



## AGENDA

### Board of Directors Meeting

Tuesday – September 26, 2023

7:45a – 9:15a

**Freeport Oyster Bar**

**43 Main Street**

#### 1. Consent Items

- Financial report as of August 31, 2023 *(See Attachment 1)*
- Minutes of Board Meeting on August 29, 2023 *(See Attachment 2)*

#### 2. Project Updates

- TOD Capital Planning
- Design Review ~ Central Core Working Group
- Varney Heights AHTIF Request Next Steps

#### 3. Desert of Maine Ordinance Change Request

*(See Attachment 3)*

#### 4. Business Activity Metrics

*(See Attachment 4)*

#### 5. Town Council Candidate Introductions

- Tais De Los Reyes ~ At Large
- Joanna Benoit ~ At Large
- Kimberly Buck ~ District 3
- Matt Pillsbury ~ District 3
- Adam Ulrickson ~ District 2 Lobstering; will introduce himself soon
- Eric Smith ~ District 2

**Attachment 1. FINANCIAL REPORT AS OF AUGUST 31, 2023**

**Freeport Economic Development Corporation  
Profit and Loss**

**July 1 - September 21, 2023**

	<u>Total</u>
<b>Income</b>	
Town Appropriation	35,750.00
<b>Total Income</b>	<b>\$ 35,750.00</b>
<b>Gross Profit</b>	<b>\$ 35,750.00</b>
<b>Expenses</b>	
Advertising/Marketing	1,379.13
Business Support Expense	2,032.33
Conferences/Trade Show/Training	393.57
IT Services	115.00
Payroll Expenses	513.70
Fica/Medicare Exepenses	6,613.48
Gross Wages Ex. Director	12,622.42
Retirement Contribution 403b	770.55
<b>Total Payroll Expenses</b>	<b>\$ 20,520.15</b>
Payroll Processing Fees	198.70
<b>Total Expenses</b>	<b>\$ 24,638.88</b>
<b>Net Operating Income</b>	<b>\$ 11,111.12</b>
<b>Other Income</b>	
Savings Interest	0.81
<b>Total Other Income</b>	<b>\$ 0.81</b>
<b>Net Other Income</b>	<b>\$ 0.81</b>
<b>Net Income</b>	<b>\$ 11,111.93</b>

Thursday, Sep 21, 2023 07:59:22 AM GMT-7 - Accrual Basis

**Attachment 2: DRAFT MEETING MINUTES OF AUGUST 29, 2023 BOARD MEETING**



Draft

MINUTES

Board of Directors Meeting

Tuesday – August 29, 2023

7:45a – 9:15a

Remote via Zoom

**WELCOME AND INTRODUCTIONS.**

Attending Board Members. Mary Davis, Mark Malone, Candice Rinaldi, Nikki Yanok Schneider, Stefanie Millette, Becky Doten-Lizzotte, Tawni Whitney, Dan Bacon, Leanne Barschdorf-Nichols, Dan Piltch.

Not Attending. Jason Sulham, Sarah Tracy, Ken Sparta, Nikki Yanok, Chip Gray, Caroline Pelletier, James Hendricks.

Others Attending. Brett Richardson

**CONSENT ITEMS**

The Financial report as of July 31, 202 and Minutes of Board Meeting on July 26, 2023 were unanimously approved as presented.

**BOARD MEMBERSHIP**

Mary Davis was unanimously voted in for a three-year renewal on the Board and agreed to serve as President for the coming months. Mary shared her perspective that the Board

should consider identifying a new President for the longer term to ensure that the organization benefits from new ideas. Sarah Tracy was also unanimously welcomed for another three-year term. Mary noted that longtime Board leader Chip Gray was enjoying retirement, but she explores Chip's interest to stay connected to FEDC as an Emeritus member of the Board.

Mary noted that Chip has big shoes to fill and that FEDC would benefit from recruiting a local representative of the hospitality industry.

Brett noted that Board member Jimmy Hendrix has not had the capacity to engage regularly with the Board. Mary offered to reach out to Jimmy. Should Jimmy vacate, there would be two open seats.

### **VARNEY HEIGHTS AHTIF REQUEST NEXT STEPS**

Brett provided an update on the Varney Heights TIF request that the FEDC Board recently reviewed and approved as consistent with the Town TIF policy. On behalf of FEDC, the Varney Heights development team and Brett would present the project to the Town Council on September 5<sup>th</sup>.

Mary noted that the State had a budget surplus of approximately \$800 million that would be deployed for affordable housing development and that Freeport should make every effort to pursue funds for local projects.

Brett noted that the development team had inquired about whether the Town would be willing to fund the creation of an 800-foot long sidewalk connecting the project with Main Street. The sidewalk would cost approximately \$100,000.

The Board consensus was to keep the Varney Heights TIF request simple and if the Town has an appetite to participate in funding the sidewalk, that could take place later through capital planning.

### **COUNCIL HOUSING WORKSHOP & NEXT STEPS**

Brett provided an update on the August 22 Town Council Housing workshop. The workshop was well-attended by the Council, Project Review Board, Planning Board, Housing Task Force, and general public. Brett summarized the data shared at the workshop that illustrated housing supply and cost challenges. Brett highlighted the good work of Muskie School intern did a great job supporting the community conversation about affordability.

Dan Piltch shared that next steps include the creation of a work group with diverse representation to make recommendations to Council on actionable design review updates to help make the project review process fair and efficient for all involved.

Mary thanked the Council for bringing together the Board and community for meaningful conversations about the critical topic of housing.

The Town Council will take the next steps at the September 5<sup>th</sup> Council meeting.

## **TOWN GRANT PROGRAMS**

Brett shared that the Council would likely approve the Fit-Up Grant program on September 5<sup>th</sup> and the next step would be a press release and outreach to property and business owners.

A new Momentum Grant program will also be proposed to the Council on September 5<sup>th</sup>. The Momentum program will focus on publicly accessible spaces with quarterly allocations.

FEDC will help coordinate the program and the Town Finance Department will administer the grants.

## **HOUSING EDUCATION AND MESSAGING**

Mary highlighted a conversation with resident Joe Migliaccio and Joe highlighted the need for community education on why housing is important. Many residents feel like residential property values have gone up, but taxes have stayed relatively low, and that many residents' kind of like the status quo.

Becky agreed that clarifying the why is essential.

Dan Bacon highlighted the declining commercial values downtown. Dan reiterated the need for a cost-to-serve analysis that would demonstrate the downtown multifamily developments are high revenue producers with lower costs to serve than outlying single family homes.

Tawni noted that Freeport is in a rut with limited progress in advancing projects. Tawni highlighted an upcoming gathering with experienced community developer George Casey on September 13<sup>th</sup> to discuss how to rebuild the momentum.

Stefanie shared her perspective that FEDC should focus on bringing currently proposed projects to successful implementation, rather than adding additional messaging that could muddy the waters.

## **TOWN COMPREHENSIVE PLAN UPDATE**

Brett provided a brief overview of Muskie School intern Caroline MacLeod's findings as data that could help inform the comp plan update. The Town received 4 bids and the comp plan consultant will be selected in the weeks ahead.

Dan Bacon noted the importance of identifying model communities that Freeport could emulate as a positive benchmark for where Freeport is working to go.

Mark asked about an FEDC strategy to engage in the Comp Plan update. Mark noted that the update offered a great opportunity for the Board to contribute. Brett agreed and promised to coordinate opportunities for FEDC Board members to share their expertise.

**The meeting adjourned at 8:52am.**

## Attachment 3: DESERT OF MAINE REQUEST TO PLANNING BOARD

### Proposal to Planning Board

#### Proposal

We propose to change the language of Section 428 of the Freeport Zoning Ordinance which outlines the definition of the Nature-Based and Art Overlay District - "NBAOD". We are asking that the language in part F2 be stricken, which states that "no structure in this overlay district may be used as a wedding venue".

#### Our Reasons for Changing the Ordinance

As stated in the ordinance, the purpose of the NBAOD is "to allow nature-based commercial uses that are consistent with the historical uses of any property within the overlay district and assist with the long-term sustainability of the current uses and the protection of the natural historic resources of a property, to allow an indoor art center and indoor public assembly, and to specify the principal and accessory uses that are allowed thereon."

As we move forward with the restoration and re-building of the Tuttle Barn at the Desert of Maine, which dates back to the 1700s, we look forward to creating a sustainable arts center and community gathering place. The Tuttle Barn is a stunning building that could one day memorialize a crucial piece of Freeport history, enrich our community with music and theater performances, and contribute to the arts and culture economy in Freeport.

But we face many challenges ahead. In addition to the ballooning upfront costs associated with restoring this historic building and re-constructing it so it meets modern building code requirements for structural integrity, life safety, and accessibility, we must face the reality that it is notoriously difficult to sustainably operate an arts center. This is especially true in Maine, due to our small audience pools. Most, if not all, successful performing arts centers sustain themselves through means other than just ticket sales.

The only feasible option for the long-term viability of operating the Tuttle Barn as an arts center would be to rent out the Tuttle Barn as an events venue when not hosting artistic performances. It is crucial that some of those events should include weddings. The cost of renting a venue for a wedding is nearly an order of magnitude higher than for other private events. Hosting weddings would allow us to host fewer, more profitable events than if we were restricted to just other types of events such as corporate gatherings or private parties. This proposed change, along with commonsense restrictions that respect the quiet neighborhood setting of the Tuttle Barn, would allow us to sustain our arts center in the way that would have the least impact on our neighbors. This change would also boost business for local restaurants and hotels.

#### Specificity of the Zoning Language for the NBAOD

The language stipulating what qualifies as a NBAOD is such that it is exceptionally difficult for other properties in Freeport to be considered for this overlay district. For any new NBAOD, nature-based commercial uses must be consistent with the historical uses of any property within the overlay district *and* assist with the long-term sustainability of the current uses *and* the protection of the natural historic resources of a property. It is unlikely that any other businesses or property owners would be able to

take advantage of the change to the language in section 428 that forbids weddings to the NBAOD. Thus, we do not feel that this would create other wedding venues in Freeport.

The NBAOD is intended to function as an overlay district. As such, the requirements of the underlying zoning district(s) will remain in force and will apply to all uses of land and buildings within the NBAOD except as specifically modified by the provisions of this Section

**Proposed Change to Section 428, Section F, Paragraph 2:**

Existing language:

2. A structure on a property in this overlay district may be used for one or more permitted uses subject to site plan review, provided however that the maximum capacity of that structure shall be 300 persons and no such structure may be used as a wedding venue.

Proposed language:

2. A structure on a property in this overlay district may be used for one or more permitted uses subject to site plan review, provided however that the maximum capacity of that structure shall be 300 persons. If the overlay district is located within a residential district and the structure is used as a wedding venue, additional restrictions apply:

- a. No music allowed outside the structure
- b. All guests must vacate the structure and the event must conclude by 10:00PM.
- c. The parties responsible for renting the structure must sign an agreement that they will abide by the aforementioned restrictions, keep noise to a minimum, and refrain from engaging in disorderly behavior, or risk forfeiture of a security deposit of not less than 10% of the total rental price.

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Mela Heestand

Executive Director of Desert of Maine Center for Arts & Ecology

978-394-5923



**Attachment 4: BUSINESS ACTIVITY METRICS**

