.

5. Brief Town Manager's Report

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

- Drafting an Ordinance for the Cultivation of Medical Marijuana that would be allowed everywhere except the High Density Residential District and the Village Commercial District. This item will be discussed at the next Council Workshop, April 22, 2019.
- Update on negotiations with 19 Mill Street boundary issue. A public hearing will be called at the April 8th Council Meeting for the public hearing to be held on May 13th.
- Received Notice of Claim – not our community. Ms. Wilson will notify the party.
- Orono Paddlers' Association lease agreement will be on the next Council agenda.
- Pump Track community group needs site plan review by Planning Board due the amount of earthwork. Planning Board needs drainage and erosion control or a reduced project scope of under 100 cubic yards of material. The group has been made aware.
- The Fiberright operation is on track for June for the commercial operation with full capacity July 1st.
- Mill Street hydrant break and damage to Mill Street with repair costs at approximately

\$150,000. Staff is working to scope the project repairs and work with the Orono-Veazie Water District to address future issues.

- Margin Street tax acquired property issue will be on the next Council consent agenda.
- Town Clerk invited to participate with Voting Task Force.

Ms. Osher asked about the status of the Main Street bike lanes. Ms. Wilson stated it is in the Capital Plan to be addressed in two years through the MDOT pedestrian safety process.

6. Adjourned at 8:09 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

Council Comm Dev. Meeting 3/28/2019

Orono Township Polystyrene and Single Use Plastic Ban

Why do we need it?

- Disposable plastic bags are the leading source of marine pollution.
- Americans use 100 billion plastic bags a year, which requires 12 million barrels of oil to manufacture.
- Plastic bags are used for an average of 12 minutes.
- At least 100,000 marine animals are killed by plastic bags annually.



Polystyrene Foam

- Expanded Polystyrene Foam containers are very abundant in our community and have become a problematic source of litter
- The State of Maine does not currently have a system in place to recycle these foam containers, they're often thrown away or littered
- EPS containers are very harmful to the environment, they do not degrade over time - rather they "photodegrade", or break down into smaller pieces
- EPS containers often find their way into the ocean and other environments where the small pieces are mistaken for food by animals
- EPS containers are made from Styrene, a known animal carcinogen and possible human carcinogen and neurotoxin, aka a cancer causing substance



Findings & Purpose

1. The state of Maine is considering a statewide ban, but we still rely on city council to protect the natural environment and the health of its citizens and visitors.
2. The use of single-use carryout bags and foam cups have severe environmental impacts on both a local and global level
3. Despite recycling to control pollution from single-use plastic and polystyrene, only about 9% of waste is actually recycled
4. Numerous studies have documented...single-use carryout bags endanger wildlife
5. Municipal spread is extremely evident in cases like plastic bans, ex) food sovereignty municipal act

How We Can Possibly Achieve It.

Four stage approach based on Natural Resource Council of Maine's disposable foam container toolkit

PHASE ONE: Organize a Strong Team

- People power is key, so the first task is to recruit as many people as you can to help. Within the team you will need at least a few who can help see the campaign through to the end. As you pull together your team, you'll need to determine what type of ordinance has a chance to pass given the current realities of local politics (e.g. city council makeup).
- Establish a committee or working group that has a regular meeting time and space to ensure things move forward in a timely fashion and to keep the campaign rolling.
- Designate a facilitator and a note taker and track action items and who will do them. Be sure to send agendas in advance of meetings and send notes and next steps afterwards.

PHASE TWO: Gather Information

This phase includes but is not limited to:

- Research how to pass the initiative (e.g. an ordinance to promote reusable bags).
- Gather stakeholder input through surveys and public presentations to address and consider concerns early on.
- Research facts and studies that support or oppose your proposal
- Generate fact sheets and handouts based on your research.
- Review similar measures from other towns
- Contact potential allies and build your coalition
- Draft an initiative that is right for your community based on the research and input.

PHASE THREE: The Campaign

Once you are confident in your proposal and have the facts to back it up, it's time to present it to the community and rally support. Successful campaigns may include:

- A press conference to launch the campaign.
- Presentations to town council members, local groups, and the public.
- Letters-to-the-editor of daily and weekly papers.
- Table at farmers markets and other local events.
- Sign-on letter of business and civic leaders, VIPs, and others who endorse the proposal.
- Social media campaign.
- Constituent communications to key decision makers in support of the measure.
- Get out the vote. You need to be sure that your supporters get to the polls and vote—if your measure requires a vote.

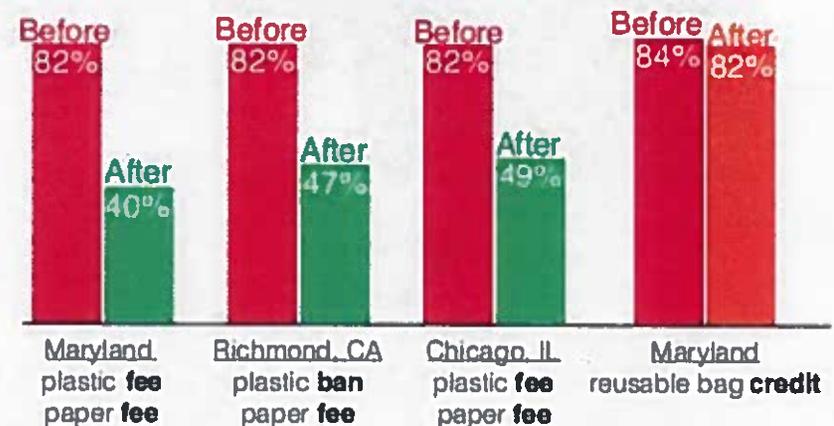
PHASE FOUR: Follow Through

- Your initiative has passed and you feel great! However, your work is not done. You need to thank your community for doing what is right and prepare for smooth implementation.
- Help publicize information about implementation of the initiative and reach out to help affected people and businesses with the transition.
- Monitor success and report back one year after implementation to tout the effectiveness of the program. Doing so will help you to be prepared to defend the program should there be an initiative to repeal it.
- Consider another sustainability initiative to keep your team engaged and build on your success!

Recycling vs. Ban

- The market for recycled plastics is shrinking more than ever right now
- China's recent ban on imported trashes leaves us in a crisis for waste placement
- Although recycling efforts are slowly moving to Southeast Asian countries, roughly 12.7 million tons of plastic will end up in our oceans and waterways this year
- An optimal solution is to move towards an economy that is less dependent on plastics in the first place

Reductions in single-use bag use

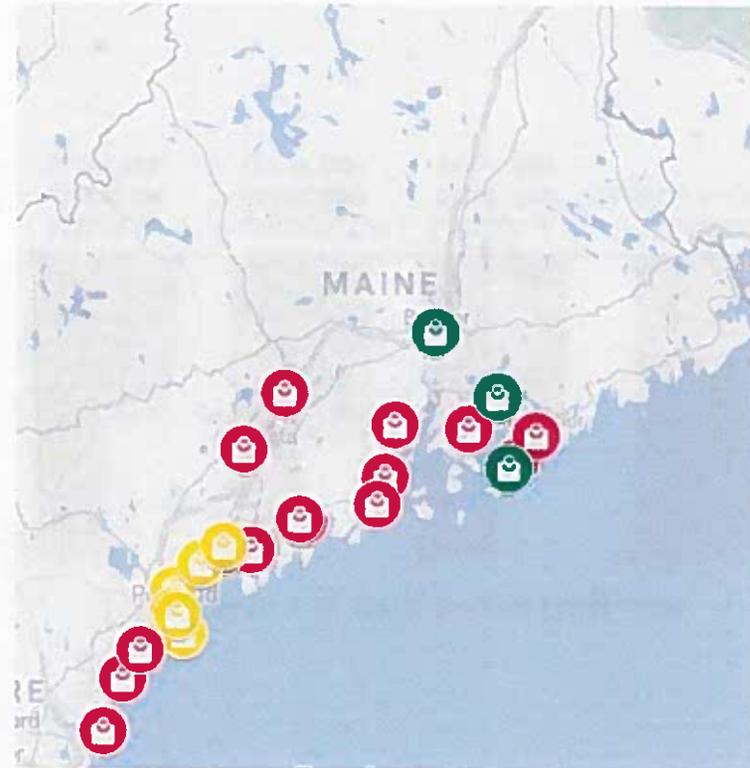


Change is Now!

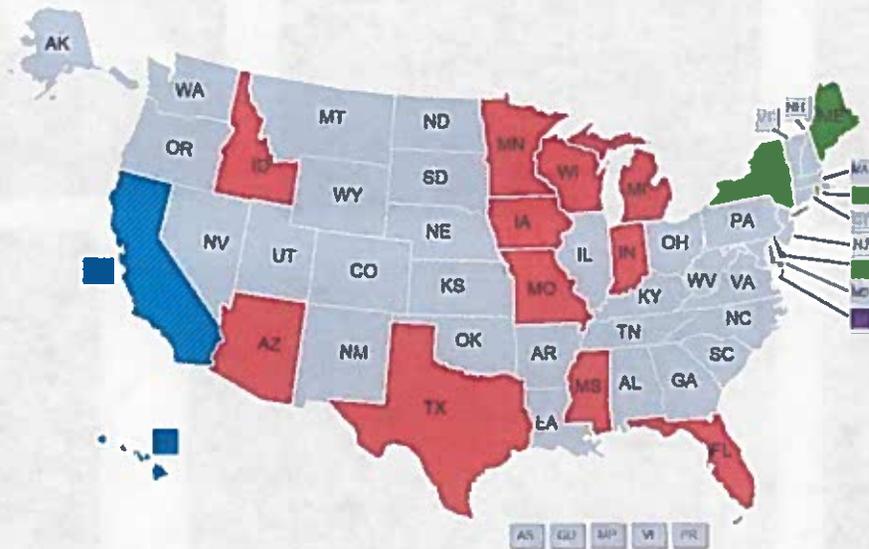
Maine communities that have already banned single use plastic and polystyrene include:

- Blue Hill
- Camden
- Belfast
- Damariscotta
- Saco
- Kennebunk
- York
- Brunswick (and many more)

Even without bans, most businesses offer reusable bags and cups at a very cheap price, and many citizens use them.



States with Enacted Plastic Bag Legislation



LEGEND	
	Bans *HI has a de facto statewide ban
	Fees or Taxes
	Labeling, Recycling or Reuse Programs
	CA has both a ban and labeling, recycling or reuse programs
	Preemption

Courtesy Pictures



References

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