

*Minutes
Winthrop Town Council
Regular Meeting
Monday, December 5, 2005 at 7 p.m.
Winthrop Town Office*

Attendance: Chairman Kevin Cookson; Councilors William MacDonald, David Rheaume, Jayne Despres, Ken Buck, Linda Caprara, Town Attorney Lee Bragg, Town Manager Cornell Knight. Secretary: Julie Winberg. Councilor Patrice Putman – absent.

Citizens numbering approximately 200 were also in attendance.

Chairman Cookson called the meeting to order at 7:03 p.m.

Ordered that the Winthrop Town Council meet to consider the following items:

*Minutes of November 7th, 2005 (Regular Meeting)
and November 30th 2005 (Special Session)*

Motion by Rheaume, and seconded by Caprara, approving the minutes of November 7th and November 30th. Vote was (6-0).

Chairman Cookson informed the group that the agenda as originally presented would be altered to address Item #157 first.

However, prior to addressing this item, Councilor Rheaume was honored for his work on the Council, which consisted of nine years of dedicated service. This was Councilor Rheaume's last sitting, as the newly elected Jim Norris would be the seventh member as of January, 2006. As a demonstration of thanks, Councilor Rheaume presented Winthrop's Annual Report dated March 14, 1898 to the Town Manager to be filed into the town archives. As an interesting note made by Councilor Rheaume, the total overall budget at that time was \$16,000.

Item # 157 – to consider referring a proposed zoning amendment to the Planning Board, which would allow multi-family housing in the Limited Residential zone.

Chairman Cookson explained to the audience, and reaffirmed the same to the Council, that the only thing that the Council was to address in reference to this proposed zoning amendment was whether or not to forward this to the Planning Board for review since it would be changing the residential zone that is already in place. He also informed the group that this would not be a final decision. The

Planning Board will be required to have hearings on this proposed zoning change and that the Planning Board would hold several meetings as well as public hearings and then, the Board would make their recommendation to the Council.

At this point, Chairman Cookson turned the meeting over to the Town Manager, Cornell Knight, to discuss how this proposal came about and what part the Town played in placing it on the Town Council's agenda.

Mr. Knight explained that this proposed zoning change would be to allow a 28-unit apartment complex for a site near Greenwood Avenue which consists of approximately 30 acres. In a concern over declining student population and much-needed affordable housing, this proposal was being considered. The project, called Winthrop Commons, would first consist of six buildings containing 28 apartments, including units set aside for the poor and homeless – explaining that this also encompasses “working families”. A second phase of development would build an undetermined number of townhouses on the site for first time homeowners. The location is ideal for housing because it is within walking distance of downtown, the elementary school and parks, and is served by sewer and water lines. Town officials have been working to bring affordable housing to Winthrop, in part because there is concern about a 20 percent drop in the school districts population over the last five years. Further declines are predicted for years to come. That drop means a decrease in state education funding to the district. The town has been working, via a committee chaired by Councilor Putman, working on doing something to get families with children back into Winthrop as well as developing affordable housing, two issues that go hand in hand. These units will give preference to persons with Section 8 vouchers and to the homeless provided that they pass the same background and credit checks given to the tenants. Realty Resources Chartered, based in Rockport, would develop the apartments. The project would be financed, in part, by a combination of federal housing money and funding from the Maine State Housing Authority. The complex would be accessible from a private road that would begin near where Greenwood Avenue becomes Knickerbockers Road. An official from Realty Resources Chartered (Terry Turner) was in attendance to answer questions at a meeting held at the Town Office at 4:00 p.m. this afternoon. He summarized that he is asking the Councilors not for a vote on whether to allow the complex but to ask the councilors to refer a zoning change to the Planning Board, because the project cannot be built under the neighborhoods current zoning. He reminded everyone that there were three ways to refer such issues to the Planning Board. Those were thru the Council, through the Planning Board and/or through a petition.

Chairman Cookson explained that a motion needed to be made by a member of the Council to allow the next step in the process to proceed – that being the discussion phase.

Motion made by Despres and seconded by Cookson to refer a proposed zoning amendment to the Planning Board, which would allow multi-family housing in the Limited Residential zone.

Councilor Rheaume stated that the process that has been in place as long as he has been a Council Member was that any possible changes to the Town's zoning ordinance should go to the Planning Board first. The Planning Board, after their review, which may include public hearings, would then make their decision. If an ordinance change were required, the proposal would then come before the Town Council.

Councilor Rheaume stated that for this reason he is against this proposal and that he feels that the Council should not discuss it at all until the Planning Board has had total and complete review of it. He also noted that it was premature to go ahead in any way as this has the possibility of giving the Planning Board an inclination of how the Councilors may vote. He felt that the Council should show total impartiality of this project and remain neutral. He planned to vote against this motion.

Councilor Caprara also planned to vote no and was in total agreement with Councilor Rheaume.

Councilor Buck planned to vote no and was in total agreement with Councilors Caprara and Rheaume.

Chairman Cookson spoke in the affirmative explaining that this vote does not preclude the developer in any way from proceeding. His went on to say that his vote is to refer it to the Planning Board and it is not saying, by his vote, that he is 100% in favor of the developer and this proposal but only to allow this proposal to proceed to the Planning Board. Any decision that the Planning Board would make could come back to the Town Council.

Chairman Cookson asked the Council for a vote on the motion on the table from the remaining members.

At this time, residents expressed their concern that they came to this meeting to be heard.

Chairman Cookson explained that in Roberts Rules of Law, when a motion is made and seconded, and a member moves the question with a second, a vote needs to be taken, and unless the Councilors direct him otherwise, he must proceed with a vote.

At this point, a majority of the Councilors directed the Chairman to allow the public to express their concerns.

Of considerable concern, and through lively discussion, residents, both surrounding this proposed complex, as well as concerned citizens of Winthrop, voiced their opinions about this proposal some of which follows:

Greenwood Avenue is a neighborhood consisting of single-family homes. Neighbors see the local as exactly the wrong location for multiunit housing, especially housing with a low-income components.

Residents along Greenwood and Knickerbocker received notice of the apartment complex proposal late last week in a letter written by the Town Manager.

The residents repeatedly told the Councilors that they did not want the project to be built. Some residents, in accusatory fashion, noted that the Councilors were not listening to their wishes and therefore not representing them at all.

Some residents, who are landlords, questioned the need for affordable housing as many of their units are now available, slow to rent, and quite affordable.

Others claimed that low-income housing brings hidden costs not addressed at this juncture such as police and social service needs.

Some complained about the speed in which this proposal was put through and the lack of information and time for the community to do a much needed review.

After hearing the concerns, the motion and second were withdrawn. No action taken.

5 minute recess.

Caprara leaves.

The meeting reconvened at 9:30 p.m.

Motion by Rheaume Seconded by Despres to table item #155, an update on thee-911 addressing audit until the January meeting. Vote 5-0.

Motion by Rheaume Seconded by Despres to table item #158, a request by Candide Lemay to excavate Charles Street for utility access. Vote 5-0.

Motion by Rheaume Seconded by MacDonald to approve a 1-year contract with the Kennebec Valley Humane Society. Vote 5-0.

Motion by Rheaume Seconded by Despres to accept \$980 the forfeiture of assets on behalf of the police department, funds to be placed in the police forfeiture account. Vote 5-0.

Managers Report:

Next meeting is January 9th, due to the holiday.

County budget hearing is December 6.

The purchase closing on the Mason's building is Wednesday afternoon.

The speaker's podium was made by the High School students in shop class.

Councilor Rheaume noted that all the streetlights were working.

Motion by Rheaume Seconded by Despres to adjourn at 9:45 pm. Vote 5-0.