

**Town of North Yarmouth
Select Board Meeting Agenda
Tuesday, April 02, 2024
Regular Business Meeting
6:30PM**

Wescustogo Hall & North Yarmouth Community Center

Select Board Members

Amy Haile, Chair
Karl Cyr, Board Member

Andrea Berry, Vice Chair
Paul Hodgetts, Board Member

Katherine Maloney, Board Member

- 1. Call to Order**
 - A. Pledge of Allegiance
- 2. Special Presentation**
 - A. Spirit of America Proclamation
- 3. Appointments**
 - A. Election Clerks-Bi-annual Appointment
 - B. Open Space & Planning Committee Appointments
 - C. Code Enforcement Officer Appointment
- 4. Announcements**
- 5. Public Comment-Non-Agenda Items**
- 6. New Business**
- 7. Old Business**
 - A. Property Tax Assistance Ordinance
 - B. Committee Policy Amendment
 - C. Open Space & Planning Committee Member Amendment
 - D. LUO-Proposed Amendments to Section 1.7
 - E. Yarmouth Dam Removal
- 8. Consent Agenda**
 - A. Payroll Warrants
 - B. Municipal Accounts Payable Warrants
- 9. Management Reports & Communications**
 - A. Town Manager's Report
- 10. Any Other Business**
- 11. Adjournment**

REMINDERS TO THE ATTENDING PUBLIC: Please mute all digital devices; Select Board meetings are open to the public, but the public may not speak unless recognized by the Chairperson first. **Workshops:** The public is welcome to attend workshops and listen to the discussion that takes place. The purpose of holding a workshop is to provide the Select Board with the opportunity to focus on specific town matters to later present at a regular business meeting. Therefore, public participation is limited to only regular business meetings of the Select Board.

Town of North Yarmouth Select Board Business

Summary of Recommended Motions & Other Action Items

April 2, 2024

3. *Appointments*

A. Election Clerks-Bi-annual Appointment

The municipal officers shall appoint election clerks by May 1st of each general election year to serve at each voting place during the time that polls are open and as counters after the polls close. The election clerks shall be appointed for a 2-year term.

Democratic

Elizabeth Chandler
John Fulton
Sheryl Jameson
Kristen Linstrom
Audrey Lones
Stanley Saucier
Steven Smith
Gregory Soper
Virginia VanDyke
Robert Wood

Republican

Charles T. Hansel
Margaret Hansel
Stacey Holden
David Hyde
James Knight
Lois Knight
Ann Seitz
James Smith
Rebecca Tiedemann
Gail Turner

Suggested Motion

Appoint the list of Election clerks as presented with a term ending 6/30/2026.

Motion _____, **Second** _____ **Vote** _____

Town of North Yarmouth Select Board Business

Summary of Recommended Motions & Other Action Items

B. Open Space & Planning Committee

Voting Member

Rob Wood
Scott Bernady
Christopher Franklin
Laurie Gilman
Chris Cabot
Steve Morrison
Stacey Cramp

Alternate Member

Harry Nelson
Keith Bubblo
Scott Douglas

Suggested Motion

Appoint the slate of members to the Open Space and Planning Committee as presented with a term ending 6/30/2024.

Motion _____, Second _____ Vote _____

C. Code Enforcement Officer Appointment

Tammy Munson

Suggested Motion

Appoint Tammy Munson as Code Enforcement Officer with a term ending 6/30/2024.

Motion _____, Second _____ Vote _____

7. *Old Business*

A. Property Tax Assistance Ordinance Amendment

One of the Select Board Goals for fiscal year 2024 is to review and make amendments to the Property Tax Assistance Ordinance.

After legal review of the existing ordinance, certain sections needed to be updated as follows:

- The reference to Title 36, Chapter 908-A is incorrect.

Town of North Yarmouth Select Board Business

Summary of Recommended Motions & Other Action Items

- The ordinance uses the term “credit” instead of “benefit”- changes were made throughout.
- The statute requires benefits for renters as well, and so “rent constituting property taxes accrued: needed to be spelled out in the ordinance.
- The statute says to calculate benefits “in a way that provides greater benefits proportionally to applicants with lower incomes in relation to their property taxes accrued or rent constituting property taxes accrued”. This proposed amendment takes this into account.
- Proposing to increase Household Income to \$50,000.
- Household Income shall have the same meaning as “income”, as defined in 36 M.R.S § 6201 (9).
- Applicants who do not file an income tax return but receive Social Security benefits must submit their SSA-1099 form with the application.
- Applications filed on or after July 1, 2025 for the FY 26 benefit year, must show proof that they have received a tax credit under the provisions of the State of Maine Property Tax Fairness Credit Program in accordance with 36 M.R.S. § 5219-KK.

Suggested Motion

Approve the amendments to the Property Tax Ordinance and authorize the ordinance to be included in the June 17th annual town meeting warrant for voter approval.

Motion _____, Second _____ Vote _____

B. Committee Policy Amendment

The proposed amendments consist of the following:

- Added and updated current committee and boards list
- Added Remote Participation Policy
- Added Qualifications and Appointment Process
- Added Broadcasting Committee & Board Meetings

Suggested Motion

Approve the amendments to the Committee Policy as presented.

Motion _____, Second _____ Vote _____

Town of North Yarmouth Select Board Business

Summary of Recommended Motions & Other Action Items

C. Open Space & Planning Committee Member Amendment

The Committee will consist of seven (7) voting members and three (3) alternate members made up of North Yarmouth residents, and one (1) or two (2) non-voting Select Board Liaison(s). The Select Board may also appoint additional non-voting liaisons from local conservation organizations or other interested parties as appropriate. The term of the Committee shall be two years, which may be extended by the Select Board for additional terms if deemed necessary.

Suggested Motion

Approve amendment to the committee membership as presented.

8. *Consent Agenda*

A. Municipal Accounts Payable Warrants

#76 \$ 3,011.70

#77 \$ 3,389.56

#79 \$861,297.26

Municipal Payroll Warrants

#78 \$ 54,726.61

Suggested Motion

To approve the consent agenda as presented.

Motion _____, Second _____ Vote _____

2024 SPIRIT OF AMERICA TRIBUTE

The 2024 North Yarmouth, Maine Spirit of America Foundation Tribute honors the volunteers from North Yarmouth's Parks Committee, Royal River Conservation Trust, and the Cumberland Recreational Trails Committee for commendable community service.

BE IT RESOLVED by the Select Board of the Town of North Yarmouth as follows:

WHEREAS, the volunteers associated with these committees and organizations have come together to substantially improve the quality of trails and recreational facilities in the Town's parks, most recently with the development of new trails at Chandler Brook Park and bridges in Knight's Pond Park.

WHEREAS, individuals associated with these organizations routinely and selflessly monitor the quality of the town's parks and extend their personal time and energy to preserve and enhance a public resource.

WHEREAS, these individuals work cross-functionally with municipal government, non-profit organizations and local citizens to protect the beauty of North Yarmouth and the nearby watersheds.

WHEREAS, these individuals role-model a positive, action-oriented mindset toward civic engagement that leads to tangible improvements in well-loved public spaces.

NOW THEREFORE, BE IT RESOLVED by the Select Board of the Town of North Yarmouth, that the volunteers from the North Yarmouth Parks Committee, Royal River Conservation Trust and Cumberland Recreational Trails Committee are hereby recognized for their great achievements and the honors that they have brought upon this community with the 2024 North Yarmouth Spirit of America Foundation Tribute; and

BE IT FURTHER RESOLVED that a copy of this resolution be framed and presented to the North Yarmouth Parks Committee for appropriate display.

North Yarmouth Select Board – April 2, 2024

Amy Haile, Chair

Karl Cyr

Katherine Maloney

Andrea Berry, V. Chair

Paul Hodgetts



Town of North Yarmouth

10 Village Square Road
North Yarmouth, Maine 04097

207-829-3705 telephone
207-829-3743 fax
www.northyarmouth.org

Election Clerks Bi-annual Appointment

To:	Democratic		Republican	
	Elizabeth Chandler	Stanley Saucier	Charles T. Hansel	Lois Knight
	John Fulton	Steven Smith	Margaret Hansel	Ann Seitz
	Sheryl Jameson	Gregory Soper	Stacey Holden	James Smith
	Kristen Linstrom	Virginia VanDyke	David Hyde	Rebecca Tiedemann
	Audrey Lones	Robert Wood	James Knight	Gail Turner

Pursuant to: Title 21-A, sub section 503-A of the M.R.S.A., The undersigned municipal officers of the Town of North Yarmouth do hereby vote to appoint and confirm you as Town of North Yarmouth Election Clerks. Your term of office is to expire on April 30, 2026.

Given under our hands on this the _____ day of _____, 2024.

Amy Haile Andrea Berry *Karl Cyr*

Paul Hodgett Katherine Maloney

COUNTY OF CUMBERLAND, ss _____ 2024

Personally, appeared the above named

Democratic		Republican	
Elizabeth Chandler	Stanley Saucier	Charles T. Hansel	Lois Knight
John Fulton	Steven Smith	Margaret Hansel	Ann Seitz
Sheryl Jameson	Gregory Soper	Stacey Holden	James Smith
Kristen Linstrom	Virginia VanDyke	David Hyde	Rebecca Tiedemann
Audrey Lones	Robert Wood	James Knight	Gail Turner

who has been duly appointed by the Selectmen as an **Election Clerk** in said Municipality and took the oath necessary to qualify him/her to discharge said duties for the ensuing year according to law. Before me,

_____ Municipal Clerk.

Submission #30

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Submission information

Form: [Boards & Committees Volunteer Application](#)

Submitted by Anonymous (not verified)

February 28, 2024 - 2:22pm

2603:7080:4700:82c4:2d0:1d7e:3d00:3d28

Select the Board(s) or Committee(s) you would like to serve on:

Please choose one or two board(s) or committee(s) below. Your first option will be considered by the Select Board. Your second option will be considered if your first option is not available. You do not need to choose two options but may if you choose.

1st Option

Open Space Committee

2nd Option

Name:

Rob Wood

Phone Number:

8295592

Email:

robwood717@gmail.com

Mailing Address

116 Milliken Road

Please Provide the Following Information:

1. Please give a short narrative as to why you would like to be appointed to the Board(s) or Committee(s) you have selected above:

I have lived in town for 45 years and have always valued its open spaces for recreation, habitat, and scenic beauty. The best time to preserve open space was 20 years ago. The next best time is NOW.

2. Do you have any relevant experience, training or credentials that you would like us to consider?

My primary career was a public school educator so I value working with people and I have the scars as well. I firmly believe in volunteer committees for our town in order to gain collective wisdom and support. In 2014 I perambulated the town with Ken Filliter. I am presently on the Royal River Conservation Board and am familiar with much of the land in North Yarmouth.

3. Have you ever served on any boards/committees before? If so, when and where?

I have been a North Yarmouth Select Board Member for 6 years and am presently the North Yarmouth representative to ecomaine. (I would probably resign this, if appointed to the open space committee.) During my years in town I have also been on the Appeals Board, The Middle School Planning Committee, the Community Service study committee, the Budget Committee, the Foreclosure Committee, and the Pay as You Throw Committee.

Date:

February 18, 2024

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Submission #27

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Submission information

Form: [Boards & Committees Volunteer Application](#)
Submitted by Anonymous (not verified)
February 15, 2024 - 8:26am
2603:7080:483c:e1af:4964:a480:365b:dd7c

Select the Board(s) or Committee(s) you would like to serve on:

Please choose one or two board(s) or committee(s) below. Your first option will be considered by the Select Board. Your second option will be considered if your first option is not available. You do not need to choose two options but may if you choose.

1st Option

Open Space Committee

2nd Option

Name:

Scott Bernardy

Phone Number:

2076507638

Email:

drbinme@yahoo.com

Mailing Address

942 Sligo Rd,

Please Provide the Following Information:

1. Please give a short narrative as to why you would like to be appointed to the Board(s) or Committee(s) you have selected above:

I feel North Yarmouth is a unique and beautiful town that requires ideal stewardship to help preserve its natural balance and it's small town community heritage.

2. Do you have any relevant experience, training or credentials that you would like us to consider?

In my 45 working years I've started, operated, and sold many successful businesses. Those experiences have helped me develop the essentials for success. From creating and refining a plan, to it's implementation and adaptation of any changes that may impact the operation. I have also written and received grants from the Maine DEP and assisted with site evaluation.

3. Have you ever served on any boards/committees before? If so, when and where?

I served on the board of directors for the Thompson Lake Environmental Association from 2004 to 2017. During that time, I initiated and managed the Milfoil Mitigation Project which raised over 1.4 million dollars to remove over 16 acres of invasive aquatic plants. At the request of the Town of Oxford, I also oversaw the Water Level Committee to establish ideal seasonal water levels for Thompson Lake to minimized soil erosion and presented the report in a Town meeting for approval. I have also done several presentations to the surrounding towns for the Dam Committee.

Date:

February 15, 2024

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Submission #34

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Submission information

Form: [Boards & Committees Volunteer Application](#)

Submitted by Anonymous (not verified)

March 3, 2024 - 6:23pm

74.77.163.70

Select the Board(s) or Committee(s) you would like to serve on:

Please choose one or two board(s) or committee(s) below. Your first option will be considered by the Select Board. Your second option will be considered if your first option is not available. You do not need to choose two options but may if you choose.

1st Option

Open Space Committee

2nd Option

Name:

Christopher Franklin

Phone Number:

2072284490

Email:

cwfmaine@gmail.com

Mailing Address

930 Sligo Road

Please Provide the Following Information:

1. Please give a short narrative as to why you would like to be appointed to the Board(s) or Committee(s) you have selected above:

30 year career in non-profit environmental work including executive director of Cape Elizabeth Land Trust (12 years) and Maine Farmland Trust (6 years). Additionally served on Cumberland open space committee while a resident there.

2. Do you have any relevant experience, training or credentials that you would like us to consider?

GIS, conservation land identification, fundraising, conservation planning, municipal cooperation with conservation projects, public speaking, numerous public forums....

3. Have you ever served on any boards/committees before? If so, when and where?

Open space committee Cape Elizabeth, Open Space Committee Cumberland, Conservation Chair AMC
Maine chapter....

Date:

March 2, 2024

Previous submission Next submission



TOWN OF NORTH YARMOUTH BOARD & COMMITTEES Volunteer Form

Select the Board(s) or Committee(s) you would like to serve on:

- | | |
|---|---|
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Waste Reduction Committee |
| <input type="checkbox"/> Budget Committee | <input type="checkbox"/> Shellfish Conservation Commission |
| <input type="checkbox"/> Economic Development & Sustainability Committee (EDSC) | <input type="checkbox"/> Zoning Board of Appeals (ZBA) |
| <input type="checkbox"/> Events Committee | <input type="checkbox"/> Recreation Advisory Board (Cumberland/NY) |
| <input type="checkbox"/> Flag Committee | <input type="checkbox"/> Prince Memorial Library Advisory Board (Cumberland/NY) |
| <input type="checkbox"/> North Yarmouth School Fund Trustees | <input type="checkbox"/> Joint Standing Committee (Cumberland/NY) |
| <input checked="" type="checkbox"/> Open Space Committee | <input type="checkbox"/> Shellfish Conservation Commission (Yarmouth/NY) |
| <input type="checkbox"/> Parks Committee | |
| <input type="checkbox"/> Planning Board | |

Please provide the following information:

Name: Laurie Gilman
Email: laurie.gilman@me.com
Mailing Address: 1431 North Rd
Phone: 207-653-2008

1. Please give a short narrative as to why you would like to be appointed to this Board(s) or Committee(s) you have selected above. As a member of the Parks Committee, I have a strong town and personal interest in open space. We need to balance the development with the need to preserve natural spaces for the future. Open space + Parks are critical to resident satisfaction.
2. Do you have any relevant experience, training or credentials that you would like us to consider? Parks Committee, Outdoor Recreation degree, certificate in facilitation
3. Have you ever served on any boards/ committees before? If so, when and where? Parks Committee, Waste Reduction Committee, Board Chair - Women in Harmony, Board Chair - Visit Freeport

Laurie A. Gilman
Volunteer Signature

3 15 24
Date

Please email this form to dbarnes@northyarmouth.org, mail to 10 Village Square Road, North Yarmouth, ME 04097, or drop it off at the Town Office; (207) 829-3705
Revised: February 5, 2024.

Submission #35

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Submission information

Form: [Boards & Committees Volunteer Application](#)

Submitted by Anonymous (not verified)

March 4, 2024 - 11:34am

50.75.92.58

Select the Board(s) or Committee(s) you would like to serve on:

Please choose one or two board(s) or committee(s) below. Your first option will be considered by the Select Board. Your second option will be considered if your first option is not available. You do not need to choose two options but may if you choose.

1st Option

Open Space Committee

2nd Option

Name:

Chris Cabot

Phone Number:

2074006681

Email:

chris.c.cabot@gmail.com

Mailing Address

418 Walnut Hill Road

Please Provide the Following Information:

1. Please give a short narrative as to why you would like to be appointed to the Board(s) or Committee(s) you have selected above:

I am happy to volunteer to serve on this committee and bring my background in Maine's conservation field to support the Town's goals. North Yarmouth has accomplished some good outcomes in recent years to cluster development to the village center, and now we must accompany that effort with greater protections,

including permanent protections, in the rural areas of town. I have expertise in conservation planning and am familiar with the resources available to accomplish the goals of this committee.

2. Do you have any relevant experience, training or credentials that you would like us to consider?

I have worked to protect Maine's natural landscapes since 2008. I earned a master's degree in conservation biology from Antioch University New England where I focused on field naturalist skills, forest ecology, and conservation planning. I currently work for Maine Farmland Trust to coordinate farmland conservation projects in Southern Maine, and I have held positions with the Maine Natural Areas Program, the Maine DEP, the Maine Chapter of The Nature Conservancy, and three local land trusts. Through this work, I have assisted many Maine families with important land protection decisions and supported numerous municipalities with their conservation goals.

3. Have you ever served on any boards/committees before? If so, when and where?

I have served on the North Yarmouth Comprehensive Plan Committee (2016-2018) and the North Yarmouth Planning Board (2017-2022) where I served as the secretary and then the chair.

Date:

March 4, 2024

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Submission #25

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Submission information

Form: [Boards & Committees Volunteer Application](#)
Submitted by Anonymous (not verified)
February 8, 2024 - 1:18pm
67.244.53.77

Select the Board(s) or Committee(s) you would like to serve on:

Please choose one or two board(s) or committee(s) below. Your first option will be considered by the Select Board. Your second option will be considered if your first option is not available. You do not need to choose two options but may if you choose.

1st Option

Open Space Committee

2nd Option

Name:

Steve Morrison

Phone Number:

12076712523

Email:

steve@morrisonrealtors.com

Mailing Address

P.O. Box 25A Cumberland, 04021

Please Provide the Following Information:

1. Please give a short narrative as to why you would like to be appointed to the Board(s) or Committee(s) you have selected above:

It is important to continue to save open space for many reasons mostly quality of life for current and future residents and for the continued "feel " of being a rural community.

2. Do you have any relevant experience, training or credentials that you would like us to consider?

I have been in the real estate business for 41 years and counting, also a long time planning board member, part of the Land Use Ordinance committee for a number of years back in the 2000's.

3. Have you ever served on any boards/committees before? If so, when and where?

North Yarmouth Planning Board member and vice-chair from 1999-2017.

North Yarmouth Select Board Member, vice-chair, and interim chair.

Joint Standing Committee 2017-2020

Liaison from SB to SAD 51 School Board 2017-2020

Other Boards unrelated to the town of N Yarmouth

Date:

February 8, 2024

[Previous submission](#) [Next submission](#)

Submission #33

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Submission information

Form: [Boards & Committees Volunteer Application](#)

Submitted by Anonymous (not verified)

March 3, 2024 - 1:14pm

67.255.253.43

Select the Board(s) or Committee(s) you would like to serve on:

Please choose one or two board(s) or committee(s) below. Your first option will be considered by the Select Board. Your second option will be considered if your first option is not available. You do not need to choose two options but may if you choose.

1st Option

Open Space Committee

2nd Option

Name:

STACEY CRAMP

Phone Number:

2077125564

Email:

stacey@staceycramp.com

Mailing Address

118 Baston Road

Please Provide the Following Information:

1. Please give a short narrative as to why you would like to be appointed to the Board(s) or Committee(s) you have selected above:

I am interested in protecting wildlife habitat, increasing the number and quality of opportunities for everyone (no matter their level of mobility) to access the outdoors, preserving the natural beauty of our town, and in using land conservation as a way to improve climate resilience in North Yarmouth. I believe protecting our natural spaces is the best chance we have for a sustainable future where human and wild populations can thrive.

2. Do you have any relevant experience, training or credentials that you would like us to consider?

I am currently a staff member at the Chebeague and Cumberland Land Trust and have worked in the conservation realm since 2019, so I have a good base of knowledge about land protection and access. I am also connected to a broad range of experts in these fields.

3. Have you ever served on any boards/committees before? If so, when and where?

I have only been on workplace committees.

Date:

March 3, 2024

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Submission #36

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Submission information

Form: [Boards & Committees Volunteer Application](#)

Submitted by Anonymous (not verified)

March 9, 2024 - 2:29pm

98.2.202.83

Select the Board(s) or Committee(s) you would like to serve on:

Please choose one or two board(s) or committee(s) below. Your first option will be considered by the Select Board. Your second option will be considered if your first option is not available. You do not need to choose two options but may if you choose.

1st Option

Open Space Committee

2nd Option

Name:

Harry Nelson

Phone Number:

2072323484

Email:

harrynelson.7799@gmail.com

Mailing Address

39 Sea View Lane

Please Provide the Following Information:

1. Please give a short narrative as to why you would like to be appointed to the Board(s) or Committee(s) you have selected above:

I am interested in volunteering for a position on the Open Space Committee. I have lived in North Yarmouth for 39 years and have a strong passion for outdoor activities. Activities that I enjoy here in North include

running, cross country skiing, hiking, hunting, kayaking and canoeing, snow shoeing, and cycling. All of these activities require access to open spaces.

2. Do you have any relevant experience, training or credentials that you would like us to consider?

I was a founder of the North Yarmouth Land Trust and served as it's President for some 10 years. I was also a member of the Knight's Pond Committee, helping to raise funds to purchase the property.

3. Have you ever served on any boards/committees before? If so, when and where?

In addition to the above I served on the North Yarmouth Side Walk Committee that worked to secure funding for the side walk that runs from Westcustago Hall to the Cumberland town line.

Date:

March 9, 2024

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Submission #28

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Submission information

Form: [Boards & Committees Volunteer Application](#)
Submitted by Anonymous (not verified)
February 21, 2024 - 3:40pm
66.186.178.178

Select the Board(s) or Committee(s) you would like to serve on:

Please choose one or two board(s) or committee(s) below. Your first option will be considered by the Select Board. Your second option will be considered if your first option is not available. You do not need to choose two options but may if you choose.

1st Option

Open Space Committee

2nd Option

Name:

Keith Bubblo

Phone Number:

2078314974

Email:

keithb1210@gmail.com

Mailing Address

41 Forest Ridge Drive, North Yarmouth, ME 04097

Please Provide the Following Information:

1. Please give a short narrative as to why you would like to be appointed to the Board(s) or Committee(s) you have selected above:

The Open Space Planning Committee is an exciting addition to our committee roster. North Yarmouth is a naturally beautiful place to live and welcomes new residents, but it is important to have a measured and deliberate approach when deciding what areas we want to keep preserved for future generations to maintain

our town's beauty. I would like to be able to help identify those areas in town that we collectively think should be protected from future development, and collaborate on strategies and connections with local preservation organizations to help us do that.

2. Do you have any relevant experience, training or credentials that you would like us to consider?

I have over 15 years of professional experience with GIS mapping, data analysis, and data visualization that I could bring to the committee to help collect, inventory, and display identified areas for conservation. I am comfortable working with state and regional organizations, and public speaking.

3. Have you ever served on any boards/committees before? If so, when and where?

I am currently co-chair of the North Yarmouth Waste Reduction Committee, and chair of the special committee working with GPCOG on North Yarmouth's Climate Action Plan. I am also a member of the Program Committee for the North Yarmouth Historical Society.

Date:

February 21, 2024

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Submission #26

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Submission information

Form: [Boards & Committees Volunteer Application](#)

Submitted by Anonymous (not verified)

February 13, 2024 - 11:38am

67.255.253.43

Select the Board(s) or Committee(s) you would like to serve on:

Please choose one or two board(s) or committee(s) below. Your first option will be considered by the Select Board. Your second option will be considered if your first option is not available. You do not need to choose two options but may if you choose.

1st Option

Open Space Committee

2nd Option

Name:

Scott Douglas

Phone Number:

207615223

Email:

scott@scottdouglas.biz

Mailing Address

118 Baston Road, North Yarmouth

Please Provide the Following Information:

1. Please give a short narrative as to why you would like to be appointed to the Board(s) or Committee(s) you have selected above:

I would like to help North Yarmouth balance development pressure with preserving open spaces. Doing so will help all residents better enjoy this wonderful place we call home, and will also help maintain biodiversity and other necessary steps to managing climate change.

2. Do you have any relevant experience, training or credentials that you would like us to consider?

Nothing formal, just a lifelong appreciation of the many benefits of open spaces.

Also, as someone who has worked collaboratively in large media operations, I have a lot of experience with making sure everyone feels heard while still making progress on quantifiable goals.

3. Have you ever served on any boards/committees before? If so, when and where?

I have not.

Date:

February 13, 2024

[Previous submission](#)

[Next submission](#)



TOWN OF NORTH YARMOUTH

The Town Where Others Began.

To: **Tammy Munson**

Pursuant to: Title 38 M.R.S.A. §441

The undersigned municipal officers of the Town of North Yarmouth do hereby vote to appoint and confirm you as North Yarmouth **Code Enforcement Officer**.

Your term of office is to expire on June 30, 2024.

Given under our hands on this _____ day of _____, 2024.

North Yarmouth Select Board

* * * * *

(Optional Record of Oath)

State of Maine

County of Cumberland, ss _____, 2024

Personally, appeared the above-named **Tammy Munson** who has been duly appointed and confirmed as North Yarmouth **Code Enforcement Officer** in said municipality and took the oath necessary to qualify for office and perform the duties thereof for the above-stated term according to law.

Before me,

Signature of Clerk or other person
authorized to give oath

**TOWN OF NORTH YARMOUTH
PROPERTY TAX ASSISTANCE ORDINANCE**

SECTION 1. Title, Purpose, Authority

Subsection 1.1 Purpose:

The purpose of this Ordinance is to establish a program to provide property tax assistance to persons **70** ~~(seventy)~~ years of age and over, whose household income is **\$4050,000** or less, who reside in the Town of North Yarmouth. Under this program, the Town of North Yarmouth will provide a tax ~~credit benefit~~ to those individuals who qualify as North Yarmouth resident beneficiaries of the ~~State of Maine Residents Property Tax Program~~ Municipal Property Tax Assistance Program ("Program") pursuant to Chapter ~~908907~~-A of Title 36 of the Maine Revised Statutes and meet the criteria established by this Ordinance.

SECTION 2. Definitions

Subsection 2.1 Benefit Base: Property taxes paid by a qualifying applicant during the tax year on the qualifying applicant's homestead or rent constituting property taxes paid by the resident individual during the tax year on a homestead.

~~Subsection 2.4~~ Homestead: A homestead is a dwelling owned or rented by the person seeking tax assistance under this Ordinance or held in a revocable living trust for the benefit of that person. The dwelling must be the applicant's primary place of residence.

Subsection 2.3 Household Income: Household income shall have the same meaning as "income," as that term is defined in 36 M.R.S. § 6201(9), as may be amended from time to time.

~~Subsection 2.4~~ Qualifying Applicant: A qualifying applicant is a person who is determined by the Town Manager, after review of a complete application under Section 4 of this Ordinance, to be eligible for a tax ~~credit benefit~~ under the terms of this Ordinance.

Subsection 2.5 Rent Constituting Property Taxes: This term shall have the same meaning as that term is defined in 36 M.R.S. § 5219-KK(1)(E), as may be amended from time to time.

SECTION 3. Criteria for Participation

Subsection 3.1 - In order to participate in the ~~Property Tax Assistance~~ Program, an applicant shall demonstrate all of the following:

- 3.1.1 The applicant shall be **70** ~~(seventy)~~ years of age or more at the time of application.
- 3.1.2 The applicant shall have a homestead in the Town of North Yarmouth at the time of the application and for the entire year prior to the date of application.
- 3.1.3 The applicant has been a resident of the Town of North Yarmouth for at least 10 ~~(ten)~~ years immediately preceding the date of application for participation in the Program.
- 3.1.4 For applications filed on or after July 1, 2025, applicants must demonstrate that they have received a tax credit under the provisions of the State of Maine Property Tax Fairness Credit Program, in accordance with 36 M.R.S. § 5219-KK.

SECTION 4. Application ~~and for Property Tax Credit Procedures~~ Assistance

Subsection 4.1 - Person(s) seeking to participate in ~~the this Property Tax Assistance~~ Program shall submit an application to the Town Manager no later than ~~June 30th~~ **July 31st**. Applications are required every year to participate in this ~~program~~ Program. The Town Manager shall provide an application form for the

**TOWN OF NORTH YARMOUTH
PROPERTY TAX ASSISTANCE ORDINANCE**

~~program~~Program, which shall include, at a minimum, the applicant's name, homestead address and contact information. Attached to all applications shall be proof of household income. Applicants who do not file an income tax return but receive Social Security benefits must submit their SSA-1099 form with the application. The Town Manager shall review and determine if the application is complete and accurate and if the applicant is otherwise eligible to participate in the Program. The Town Manager shall notify an applicant if an application is determined to be incomplete. The Town Manager's decision on eligibility to participate in the Program shall be final.

SECTION 5. Determination of Eligibility and Amount of Eligibility

Subsection 5.1 - Eligibility under this ordinance is designed to provide greater benefits proportionally to applicants with lower household income in relation to their benefit base.

Subsection 5.4-2 - If the Town Manager determines that the applicant is eligible to participate in the Program, he/she shall determine the total amount of such eligibility. Eligibility shall be the lesser of the following amounts:

5.2.1 The amount of the benefit calculated under Section 5.3 of this Ordinance;

5.4.2 A pro rata share of the Available-~~available~~ monies in the ~~Town Tax Assistance~~ Program fundFund established under Section 6 of this Ordinance, based on the calculated amount of the benefit-~~or~~; and

5.4.3 \$1,000.00 per householdProperty taxes paid or rent constituting property taxes paid, less the amount received under the State of Maine Property Tax Fairness Credit Program (for applications filed on or after July 1, 2025).

Subsection 5.3 – Eligible applicants may qualify for benefits based on a calculation of the applicant's benefit base as a percentage of their household income under the following formula:

[(benefit base/household income) x 100 = benefit base as a percentage of household income.]

The table below lists the benefits that correspond with the benefit base as a percentage of household income.

<u>Benefit Base as Percentage of Household Income (Range)</u>	<u>Benefit Amount</u>
<u>8%-12%</u>	<u>\$350.00</u>
<u>12.01%-16%</u>	<u>\$500.00</u>
<u>16.01%-20%</u>	<u>\$750.00</u>
<u>20.01%-24%</u>	<u>\$1,000.00</u>
<u>24.01%-28%</u>	<u>\$1,250.00</u>
<u>28.01% and over</u>	<u>\$1,500.00</u>

Subsection 5.2-4 - The Town Manager shall report to the Select Board at the first meeting in August of each year, the projected ~~credits~~ benefits and number of eligible applicants requesting assistance ~~for the program fund~~ under the Program.

SECTION 6. Program Fund - Limitations Upon CreditsBenefits

**TOWN OF NORTH YARMOUTH
PROPERTY TAX ASSISTANCE ORDINANCE**

Subsection 6.1 - ~~Credits~~ Benefits under this Ordinance shall be conditioned upon the existence of sufficient monies in the Property Tax Assistance Program Fund ("Program Fund") the year in which participation is sought. If there are not sufficient monies in the Program Fund to pay all qualifying applicants under this Ordinance, ~~credits~~ benefits shall be limited to the amounts available in the Fund. In the event that a lack of funding results in no benefit ~~credit~~ or less than the full benefit ~~credit~~ to a qualifying applicant, the request will not carry over to the next year.

SECTION 7. Creation of the Program Fund

Subsection 7.1 - The Program Fund from which tax benefits ~~credits~~ shall be made under the terms of this Ordinance shall be created as ~~follows:~~ specified in Subsection 7.2.

Subsection 7.2 - As funds are available, the Select Board shall request from the Annual Town Meeting to appropriate monies from the general fund or other Town sources to support this Program. Any surplus monies available after all benefits ~~credits~~ have been made shall be retained in the specified fund for use of the Program in future years ~~program use~~.

SECTION 8. Timing of Tax Credits Benefits

Subsection 8.1 - A person who qualifies for a tax ~~credit~~ benefit under this Program shall have their ~~credit~~ benefit applied to their outstanding real estate taxes no later than **October 1st** for the year in which participation is sought.

SECTION 9. Limitations Upon Tax Credits Benefits

Subsection 9.1 - Only one qualifying applicant per household shall be entitled to ~~credit~~ a benefit under this Program each year. The right to file an application under this Ordinance is personal to the applicant and does not survive the applicant's death, but the right may be exercised on behalf of an applicant by the applicant's legal guardian or attorney-in-fact. If an applicant dies after having filed a timely complete application that results in a determination of qualification, the amount determined by the Town Manager shall be disbursed to another member of the household as determined by the Town Manager. If the applicant was the only member of a household, then no tax ~~credit~~ benefit shall be made under this Ordinance.

SECTION 10. Periodic Review of Ordinance

Subsection 10.1 The Select Board shall conduct a review of this Ordinance at least every three years to determine whether any amendments are necessary for compliance with applicable law or are in the best interests of the Town. This section does not limit the Select Board's authority to review and/or propose amendments to the Ordinance at any other time, provided such amendments comply with all applicable laws.

ADOPTED: May 30, 2009

AMENDED: June 18, 2011

AMENDED: April 8, 2017

AMENDED: _____

Town of North Yarmouth Committee Policy

Section 1. Purpose

The purpose of this policy is to set forth the duties and responsibilities of the Select Board (Board) in regards to Town boards and committees whether Elected, Appointed, Ad-Hoc or Sub-committees. To establish the process for acquiring committee members, and to ensure that Town boards and committees are active, have set goals and objectives, and are fulfilling to their members.

Section 2. Definition

Committee: Throughout this policy, the term “committee” shall be used interchangeably to mean a board, a commission, a committee or a sub-committee.

Section 3. Committee Duties & Responsibilities

- A) The following committees shall be considered standing and can only be abolished by Charter action: Board of Assessment Review, Budget Committee, Cemetery Commission, Planning Board, Parks & ~~Recreation~~ Committee, Shellfish Conservation Commission, Economic Development & Sustainability Committee, North Yarmouth School Fund Trustees, Zoning Board of Appeals, and Open Space & Planning Committee.
- B) Any committee not otherwise mentioned in paragraph A shall be considered ad hoc.
- 1) Ad hoc committees serve at the pleasure of the Board and their positions on matters formally submitted to the Board are advisory in nature.
 - 2) Ad hoc committees shall have a wide latitude to execute their charge but must seek Board guidance in situations that warrant it. Committees shall work with the Select Board and or Town Manager in cases that have significant public impact and guidance is requested.
 - 3) Each ad hoc committee shall remain in existence for a maximum of one (1) year; however, the Board may extend their establishment of any ad hoc committee for additional terms. Each such term shall be up to one (1) year as necessary. Ad hoc terms shall coincide with the Town’s fiscal year and begin on July 1st and expire on June 30th of each year.
 - 4) Exception: The Wescustogo Hall Committee derived from the 1997 agreement is subject to the stipulations delineated within that agreement. There shall be five (5) members, three (3) citizens (staggered terms) and two (2) Select Board members; terms are three (3) years; Select Board member’s terms must be active to serve.
- C) Committees of three (3) or more members shall elect from their membership a chairperson and a secretary at its first regular meeting.
- 1) The Chair or his/her designee shall have the following responsibilities:
 - a. Serve as the official spokesperson of the Committee;
 - b. Preside over all meetings of the committee to maintain order and determine the course of proceedings;
 - c. Establish the schedule and agendas of the Committee; and

Town of North Yarmouth Committee Policy

- d. Ensure that the Select Board Chairperson is regularly apprised of the committee's activities.
 - 2) Each Secretary shall keep a record of the committee's meetings, discussions, and decisions.
 - 3) Committees shall be responsible for consulting with the Select Board on any proposed significant changes in the committee's objectives, financial requests, or defined project plans to ensure activities correspond with the desires of the Board and are in the best interest of the Town.
 - 4) All meetings shall be held in a regular open public session at a Town facility or remotely per each committee's adopted Remote Participation Policy with proper notification as required by Maine State Statute.
 - 5) No matters of decision shall take place electronically via email, text, landline, cell phone or by social media.
 - 6) Committee members shall follow the Town's Communications & Social Media Policy adopted July 21, 2015.
- E) In addition to the duties and responsibilities set forth by the Town's Charter or by State law, including the Freedom of Access Act (FOAA), each committee shall prepare an annual report. The report shall be due to the Town Clerk following the conclusion of each fiscal year and contain information relating to the activities of said year.
- F) Committees shall be responsible for providing records and maintaining communications with the Town to include agendas, minutes, financial, website and other information.
- G) Agendas shall be posted and or received by the Town Manager or his/her designee no later than 48 hours prior to the meeting.
- H) Minutes shall be approved at the subsequent committee meeting and then posted and or provided to the Town Manager or his/her designee within 48 hours.

Section 4. Board Duties and Responsibilities

- A) The Board shall annually at the beginning of each fiscal year meet with each committee to review their past and present activities. At this time the Board will review the charge of the committee for modifications and may prioritize the goals and objectives for the committee.
- B) The Board shall make appointments to committees from time to time in such numbers as they deem appropriate. In the case of elected positions described in Article IV of the Town's Charter, the Board shall have the authority to appoint members to otherwise elected committee positions in the event of removal, disability, or resignation and in the event no qualified candidate is elected on a secret ballot. Such appointments shall be for the unexpired term of such position.
- C) The Board may, at its discretion, create or eliminate any or all ad hoc committees.

Town of North Yarmouth Committee Policy

- D) The Town Manager or his/her designee is responsible for communicating the various committees, memberships and their charges to the community.

Section 5. Qualifications & Appointment Process

- A) All interested individuals shall submit a town committee volunteer application to the town manager for review by the Board. The application includes a short bio, their qualifications and why they are interested.
- B) The committee chairperson of a committee an applicant is applying for, after the appointment process, may submit to the town manager or select board chairperson, their recommendations on appointments.
- C) The select board is responsible for establishing its own process for appointing individuals to various boards and committees. The select board has the authority to use its discretion when appointing individuals to ad-hoc and charter committees that do not conflict with the charter or state law.
- D) The select board, when appointing individuals to quasi-judicial bodies that require the specific expertise in state and local laws, may require further information than what is required from other applicants. This may include information that is confidential in nature such as specific qualifications and references that show that the applicant is able to perform the duties outlined in the charter and state statute.

Section 6. Membership

- A) It is the responsibility of the Town Manager or his/her designee to maintain a listing of all Town committees, their members, and the member contact information.
- ~~(B) Interested individuals shall submit a Town committee volunteer application to the Town Manager for review by the Board. The application includes a short bio, their qualifications, and why they are interested.~~
- ~~(C) The Committee Chairperson, during the appointment process, may submit to the Town Manager, their recommendations on appointments.~~
- ~~(D)~~ (B) The Board has the authority when establishing an ad-hoc committee, to set the numbers of members and their respective terms in accordance with the Town Charter and applicable State laws.

Section 7. Code of Conduct

- A) A member of the Committee in his or her relations with fellow committee members, should:
- 1) Not make statements or promises of how he or she will vote on matters that will come before the Committee and or Select Board.

Town of North Yarmouth Committee Policy

- 2) Make decisions only after all facts on a question have been presented and discussed.
- 3) Refrain from communicating the position of the Committee unless the full Committee has previously agreed on both the position and the language of the statement conveying the position.
- 4) Refrain from expressing personal opinions “as a member” following a committee vote or following the Select Board’s decision on the matter.
- 5) Treat with respect the rights of all members of the Committee despite differences of opinion.
- 6) Treat all staff as professionals that respect the abilities, experience, and dignity of each individual.
- 7) Insure that all requests for staff support go through the Town Manager’s office.

Section 8. Broadcasting Committee & Board Meetings

- A. Broadcasting committee meetings shall be upon request and room availability. The request must be made to the Select Board Liaison one month prior to the scheduled meeting. For the purpose of this section, committees mean the following, Parks Committee, Economic Development and Sustainability, Joint Standing Committee, Waste Reduction Committee, School Fund Committee, and Open Space and Planning Committee.

Section 6.9. Appointment & Oath Forms

- A) Only members of the standing committees designated in section 3A shall be required to sign appointment & oath forms.

Select Board

Amy Haile, Chairperson

Andrea Berry, Vice Chairperson

Karl Cyr

Paul Hodgetts

Katherine Maloney

Town of North Yarmouth Committee Policy

ADOPTED: September 3, 2013
AMENDED: September 6, 2016
AMENDED: September 19, 2017
AMENDED: [TBD]

North Yarmouth Open Space Planning Committee

In accordance with Town Charter, Art. IV, Sec. 4, the Select Board creates this Ad Hoc Committee to be charged with inventorying existing public and conservation land, identifying potential areas for habitat and recreational priority on unprotected land, and creating a vision for maintaining and expanding open space in North Yarmouth.

The Committee will coordinate with the Parks Committee and Select Board to gather data from community members, including administering a community survey and hosting at least one community visioning session, to understand community priorities for open space and land protection. The Committee will prioritize community land conservation and access goals and will develop a written Open Space Acquisition Plan with accompanying Acquisition Evaluation Process (AEP), which will be used to evaluate potential acquisitions in a consistent manner. The Committee will engage in discussions with landowners and regional land trusts and make recommendations to the Select Board to secure access to land/corridors through acquisitions, easements, land swaps, and other forms of agreements.

The Committee will consist of seven (7) voting members and three (3) alternate members made up of North Yarmouth residents, and one (1) or two (2) non-voting Select Board Liaison(s). The Select Board may also appoint additional non-voting liaisons from local conservation organizations or other interested parties as appropriate. The term of the Committee shall be two years, which may be extended by the Select Board for additional terms if deemed necessary.

Section 1.7 AMENDMENTS TO THIS ORDINANCE

A. Initiation of proposed amendments.

A proposed amendment to the Town of North Yarmouth Zoning Map or to the text of this Ordinance may be initiated in the following ways:

1. Upon application by an individual, corporation, or other entity having right, title or interest in property within the Town of North Yarmouth that will be affected by said proposed amendment (“Requested Amendment”).
2. Upon the written petition of a number of registered voters equal to at least 10% of the number of votes cast in the Town at the last gubernatorial election (“Citizen-Initiated Amendment”).
3. The Select Board may initiate a proposed amendment and refer it to the Planning Board for review as provided under this Section (“Town-Initiated Amendment”).
4. The Planning Board may recommend to the Select Board any non-policy, administrative amendments to the Ordinance, without prior referral from the Select Board.

B. Procedure for Requested Amendments.

1. Application form. All proposed Requested Amendments shall be submitted to the Code Enforcement Office on an application form provided by the Town, which will include, at a minimum, the following information:
 - (a) Name and address of the applicant(s);
 - (b) For proposed text amendments, copies of the sections of this Ordinance in which text changes are proposed, and draft text changes to be considered along with a written summary describing the changes proposed;
 - (c) For proposed map amendments, the address or location of the subject property, the location and dimensions of any changed zoning district boundary, and a location map that shows the relationship of the location to the surrounding area, with any proposed zoning district boundary changes shown on the applicable Assessor’s Tax Map and shall indicate Tax Map and lot number(s);
 - (d) Statement regarding the way in which the proposed amendment complies with paragraph 5; and
 - (e) Documentation of right, title or interest in property within the Town of North Yarmouth.

2. Fees and Deposits. To help recover costs incurred by the Town in the review, administration, site inspection, and public notice associated with a Requested Amendment, the following fees and deposits in such amount(s) and for such purpose(s) as the Select Board may from time to time establish by order shall be paid by the applicant to the Town at the time of filing the proposed amendment:
 - (a) Publishing and public notice fee;
 - (b) A non-refundable application fee; and
 - (c) Independent consulting and peer review escrow deposit.

No such request or proposal shall be referred to the Select Board or Planning Board unless the fees are paid. All fees shall be non-refundable except for unexpended escrow deposits.

3. Referral.
 - (a) Following the receipt of a complete application for a Requested Amendment, the Code Enforcement Office shall submit the application to the Select Board.
 - (b) The applicant, or the applicant's designated representative, shall be notified of any meetings at which the applicant's proposed amendment application will be reviewed. If the applicant or the applicant's designated representative is not present at any meeting at which the amendment application is scheduled to be reviewed, the application may be denied.
 - (c) The Select Board shall consider the Requested Amendment and vote whether to forward it to the Planning Board for public hearing in accordance with 30-A M.R.S. § 4352(9). Such a vote is a purely legislative determination in the sole discretion of the Select Board, and is not appealable. If the Select Board decides not to forward the proposal to the Planning Board, the Code Enforcement Office shall inform the applicant in writing.
4. Public Hearing. If the Select Board forwards a Requested Amendment to the Planning Board, the Planning Board shall conduct at least one public hearing, and shall give notice of the hearing in accordance with the requirements of 30-A M.R.S. § 4352(9), as amended, and where applicable, 30-A M.R.S. § 4352(10), as amended. The applicant shall be responsible for paying the cost of such notices. The Planning Board shall hold the required public hearing within 35 days of presentation of the amendment application to the Planning Board.
5. Recommendation. Within 35 days of the Planning Board public hearing, the Planning Board shall prepare and submit a written recommendation on the proposed amendment to the Select Board, which may hold its own public hearing. In making its recommendation, the Planning Board shall review the Requested Amendment in accordance with the following considerations:

- (a) Whether the Requested Amendment is consistent with the purposes of this Ordinance as set forth in Section 1.3;
- (b) Whether the Requested Amendment will be materially detrimental to the public welfare or injurious to the subject property or properties in the vicinity where it is located;
- (c) Whether the Requested Amendment is consistent with the Town of North Yarmouth Comprehensive Plan, as amended; and
- (d) Whether the Requested Amendment is consistent with all other applicable regulations of the Town and with all applicable state and federal statutes.

The written recommendation may include the Planning Board's proposed changes to the Requested Amendment' draft language and/or draft map change.

6. Select Board Action.

- (a) Within 35 days of receiving the Planning Board recommendation, the Select Board shall consider the Planning Board recommendation on the Requested Amendment and consider whether any additional changes are necessary.
- (b) If the Select Board proposes no additional substantive changes to the Requested Amendment, it shall vote either to deny the application or to accept the application and include the Requested Amendment on the next annual town meeting warrant. Such a vote is a purely legislative determination in the sole discretion of the Select Board, and is not appealable.
- (c) If the Select Board proposes substantive changes to the Requested Amendment, it shall return the proposal to the Planning Board to repeat paragraphs 4, 5 and 6.

7. Technical Assistance. The Select Board may, at its discretion, forward a copy of the application, the plans and all supporting documentation to any appropriate technical or legal expert for review. The applicant shall pay for the review by any such experts and all associated costs.

C. Procedure for Citizen-Initiated Amendments.

- 1. Certification. Within 20 days after the date on which a petition for Citizen-Initiated Amendment is filed, the Town Clerk will determine whether the petition has a sufficient number of valid signatures under the provisions of this Ordinance and state law and will promptly send written notice of the determination to the petitioner by registered mail.
- 2. Referral. If the Town Clerk determines that the petition is valid, the Select Board shall automatically forward a Citizen-Initiated Amendment to the Planning Board for

public hearing in accordance with 30-A M.R.S. § 4352(9). The Planning Board shall hold the required public hearing within 35 days of presentation of the amendment petition to the Planning Board.

3. Select Board Action. Following the Planning Board public hearing, the Select Board shall, at its option, either insert an article on the Citizen-Initiated Amendment in the next warrant issued or shall within 60 days call a special town meeting for its consideration, in accordance with 30-A M.R.S. § 2522.

D. Procedure for Town-Initiated Amendments.

1. Referral. The Select Board shall refer any Town-Initiated Amendment to the Planning Board for review and public hearing in accordance with 30-A M.R.S. § 4352(9). The Planning Board shall hold the required public hearing within 35 days of presentation of the proposed amendment to the Planning Board. Within 35 days of the Planning Board public hearing, the Planning Board shall prepare and submit to the Select Board a written recommendation on the proposed amendment that meets the requirements of paragraph B.5 above.
2. Select Board Action. Following receipt of the Planning Board recommendation, the Select Board shall consider the Planning Board recommendation on the Town-Initiated Amendment and consider whether any additional changes are necessary. The Select Board may make such changes to the Town-Initiated Amendment as it deems proper and, if such changes are material, shall refer the revised Town-Initiated Amendment back to the Planning Board for further review and hearing in accordance with paragraph 1. Once the Planning Board review process is completed, the Select Board shall vote whether to include the Town-Initiated Amendment on a special or annual town meeting warrant, at the sole discretion of the Select Board.

E. Shoreland Zoning Amendments.

Copies of amendments relative to the shoreland zone, as that term is defined in Section XII, shall be attested and signed by the Town Clerk and submitted to the Commissioner of the Department of Environmental Protection following adoption by the Town and shall not be effective unless approved by the Commissioner. If the Commissioner fails to act on any amendment within 45 days of his/her receipt of the amendment, the amendment is automatically approved. Any application for a permit in the shoreland zone, submitted to the town within the 45-day review period shall be governed by the terms of the amendment if the Commissioner approves such amendment.