

**Town of North Yarmouth
Select Board Meeting Agenda
Tuesday, September 6, 2022
Regular Business Meeting
7:00 PM**

Wescustogo Hall & North Yarmouth Community Center

Select Board Members

Brian Sites, Chairperson	Amy Haile, Vice-Chairperson	Paul Hodgetts, Board Member
Katherine Perrin, Board Member	Andrea Berry, Board Member	

I. Call to Order

II. Pledge of Allegiance

The format and structure for Select Board meetings are authorized and governed by our Town Charter and the Select Board Bylaws with overarching guidance from Maine Statutes. Select Board members are not collectively or individually allowed to speak about personnel matters and may only address personnel matters in an executive session per State Statute Title 1 § 401

III. Special Presentations

- North Yarmouth Historical Society History Minute (Chairperson Sites)
- Senior Property Tax Overview

IV. Public Hearings (pgs. 4-22)

- [Charter Amendments](#)
- [Land Use Ordinance Amendments](#)

V. Appointments (pg. 23)

- Walnut Hill Parkway Association – Selectperson Hodgetts
- Recycling Advisory Committee – Resignation

VI. Announcements

VII. Consent Agenda (pgs. 24-29)

Items under “Consent Agenda” are routine items that require Board action but typically do not contain much discussion. The consent agenda does not call for any discussion, but any Select Board member may request a particular item to be removed by a vote of the Select Board to be discussed further under “Old Business.

- Payroll Accounts Payable Warrants
- Municipal Accounts Payable Warrants
- [August 16, 2022, Business Meeting Minutes](#)
- [Toddy Brook Golf Course Liquor License Renewal](#)

VIII. Public Comment - Non-Agenda Items

Comments regarding non-agenda issues, concerns, commendations, or matters of general public information are welcome. The public is encouraged when commenting or expressing points of view about an individual(s) that they do so respectfully and constructively. Topics relating to personnel matters cannot be acknowledged.

Each individual must be recognized by the Chair and will have up to three (3) minutes to speak. The Chair may recognize members of the public at their discretion and will prioritize individuals who have not spoken more than once.

IX. Management Reports & Communications

- Town Manager’s Report

X. Old Business

XI. New Business (pgs. 30-32)

- [Abatement Tax Map 16, Lot 1](#)
- [Community Resilience Resolution](#)

XII. Any Other Business

XIII. Executive Session (pg. 33)

- 1 M.R.S. § 405 6(C) – Discussion or Consideration of the Acquisition of Real Estate

XIV. 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

September 6, 2022

1) Charter Amendments

OPENING THE PUBLIC HEARING

Move that the Select Board open the public hearing on the proposed Charter amendments. Second, discussion and vote follow.

AUDIENCE PARTICIPATION

Once the Chair opens the public hearing, those present who wish to speak may approach the microphone and address the Chair with their comments. Those wishing to speak shall state their name and street address for the record.

CLOSE THE PUBLIC HEARING

Move that the Select Board close the public hearing on the proposed Charter amendments. Second, discussion and vote follow.

ENDORISING THE MUNICIPAL ORDER

Move that the Select Board order the Town Clerk to place the proposed amendments to the Charter on the November 8, 2022, ballot, and further order that copies of the amendments be posted and available to the public. Second, discussion and vote follow.

2) Land Use Ordinance Amendments

OPENING THE PUBLIC HEARING

Move that the Select Board open the public hearing on the proposed Land Use Ordinance amendments. Second, discussion and vote follow.

AUDIENCE PARTICIPATION

Once the Chair opens the public hearing, those present who wish to speak may approach the microphone and address the Chair with their comments. Those wishing to speak shall state their name and street address for the record.

CLOSE THE PUBLIC HEARING

Move that the Select Board close the public hearing on the proposed Land Use Ordinance amendments. Second, discussion and vote follow.

Town of North Yarmouth

Select Board Business

Summary of Recommended Motions & Other Action Items

ENDORISING THE MUNICIPAL ORDER

Move that the Select Board order the Town Clerk to place the proposed Land Use Ordinance amendments on the November 8, 2022, ballot, and further order that copies of the amendments be posted and available to the public. Second, discussion and vote follow.

3) Walnut Hill Parkway Association – Selectperson Hodgetts

Move that the Select Board charge Selectperson _____ to attend the annual meeting and all-other meetings of the Walnut Hill Parkway Association until June 30, 2023. Second, discussion and vote follow.

4) Recycling Advisory Committee – Resignation

Move that the Select Board accept Jillian Kaechele’s resignation and request that the Town Manager advertise the vacant position on the Town’s website and other communications. Second, discussion and vote follow.

5) Consent Agenda

Move that the Select Board approve the Consent Agenda, as presented. Second and vote follow.

6) Abatement Tax Map 16, Lot 1

Move that the Select Board approve an abatement in the amount of \$25,000 of assessed value for map 16, lot 1, as recommended. Second, discussion and vote follow.

7) Community Resilience Resolution

Move that the Select Board adopt the Municipal Community Resilience Resolution, as presented. Second, discussion and vote follow.

8) Executive Session – 1 M.R.S. § 405 6(C) – Discussion or Consideration of the Acquisition of Real Estate

Move that the Select Board enter executive session with the Town Manager pursuant to Title 1 M.R.S. § (6)(C). Second, discussion and vote follow.

Note: statues are read as follows: “**title 1, M.R.S § (sub-section) (6)(C)**”

Town of North Yarmouth

Select Board Business

III. Public Hearing(s)

September 6, 2022

1) Charter Amendments

OPENING THE PUBLIC HEARING

Move that the Select Board open the public hearing on the proposed Charter amendments. Second, discussion and vote follow.

AUDIENCE PARTICIPATION

Once the chairperson opens the public hearing, those present who wish to speak may approach the microphone, state their name and street address, and address their comments to the chairperson.

CLOSE THE PUBLIC HEARING

Move that the Select Board close the public hearing on the proposed Charter amendments. Second, discussion and vote follow.

Notes:

As required by law, the amendments were published in a circulated paper at least seven (7) days before this hearing in addition to being posted online. A full page was used for all the proposed amendments and published on August 25, 2022, in The Forecaster.

ENDORISING THE MUNICIPAL ORDER

Move that the Select Board order the Town Clerk to place the proposed amendments to the Charter on the November 8, 2022, ballot, and further order that copies of the amendments be posted and available to the public. Second, discussion and vote follow.

Reference: "Action to Submit Proposed Amendments to the Town Charter to Voters on November 8, 2022"

2) Land Use Ordinance Amendments

OPENING THE PUBLIC HEARING

Move that the Select Board open the public hearing on the proposed Land Use Ordinance amendments. Second, discussion and vote follow.

AUDIENCE PARTICIPATION

Once the chairperson opens the public hearing, those present who wish to speak may approach the microphone, state their name and street address, and address their comments to the chairperson.

CLOSE THE PUBLIC HEARING

Move that the Select Board close the public hearing on the proposed Land Use Ordinance amendments. Second, discussion and vote follow.

Town of North Yarmouth

Select Board Business

III. Public Hearing(s)

ENDORISING THE MUNICIPAL ORDER

Move that the Select Board order the Town Clerk to place the proposed Land Use Ordinance amendments on the November 8, 2022, ballot, and further order that copies of the amendments be posted and available to the public. Second, discussion and vote follow.

Reference: “Action to Submit Proposed Amendments to the Land Use Ordinance to the Voters on November 8, 2022”

**MUNICIPAL OFFICER'S ORDER
TOWN OF NORTH YARMOUTH
SELECT BOARD**

ORDER

ACTION TO SUBMIT PROPOSED AMENDMENTS TO THE TOWN OF NORTH YARMOUTH CHARTER TO THE VOTERS ON NOVEMBER 8, 2022

Date: September 6, 2022

ORDERED, that the Town Clerk be and hereby is directed to place the attached amendments to the Town of North Yarmouth Charter on the November 8, 2022, ballot; and,

BE IF FURTHER ORDERED, that, the Town Clerk be and hereby is directed to, at least two (2) weeks before the election: (1) have the proposed amendments printed; (2) make copies available to the voters in the Town Clerk's office; and (3) post the amendments in the same manner that proposed ordinances are posted.

Brian Sites, Chairperson

Amy Haile, Vice-Chairperson

Paul Hodgetts

Katherine Perrin

Andrea Berry

PROPOSED CHARTER AMENDMENTS

- 1. Shall the Town of North Yarmouth approve the charter amendment reprinted below?

[Note: Proposed deletions are ~~struck through~~; additions are underlined.]

Article I. Town Meeting and Elections

- 1. **Town Meeting.** Town meetings shall be held as provided below:

- a. The Select Board shall convene an annual Town Meeting ~~on a Saturday in April~~ on or before June 30th of each year for the purpose of considering and adopting the budget and such other matters as appear on the meeting’s warrant. The annual Town Meeting date shall be established by the Select Board not later than the preceding ~~February 1st~~ April 1st.

...

Article II. Select Board

...

- 3. **Chair of Select Board.**

At the first ~~regular~~ meeting of the Select Board on or after July 1st of a year, the Select Board shall elect a chair to serve until the following June 30th. In the event the chair ceases to serve as a selectperson, resigns as chair, or is otherwise unable to discharge his or her duties prior to the end of such term, the Select Board shall elect a new chair as soon as practicable. By an affirmative vote of not less than four members, the Select Board may vote to remove a chair prior to the expiration of their term and thereafter by an affirmative vote of no less than three members, elect a replacement.

YES _____ NO _____

Brief Explanation:

This Charter amendment would extend the deadline for holding the annual Town Meeting to June 30, and specifies that the Select Board must elect a Chair at its first meeting of any type on or after July 1.

- 2. Shall the Town of North Yarmouth approve the charter amendment reprinted below?

[Note: Proposed deletions are ~~struck through~~; additions are underlined.]

Article I. Town Meeting and Elections

...

2. **Elections.** An annual municipal election shall be held in June for the purpose of electing town officials and for voting on referendum questions and other secret ballot questions. Except as otherwise provided herein or in state law, the following offices shall be elected by secret ballot at the annual municipal election: Select Board/~~Board of Overseers & Overseers of the Poor~~; Yarmouth Water District Trustee; Directors of MSAD #51; Budget Committee; and Cemetery Commission. Other elections shall be held as provided by state law.

...

Article II. Select Board

1. **Select Board/Board of Overseers ~~of the Poor~~.** There shall be a Select Board/Board of Overseers ~~of the poor~~ consisting of five (5) members elected to staggered three (3) year terms. The terms of those elected to the Select Board shall expire on June 30th of their expiration year.

...

Article V. General Provisions

...

3. Transition Provisions.

...

- b. The prohibition on serving as a Selectperson pursuant to Article II, Section 5(b) shall apply to all ~~selectmen~~ Selectpersons as of the effective date of the charter. Should the prohibition create a conflict for any Selectperson elected prior to the effective date, that Selectperson's seat becomes vacant as of the effective date of the charter unless the Selectperson eliminates the conflict before the effective date.

YES _____ NO _____

Brief Explanation:

The above amendment is required due to the Legislature's enactment of P.L. 2021, ch. 275.

3. Shall the Town of North Yarmouth approve the charter amendment reprinted below?

[Note: Proposed deletions are ~~struck through~~; additions are underlined.]

Article II. Select Board

...

2. **Qualifications.** The Select Board shall be registered voters of the town who maintain a permanent, principal residence in the town at all times during their term of office. For purposes of this subsection, “permanent, principal residence” shall mean that place where a person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return, consistent with the factors listed in 21-A M.R.S. § 112(1)(A).

...

4. **Powers and Duties.**

...

- g. The Select Board shall make appointments to boards, commissions and committees from time to time. In the case of elected positions described in Article IV below, the Select 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, unless otherwise provided by statute or other law.

...

Article IV. Elected and Appointed Boards, Commissions, Committees and Officials.

1. **Elected Boards, Commissions, Committees, ~~and~~ Officials, and Qualifications.** The following positions shall be registered voters of the town who maintain a permanent, principal residence in the town at all times during their term of office and shall be elected by secret ballot. For purposes of this section, “permanent, principal residence” shall have the same meaning as set forth in Article II, Section 2.

...

2. **Appointed Boards, Commissions, Committees ~~and~~ Officials, and Qualifications.** The following boards, commissions, committees and officials shall be appointed by the Select Board, and shall consist of members who are registered voters of the town who maintain a permanent, principal residence in the town at all times during their term of office. For purposes of this section, “permanent, principal residence” shall have the same meaning as set forth in Article II, Section 2.

...

3. **Vacancy, Forfeiture.** The office of a member of any elected or appointed board, commission or committee listed in Article IV, Sections 1 and 2 shall become vacant upon the member’s death, resignation, non-acceptance, or removal from office in any manner designated by law, or by forfeiture if he or she lacks at any time during

their term of office any qualification of the office as described by this charter or by law.

YES _____ NO _____

Brief Explanation:

This charter amendment establishes a requirement that all appointed and elected members of boards, commissions and committees of the Town must be registered voters and residents of the Town, and also provides a definition for “permanent, principal residence.” The amendment further clarifies that a member who lacks any mandatory qualifications during his/her term of office forfeits the office, which then becomes vacant.

4. Shall the Town of North Yarmouth approve the charter amendment reprinted below?

[Note: Proposed deletions are ~~struck through~~; additions are underlined.]

Article IV. Elected and Appointed Boards, Commissions, Committees, and Officials

- a. Board of Assessment Review. There shall be a Board of Assessment Review consisting of three (3) regular members and two (2) alternate members appointed by the Select Board to staggered three (3) year terms. The terms of those appointed to the Board of Assessment Review shall expire on June 30th of the expiration year. The Board of Assessment Review shall elect from their membership a chair and a secretary at its first regular meeting occurring on or after July 1st of each year. Other than for purposes of electing the chair and secretary, an alternate may only vote in the absence of a regular member.

...

- d. ~~Parks & Recreation~~ Committee. There shall be a ~~Parks & Recreation~~ Committee consisting of ~~seven (7)~~ five (5) members appointed by the Select Board to staggered three (3) year terms. The terms of those appointed to the ~~Parks & Recreation~~ Committee shall expire on June 30th of their expiration year. The ~~Parks & Recreation~~ Committee shall elect from its membership a chair and a secretary at its first regular meeting occurring on or after July 1st of each year.
- (i) The ~~Parks & Recreation~~ Committee shall advise the town and municipal officers on matters of the town's parks and recreation and supervise any ~~parks and recreation~~ programs by the town.
- (ii) The ~~Parks & Recreation~~ Committee shall oversee any town property designated as a parks and recreation area by the Select Board and make recommendations to the Select Board regarding its use.

YES _____ **NO** _____

Brief Explanation:

This charter amendment allows for two alternates to be appointed to the Board of Assessment Review, renames the Parks & Recreation Committee to the “Parks Committee,” and decreases the number of members on the Parks Committee from seven members to five members.

The effective date of these amendments is November 9, 2022.

**MUNICIPAL OFFICER'S ORDER
TOWN OF NORTH YARMOUTH
SELECT BOARD**

ORDER

ACTION TO SUBMIT PROPOSED AMENDMENTS TO THE TOWN OF NORTH YARMOUTH LAND USE ORDINANCE TO THE VOTERS ON NOVEMBER 8, 2022
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Date: September 6, 2022

ORDERED, that the Town Clerk be and hereby is directed to place the attached amendments to the Town of North Yarmouth Land Use Ordinance on the November 8, 2022, ballot; and,

BE IF FURTHER ORDERED, that, the Town Clerk be and hereby is directed to, at least two (2) weeks before the election: (1) have the proposed amendments printed; (2) make copies available to the voters in the Town Clerk's office; and (3) post the amendments in the same manner that proposed ordinances are posted.

Brian Sites, Chairperson

Amy Haile, Vice-Chairperson

Paul Hodgetts

Katherine Perrin

Andrea Berry

Section 6.3 & Table 7.2 – Proposed Amendments to the Town of North Yarmouth Land Use Ordinance

The Town of North Yarmouth Land Use Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck through~~):

SECTION 6.3 ADMINISTRATIVE APPEALS, VARIANCES, AND MISCELLANEOUS APPEALS [AMENDED 6/120; 6/19/21]

B. Variance Appeals: The Zoning Board of Appeals (ZBA) shall limit any variances granted as strictly as possible in order to ~~insure~~ ensure conformance with the purposes and provisions of this Ordinance to the greatest extent possible, and in doing so may impose such conditions to a variance as it deems necessary. The party receiving the variance shall comply with all conditions imposed. Variances may be granted under the following conditions.

1. **Variances may be permitted only under the following conditions:**

- a. Variances may be granted only from dimensional requirements including, but not limited to street frontage, lot_width, structure height, percent of lot coverage, and setback requirements.

...

TABLE 7.2 SPACE AND DIMENSIONAL REQUIREMENTS [AMENDED 6/19/21]

District	Minimum Lot Size (Acres)	Maximum Residential Density (Acres) ¹	Maximum Lot Coverage (%)	Street Frontage (feet)	Structure Setback From Property Lines (Feet) ⁶			Maximum Structure Height (Feet)
					Front	Side	Rear	
Village Center	1 acre ⁴	N/A	70%	48'—100' <u>100' MIN</u>	0-20' <u>10' MIN</u> MAX	25' <u>10' MIN</u> MAX	5' MIN	3 stories, no higher than 50 feet

...

⁴Minimum Lot Size

- a. The minimum lot size can be reduced in the VC to 20,000 square feet when the lot is served by an advanced wastewater treatment system, or the existing system is retrofitted with an advanced wastewater system that meets or exceeds the state definition providing 50 percent or more reduction in nitrates, and has demonstrated that water quality will not be degraded.

Section 6.3 & Table 7.2 – Proposed Amendments to the Town of North Yarmouth Land Use Ordinance

~~b. The minimum lot size can be further reduced below 20,000 sf when that lot treats its wastewater on a separate lot that complies with Maine Subsurface Wastewater Disposal criteria.~~

~~eb.~~ GPD or gallon per day design flows may be utilized when presented and proven to not exceed the assumed 4 bedroom or 360 gpd flows of a typical residential home per lot, this type of development requires Planning Board approval.

~~ec.~~ Pocket Neighborhoods allow for the use of reduced lot size below 20,000 sf, consistent with Section 7.2(D). ~~(as described in b. above) and can use gallons per day design flow (as described in e. above, if designed to comply with the standards of Subsection D.~~

...

~~6. In the Village Center District, Civic Buildings (institutional uses) are exempt from maximum setback requirements. The recommended maximum front yard setback for Civic Buildings (institutional uses) is 60'.~~

Table 7.1 – Proposed Amendments to the Land Use Ordinance Tables

TABLE 7.1 LAND USES BY ZONING DISTRICT [AMENDED 5/17/08 ¹ 6/19/21]							
A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review) CU = Conditional Use (Planning Board Review); N = Prohibited Use							
USES***	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Residential Uses							
Single-family detached dwelling ²	P	P	P	N	P	SPR	P
Duplex	P	P	P	N	P	N	P
Manufactured housing - individual lot ⁴	P	P	P	N	P	SPR	P
Conversions - seasonal to year-round residences	P	P	P	N	P	SPR	P
Mobile Home Park	CU/SPR	SPR	N	N	N	N	N
Multiple Residential units in a permitted Building Type ⁹	SPR	N	N	N	N	N	SPR
Accessory Apartment ⁵ [Amended 5/17/08]	P	P	P	N	N	N	P
Accessory use – Home Occupation ⁶	P	P	P	N	SPR	SPR	SPR
Home heating fuel tanks & fuel storage (greater than 660 gallons of liquid fuel ⁷ per parcel of land)	SPR	SPR	SPR	N	N	N	N
Accessory use – Home Based Occupation ⁸ [Amended 5/30/09]	P	P	P	N	N	SPR	SPR
Commercial and Industrial Uses							
Beauty salons	SPR	CU/SPR	N	N	N	N	CU/SPR
Bed and breakfast	SPR	SPR	SPR**	N	N	N	SPR
Boat builders and refinishers	SPR	N	N	N	N	N	N
Business/professional office less than 2,000 sq.ft. gross floor area	SPR	SPR	CU/SPR* *	N	N	N	SPR
Business/professional office, 2,000 to 10,000 sq.ft. gross floor area	SPR	N	N	N	N	N	SPR
Retail sales/services, less than 2,000 sq.ft. gross floor area	SPR	SPR	N	N	N	N	SPR
Retail sales/services, 2,000 to 10,000 sq.ft. gross floor area	SPR	N	N	N	N	N	CU/SPR
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including “Allowed Uses” must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch. **Can only be conversions of buildings in existence as of June 14, 2005. *** For all Use definitions please refer to Section XII							

¹ Tables were also reformatted to include blank lines for future amendments.

² Includes “community living arrangements” for 8 or fewer persons with disabilities as defined in 30-A M.R.S. Section 4357-A

³ Single-family residential structures may be allowed by special exception only according to the provisions of Section 7-5. Special Exceptions. Two-family residential structures are prohibited.

⁴ Shall meet the requirements of Section 11-5. Manufactured Housing On Individual Lots

⁵ Shall meet the requirements of Section 11-1. Accessory Apartments

⁶ Shall meet the requirements of Section 11-4. Home Occupations

⁷ Propane tanks, or other tanks with liquefied gaseous fuels are allowed. Home heating fuel tanks and fuel storage of 660 gallons or less is allowed with all residential uses.

⁸ Signs, exterior displays and any other indications of a home based occupation in a residential zone require conditional use approval from the Planning Board [Amended 5/30/09]

⁹ See Section X Section 10.4 for permitted Building Types.

Table 7.1 – Proposed Amendments to the Land Use Ordinance Tables

TABLE 7.1 LAND USES BY ZONING DISTRICT (continued from prior page)							
A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review) CU = Conditional Use (Planning Board Review); N = Prohibited Use							
USES***	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Commercial and Industrial Uses (continued)							
Retail sales/services with 10,000 sq.ft. grossfloor area, or more	N	N	N	N	N	N	N
Restaurants with less than 2,000 sq.ft. grossfloor area	SPR	SPR	CU/SPR **	N	N	N	SPR
Restaurants with 2,000 sq.ft. grossfloor area, or more	SPR	SPR	CU/SPR**	N	N	N	CU/SPR
<u>Tavern</u>	<u>CU/SPR</u>	<u>CU/SPR</u>	<u>CU/SPR</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU/SPR</u>
<u>Small Brewery, Small Winery, or Small Distillery</u>	<u>CU/SPR</u>	<u>CU/SPR</u>	<u>CU/SPR</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU/SPR</u>
Takeout eating place	SPR	SPR	N	N	N	N	SPR
Drive-through eating place	N	N	N	N	N	N	N
Redemption center less than 2,000 sq. ft. gross floor area	SPR	N	N	N	N	N	N
Commercial food processors, other than those where food is raised on the premises (see Natural Resource Based Uses)	SPR	SPR	SPR	N	N	N	N
Financial institution	SPR	N	N	N	N	N	SPR
Financial institution with drive through	CU/SPR	N	N	N	N	N	CU/SPR
Laundromat	SPR	N	N	N	N	N	SPR ¹
Dry cleaners drop-off, no dry cleaning - processing	SPR	SPR	N	N	N	N	SPR
Dry cleaners - processing	N	N	N	N	N	N	N
Printers and photo processors	SPR	CU/SPR	N	N	N	N	CU/SPR
Motor vehicle services/repairs and body shops/sales [limited to small operations; 10 or fewer vehicles on site at a time]	SPR	CU/SPR	CU/SPR	N	N	N	N
Gas and/or service stations, sale of gas accessory to retail	SPR	CU/SPR	N	N	N	N	N
Petroleum/petroleum product storage for retail/wholesale sales, including fuel oil distributors	N	N	N	N	N	N	N
Petroleum/petroleum product use/storage for business use; more than 660 gallons of liquid fuel per parcel	SPR	SPR	SPR	N	N	N	N
Petroleum/petroleum product use/storage for business use; 660 gallons or less of liquid fuel ¹ per parcel	P	P	P	N	N	N	CU/SPR
Auto washing facilities	SPR	N	N	N	N	N	SPR ¹
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch. **Can only be conversions of buildings in existence as of June 14, 2005 *** <u>For all Use definitions please refer to Section XII</u>							

Table 7.1 – Proposed Amendments to the Land Use Ordinance Tables

TABLE 7.1 LAND USES BY ZONING DISTRICT (continued from prior page)							
A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review) CU = Conditional Use (Planning Board Review); N = Prohibited Use							
USES***	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Commercial and Industrial Uses (continued)							
Discharge of commercial or industrial Nondomestic wastewater or wash water to an on site septic disposal system	N	N	N	N	N	N	N
Light manufacturing, Warehousing & Storage, and Trucking & Distribution less than 5,000 sq.ft. grossfloor area	SPR	SPR	SPR	N	N	N	CU/SPR***
Light manufacturing, 5,000 sq.ft. to 20,000 sq.ft. grossfloor area	SPR	SPR	SPR	N	N	N	N
Warehousing & storage, 5,000 to 20,000 sq.ft. grossfloor area	SPR	N	CU/SPR	N	N	N	N
Trucking & distribution facility, 5,000 to 20,000 sq.ft. grossfloor area	SPR	N	CU/SPR	N	N	N	N
Wholesale business, research & development, light manufacturing, warehousing & storage, or trucking & distribution facility, 20,000 sq.ft. gross floor area or more	N	N	N	N	N	N	N
Excavating contractors and general contractors	SPR	SPR	SPR	N	N	N	SPR
Funeral homes	CU/SPR	CU/SPR	N	N	N	N	SPR
Commercial/industrial Nondomestic solid waste disposal, transfer station and/or recycling facility	N	N	N	N	N	N	N
Junkyard/auto graveyard/auto recycling	N	N	N	N	N	N	N
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch. **Can only be conversions of buildings in existence as of June 14, 2005. ***Except that the Planning Board may substitute "sq. ft. of Building Footprint" for "sq. ft. gross floor area", as long as the applicant shows that the additional square footage will not impact the site as far as standards of review such as parking, # of employees, and impervious surface restrictions, and any other requirements of review. [Amended 5/13/06] ***For all Use definitions please refer to Section XII							

Table 7.1 – Proposed Amendments to the Land Use Ordinance Tables

TABLE 7.1 LAND USES BY ZONING DISTRICT (continued from prior page)							
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USES***	Village Center	Village Residential	Farm and Forest	Resource Protection ¹	Residential Shoreland ¹	Royal River Overlay*	Groundwater Overlay*
Utility Uses							
Essential services, excepting the following (a. and b.) ² [Amended 5/17/08]	P	P	P	SPR	SPR	P	CU/SPR
a. Roadside distribution lines (34.5kV and lower)	P	P	P	P	P	P	P
b. Non-roadside or cross-country distribution lines	P	P	P	SPR	SPR	SPR	P
Large scale ground mount solar energy system	SPR	SPR	SPR	N	N	N	SPR
Service drops, as defined, to allowed uses ³	A	A	A	P	A	P	A
Public utility buildings	SPR	SPR	SPR	SPR	SPR	SPR	SPR
Oil pipelines	CU/SPR	CU/SPR	CU/SPR	CU/SPR	CU/SPR	CU/SPR	N
Telecommunications towers	SPR	CU/SPR	SPR	N	SPR	N	SPR
Institutional Uses							
Public and private schools	SPR	SPR	CU/SPR	N	N	N	SPR
Public and private schools over 50,000 sq ft	CU/SPR	N	N	N	N	N	CU/SPR
Day care and nursery schools	SPR	SPR	CU/SPR	N	N	N	SPR
Church including accessory residence	SPR	SPR	N	N	N	N	SPR
Cemetery ⁵	SPR	SPR	P	N	N	N	N
Library and museum	SPR	SPR	N	N	N	N	SPR
Fraternal and social institutions	SPR	CU/SPR	CU/SPR	N	N	N	CU/SPR
Municipal and other governmental buildings	SPR	SPR	SPR	N	N	N	SPR
New municipal transfer stations	SPR	SPR	SPR	N	N	N	N
Municipal recycling facility	SPR	SPR	N	N	N	N	SPR
Nursing home/congregate care	SPR	CU/SPR	N	N	N	N	SPR ⁴
Small non-residential facilities less than 5,000 sq.ft gross floor area for educational, scientific, or nature interpretation purposes	SPR	SPR	SPR	N	SPR	N	SPR
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch. *** For all Use definitions please refer to Section XII							

¹ See restrictions Section 9-1. Residential Shoreland District and Resource Protection District Standards.

² Utilities (gas, water, power lines etc.) excluding service drops and buildings, as defined in Section XII. Definitions.

³ Electric and/or telephone utility line extensions, see restrictions in Section 9-1. Residential Shoreland District and Resource Protection District Standards.

⁴ Must be served by sewer or advanced wastewater treatment systems for on-site sewage disposal.

⁵ See Family Burial Ground

Table 7.1 – Proposed Amendments to the Land Use Ordinance Tables

TABLE 7-1. LAND USES BY ZONING DISTRICT (continued from prior page)							
A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review) CU = Conditional Use (Planning Board Review); N = Prohibited Use							
USES***	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Recreational Uses							
Campground	N	N	SPR	N	SPR	CU/SPR	N
Individual campsite	P	P	P	P	P	P	P
Golf course including club house	SPR	SPR	SPR	CU/SPR ¹	SPR	N	N
Fully enclosed places of recreation	SPR	CU/SPR	N	N	N	N	SPR
Piers/Docks/Wharfs/Bridges – Permanent	P	P	P	SPR ²	SPR ²	SPR	SPR
Piers/Docks/Wharfs/Bridges – Temporary	P	P	P	P ²	P ²	P	P
Marinas/Sheds/Boating facilities	-	-	-	N	SPR	N	N
Non-intensive recreational uses not requiring structures, roads or parking facilities, such as hunting, fishing, hiking	A	A	A	A	A	A	A
Government and non-profit parks and outdoor recreation	P	P	P	CU/SPR	SPR	SPR	SPR
Public and private recreational areas involving no structural development; recreational trails	A	A	A	SPR	SPR	SPR	A
Natural Resource Based Uses							
Aquaculture	A	A	A	SPR	SPR	SPR	N
Agriculture ³	A	A	A	SPR	A	A	SPR
Commercial processing of vegetables/crops raised on premises	P	P	P	N	SPR	N	SPR
Commercial processing of poultry and/or livestock raised on the premises (meat packer, slaughterhouse)	SPR	SPR	SPR	N	N	N	N
Storage, handling, processing, disposal and/or utilization of sludge/ash	N	N	N	N	N	N	N
Forest management activities, except timber harvesting	A	A	A	A	A	A	A
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch.							
*** For all Use definitions please refer to Section XII							

¹ Clubhouse prohibited in Resource Protection District.

² Excluding bridges and other crossings not involving earth work, in which case no permit is required. [Adopted 5/17/08]

³ Agriculture: The production, boarding, keeping or maintenance for sale or lease of plants and/or animals, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; Christmas trees; and ornamental and green house products. Agriculture does not include forest management and timber harvesting activities. Agricultural activities for personal use only, do not require a Permit from the Planning Board.

Table 7.1 – Proposed Amendments to the Land Use Ordinance Tables

TABLE 7-1. LAND USES BY ZONING DISTRICT (continued from prior page)							
A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review) CU = Conditional Use (Planning Board Review); N = Prohibited Use							
USES***	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Natural Resource Based Uses (continued)							
Timber harvesting	A	A	A	P	A	A	SPR ¹
Mineral exploration	N	N	P	N	P	A	N
Mineral extraction (including sand & gravel) 100 cubic yards to 999 cubic yards within any 12 month period	A	A	A	N	CU/SPR	N	CU/SPR
Commercial mineral extraction (including sand & gravel) 1,000 cubic yards or more within any 12 month period	N	N	SPR	N	N	N	N
Lumber yards including milling, distribution of wood products, wholesale/retail sales of building materials	SPR	SPR	CU/SPR	N	N	N	SPR
Commercial processing of wood including cutting, sawing, splitting, and chipping	SPR	SPR	SPR	N	N	N	SPR
Landscaping business, nursery, garden center	SPR	SPR	SPR	N	N	N	N
Soil and water conservation practices	A	A	A	A	A	A	A
Surveying and resource analysis	A	A	A	A	A	A	A
Wildlife management practices	A	A	A	A	A	A	A
Municipal and Public Safety Signs	SPR	SPR	SPR	SPR	SPR	SPR	SPR
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch. *** For all Use definitions please refer to Section XII							

Table 7.1 – Proposed Amendments to the Land Use Ordinance Tables

TABLE 7-1. LAND USES BY ZONING DISTRICT (continued from prior page)							
A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review) CU = Conditional Use (Planning Board Review); N = Prohibited Use							
USES***	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Other Uses							
Abandoned wells	N	N	N	N	N	N	N ¹
Private airstrip	P	P	P	N	CU/SPR	N	CU/SPR ²
Commercial airport: fueling area or maintenance area	N	N	CU/SPR	N	N	N	N
Clearing or removal of vegetation for activities other than timber harvesting [Amended 5/17/08]	A	A	A	SPR	A	SPR	A
Demolition	P	P	P	P	P	P	P
Family Burial Ground [Amended 4/28/18]	SPR	SPR	SPR	SPR	SPR	SPR	SPR
Filling and earth moving of less than 10 cubic yards	A	A	A	P	A	A	A
Filling and earth moving of 10 cubic yards or more	A	A	A	SPR	P	P	P
Emergency operations and fire prevention activities	A	A	A	A	A	A	A
Land reclamation	P	P	P	SPR	P	SPR	SPR
Storage of chemicals, including herbicides, pesticides or fertilizers <u>other than</u> amounts normally associated with individual households or farms	SPR	SPR	SPR	N	N	N	N
Subsurface waste disposal and sewage systems	P	P	P	P	P	P	P
Advanced wastewater treatment systems	P	P	P	P	P	P	SPR
Storm water impoundments	SPR	SPR	SPR	N	N	N	SPR
Wastewater impoundments	N	N	N	N	N	N	N
Industrial waste disposal	N	N	N	N	N	N	N
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch.							
*** For all Use definitions please refer to Section XII							

¹ Must be filled with inert material; see Section 9-2. Groundwater Protection Overlay District: Best Management Standards.

² No more than 660 gallons of liquid fuel per parcel of land may be stored on-site.

Table 7.1 – Proposed Amendments to the Land Use Ordinance Tables

TABLE 7-1. LAND USES BY ZONING DISTRICT (continued from prior page)							
A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review) CU = Conditional Use (Planning Board Review); N = Prohibited Use							
USES***	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Other Uses (continued)							
Parking associated with single family and two family dwellings, and non-commercial farmsteads	A	A	A	N ¹	SPR	SPR	A
Parking associated with uses other than single family and two family dwellings, and non-commercial farmsteads	SPR	SPR	SPR	N	SPR	SPR	SPR
Road, driveway construction	P	P	P	N ²	SPR	SPR	P
New or expanded driveway/entrance onto public road	P	P	P	N	SPR	SPR	P
Overnight storage or parking of vehicles and equipment containing over 50 gallons of fuel, excluding municipal storage and parking of vehicles	A	A	A	N	N	N	P
Covered sand and salt piles	P	P	P	N	N	N	SPR
Snow dumps	SPR	SPR	SPR	N	N	N	N
Railroad stations and railroad yards	CU/SPR	SPR	SPR	N	N	N	N
Underground fuel storage tanks, other than propane	P	P	P	N	N	N	N
Signs	P	P	P	P	P	SPR	P
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch. *** For all Use definitions please refer to Section XII							

¹ See Section 9-1. Residential Shoreland District and Resource Protection District Performance Standards

² Except as provided in Section IX. Section 9-1.L. [Amended 5/17/08]

Town of North Yarmouth

Select Board Business

V. *Appointments*

September 6, 2022

3) Walnut Hill Parkway Association – Selectperson Hodgetts

At the last meeting, the Select Board tabled this item as Selectperson Hodgetts was not present for the meeting. Selectperson Hodgetts previously served as the Select Board's liaison for the yearly association meeting.

SUGGESTED ACTION ITEM

Move that the Select Board charge Selectperson _____ to attend the annual meeting and all-other meetings of the Walnut Hill Parkway Association until June 30, 2023. Second, discussion and vote follow.

4) Recycling Advisory Committee – Resignation

Jillian Kaechele has submitted her resignation to the Assistant Town Manager. The Board is asked to accept this resignation.

SUGGESTED MOTION

Move that the Select Board accept Jillian Kaechele's resignation and request that the Town Manager advertise the vacant position on the Town's website and other communications. Second, discussion and vote follow.

Town of North Yarmouth Select Board Business

VII. Consent Agenda

September 6, 2022

Consent Agenda items are considered routine and will be considered for adoption by one (1) motion with no separate discussion unless a Select Board member requests an item to be removed.

- Payroll Accounts Payable Warrants (separate from meeting materials)
- Municipal Accounts Payable Warrants (separate from meeting materials)
- August 16, 2022, Business Meeting Minutes

APPROVE CONSENT AGENDA, AS PRESENTED

Move that the Select Board approve the Consent Agenda, as presented. Second, discussion and vote follow.

OR

FURTHER DISCUSSION

Move to remove _____ from the “Consent Agenda” for further discussion under “Any Other Business”. Second, discussion and vote follow.

NOTE: WHEN A SELECT BOARD MEMBER WISHES TO TAKE AN ITEM OUT OF ORDER, THE BOARD MEMBER MAY MAKE A MOTION TO DO SO, AS LISTED UNDER “FURTHER DISCUSSION”.

Example

- 1) “I move to remove the April 19, 2022, Business Meeting Minutes from the Consent Agenda for further discussion under ‘Any Other Business’”. *Second, discussion and vote.*
- 2) *At this point, there is a vote on the motion (if there is a second). A vote to approve the Consent Agenda, **as amended**, is then required without any further discussion. (See below)*
- 3) “I move to approve the ‘Consent Agenda’, as amended”. *Second, discussion and vote.*

**Town of North Yarmouth
Select Board
Meeting Minutes of Tuesday, August 16, 2022
Wescustogo Hall & North Yarmouth Community Center**

Call to Order (1:05:48) – Brian Sites, Amy Haile, Paul Hodgetts, Katherine Perrin, and Andrea Berry were present. The Town Manager was also present. Chairperson Sites called the meeting to order at 7:00 PM.

Chairperson Sites reported that Selectperson Hodgetts had an excused absence from this meeting. Chairperson Sites also reported that Selectperson Haile and Berry on the July 19, 2022, and July 5, 2022, meetings, respectively, also had excused absences.

Special Presentation:

North Yarmouth Historical Society History Minute (1:06:39)

Chairperson Sites read a narrative provided by the North Yarmouth Historical Society regarding the formation of a community group to build a recreation area across from the then Fire Rescue Station.

Greely High School girl's lacrosse team (1:08:59)

Selectperson Haile read a proclamation honoring the Greely High School girl's lacrosse team for their recent Class B championship against York High School.

Ron Smith, RHR Smith & Company, Financial Update (1:12:32)

Ron Smith (the Town's Auditor) reported that issues with previous year's municipal valuation returns along with other issues with bad practices have led to his projection that the unassigned fund balance will not increase nor decrease from its current position as of June 30, 2022. Ron Smith also stated that the fiscal year 2023 municipal valuation return was done correctly. Selectperson Berry inquired if the unassigned fund balance was around \$ 850,000.00 - \$ 900,000.00 or at 30 days. The Auditor responded that the monetary figure referenced the 30-day projection. Selectperson Perrin inquired if there were any other further issues that needed to be remedied. The Auditor responded that most of the work has been completed but that the Town could take steps to make the financials work for the Town of North Yarmouth. Selectperson Haile asked what steps the Town could take to move towards 90 days of unassigned fund balance. The Auditor summarized points to move the fund balance to a 90-day balance within the next few years. Ron Smith expected to provide the Board an update on the financials again at the second meeting in September (September 20, 2022). The Auditor also suggested the Board could have a special workshop.

Appointments:

Zoning Board of Appeals (1:21:31)

Selectperson Haile moved that the Select Board appoint Mike Mallory to the Zoning Board of Appeals as an alternate member for a term to expire on June 30, 2024. Selectperson Perrin seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Joint Standing Committee (1:22:08)

Selectperson Haile moved that the Select Board appoint Chairperson Sites to both the Joint Standing Committee for a term to expire on June 30, 2023, and to the Walnut Hill Parkway Association to attend the annual meeting that takes place prior to June 30, 2023. Selectperson Perrin seconded the motion. Discussion: none. **Vote: 3 Yes – 0 No – 1 Abstention (Chairperson Sites)**

Recreation Advisory Board (1:24:23)

Selectperson Perrin moved that the Select Board appoint Tricia Grover to the Recreation Advisory Board for a term to expire June 30, 2024. Selectperson Berry seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Walnut Hill Parkway Association (Select Board)

By consensus, the Board tabled appointing Selectperson Hodgetts to the Walnut Hill Parkway Association until the next meeting. Selectperson Hodgetts has previously attending the association's meetings.

Consent Agenda (1:25:04)

Selectperson Haile moved that the Select Board approve the consent agenda, as presented. Selectperson Perrin seconded the motion. **Vote: 4 Yes – 0 No.**

Public Comment - Non-Agenda Items (1:25:22):

Paul Whitmarsh, Wild Turkey Lane, asked if the goals discussed during the Select Board's workshop were derived from the Charter. Paul Whitmarsh inquired if the Board has seen the annual reports. Chairperson Sites responded that the Select Board will review the goals further and that the annual town report has the committee's yearly reports required by the Charter.

Linc Merrill, North Road, reported that he observed the painted crosswalks in the Village Center were almost not visible and drivers were not stopping for pedestrians who wanted to cross the roadway. Linc Merrill also asked if the Town Manager would report on the number of new properties on the tax rolls. The Town Manager responded that the information was not readily available.

Management Reports & Communications:

Town Manager's Report (1:28:34)

The Town Manager provided a [project calendar](#) to the Select Board. The Town Manager read the following report:

Positive Pay

Positive Pay is an automated fraud detection tool offered by the Cash Management Department of most banks. In its simplest form, it is a service that matches the account number, check number and dollar amount of each check presented for payment against a list of checks previously authorized and issued by the company. All three (3) components of the check must match exactly, or it will not pay.

Positive Pay requires the company to send (transmit) a file of issued checks to the bank each day checks are written. When those issued checks are presented for payment at the bank, they are compared electronically against the list of transmitted checks. The check-issue file sent to the bank contains the check number, account number, issue date, and dollar amount. Sometimes the payee's name is included but is not part of the matching service.

When a check is presented that does not have a "match" in the file, it becomes an "exception item". The bank sends a fax or an image of the exception item to the client. The client reviews the image and instructs the bank to pay or return the check.

Tax Commitment

Taxes were committed on August 10, 2022. The mil rate was set at \$18.10 per \$1,000 of assessed value. Overlay is \$341,100, TIF Financing is \$560,953. The first installment of taxes is due on 9/15/2022 and interest begins on 9/16/2022. The second installment is due 3/15/2023 and interest begins on 3/16/2023. The Commitment Books and the Tax Bills have been uploaded to the Assessors Page of the Town website. We have a reminder that the 1st half of taxes are due 9/15/2022 on our home page with a link to the online tax bill copies. FY 22 mil rate was \$17.10. Tax bills should be delivered by the end of the week.

Climate Resilience Community Workshop

1. Community Resilience Workshop scheduled for August 25, 2023, at 6:30pm at WH&NY Community Center. EDSC is hosting the community event. Kelly Rehberg, Sustainability Program Coordinator, GPCOG will facilitate the event.
2. Municipal Resolution
3. Self-Evaluation
4. List of Community Actions
5. Apply for Grant Funds

Firebird Trail Races 9/3/2022

Firebird 50k and 13m races are scheduled for 9/3/2022 with a small portion of the course being in North Yarmouth through the Knights Pond Reserve. The map of the racecourse is on the town's website.

DEP Tier II PFAS Site Testing

Maine DEP is initiating an investigation into the presence of PFAS from land application of sludge in North Yarmouth on Tier II sites.

Expense and Revenue Report (July 1st – July 31st)

The reports were provided to the Select Board. There was no discussion.

Capital Reserve Misc. Income, Interest, & Expense Reports (July 1st – July 31st)

The report was provided to the Select Board. There was no discussion.

Old Business – none.

New Business:

Schedule Public Hearing for Charter Amendments (1:36:40)

Selectperson Berry moved that the Select Board [call a public hearing to be held on September 6, 2022, at 7:00 PM](#). Chairperson Sites seconded the motion. Discussion: none **Vote: 4 Yes – 0 No.**

Schedule Public Hearing for LUO Amendments (1:37:01)

Selectperson Berry moved that the Select Board, in accordance with 30-A M.R.S. § 2528, call a public hearing on September 6, 2022, following the public hearing on the charter amendments. Selectperson Perrin seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Financial Policy Amendment (1:37:42)

Chairperson Sites moved that the Select Board amend the Financial Policy, [as presented](#). Selectperson Berry seconded the motion. Discussion: Chairperson Sites clarified that the unassigned fund balance parameters in the Financial Policy were a working goal for the Select Board. Selectperson Berry asked if the Town Manager was taking fixed assets less than \$10,000 out of the fixed asset list for previous years. The Town Manager responded that the policy would go into effect for the current audit. The Town Manager added that the Auditor was aware of the change and approved the change. **Vote: 4 Yes – 0 No.**

Personnel Policy Amendment (1:40:11)

Selectperson Perrin moved that the Select Board amend the Personnel Policy, [as presented](#). Selectperson Haile seconded the motion. Discussion: Selectperson Perrin asked for further clarification on how the policy was being currently implemented. The Town Manager responded that the policy was being changed to reflect the current practices for the two (2) positions referred to in the changes. **Vote: 4 Yes – 0 No.**

Poles & Wires Licensing Authority (1:42:21)

Chairperson Sites moved that the Select Board designate the Town Manager, Code Enforcement Officer, or Public Works Director as the licensing authority. Selectperson Perrin seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

New School Building Committee (1:43:07)

Chairperson Sites reported on the current discussions with himself and the Vice-Chairperson as well as their counterparts of the MSAD 51 Board of Directors to create a building committee. Selectperson Haile discussed the elected official's discussions on the organization of the committee and the committee's charges. Chairperson Sites clarified that the role of the committee would be advisory in nature. Selectperson Perrin added that the committee should be 50/50 North Yarmouth and Cumberland as well as having a Select Board member on the committee. Selectperson Berry echoed Selectperson Perrin's comments. Selectperson Berry added that the Fire Recue Chief and Town Manager should be included in the committee's discussions. Selectperson Berry asked if there was a deadline for submitting the Board's comments or suggestions. Selectperson Haile responded that the date was September 26th, and that the committee would not be very large, 2-3 people. In addition, Selectperson Haile reported that there have been ongoing discussions with the Fire Rescue Chief and Town Manager. Selectperson Berry made comments regarding the diverse nature of the community and their potential asset to a building committee.

Any Other Business (1:52:56):

Selectperson Perrin addressed an issue reported by a resident between the naming of "Walnut Hill Road" vs. "Walnut Hill Commons". The Town Manager responded that her, the Fire Rescue Chief, and the Code Enforcement Officer were going to address the issue with the E911 service.

Selectperson Haile suggested that the Select Board have a monthly workshop. Selectperson Haile suggested that the meetings be structured to include a running list of items to discuss and having the workshop time to discuss the topics and make presentations. Chairperson Sites discussed having the Town Manager provide a quarterly financial presentation to the Select Board.

The Town Manager welcomed Jackson Humphrey. The Town Manager also reported that she signed the contract for purchasing the AV equipment.

Adjournment (2:00:47) – Selectperson Haile moved to adjourn at 7:55 PM. Chairperson Sites seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Prepared By: Draven Walker
Executive Assistant/Recording Secretary

Select Board

Brian Sites, Chair

Amy Haile, Vice Chair

Paul Hodgetts

Katherine Perrin

Andrea Berry

DRAFT

Town of North Yarmouth Select Board Business

XI. New Business

September 6, 2022

6) Abatement Tax Map 16, Lot 1

Title 36, Chapter 105 § 841, Abatement Procedures, allows an assessor within one (1) year from commitment to make an abatement to correct an illegality, error, or irregularity in assessment.

The municipal officers, after one (1) year but withing three (3) years from the commitment date may make an abatement to correct an illegality, error, or irregularity in assessment.

There was an error in assessment on tax map 16, lot 1 due to the elimination of a homestead exemption. It is the recommendation of the Tax Assessor to approve the abatement of \$25,000 of assessed value which represents the homestead exemption for tax year 2020-2021.

SUGGESTED MOTION

Move that the Select Board approve an abatement in the amount of \$25,000 of assessed value for map 16, lot 1, as recommended. Second, discussion and vote follow.

Attached: "Abatement Notice: TY 2020-2021" for 441 Mill Road

7) Community Resilience Resolution

The Greater Portland Council of Governments (GPCOG) has launched a municipal climate action planning program to support development of local plans that alight with state and regional climate goals. For North Yarmouth to be able to apply for the Community Action Grant of up to \$50,000, North Yarmouth must enroll in the partnership to access funding. The municipality must adopt a municipal resolution, complete a self-evaluation and list of communication actions, and hold a community workshop. The self-evaluation and community workshop has been done and the Select Board is being asked to adopt a municipal resolution.

SUGGESTED MOTION

Move that the Select Board adopt the Municipal Community Resilience Resolution, as presented. Second, discussion and vote follow.

Attached: "North Yarmouth Community Resilience Resolution"



Cumberland County Regional Assessing
 25 Pearl Street, Portland, ME 04101
 207-699-2475 • cumberlandcounty.org
 Renee LaChapelle, Assessor

Maine
 Cumberland County

ABATEMENT NOTICE: TY 2020-2021

Date of Abatement: 8/16/2022

Property Location: 441 Mill Road

Map: 16 Lot: 1

Personal Property Account:

Abatement of tax assessed against: WHITING FAMILY LIVING TRUST

Tax Rate: \$16.55

Trio Account 1210

REAL ESTATE:			
Original Assessment:	\$454,000		Original Tax: \$7,513.70
New Assessment:	\$429,000	Exemption Adj	New Tax: \$7,099.95
Abatement:	\$25,000		Credit to Account: \$413.75
PERSONAL PROPERTY:			
Original Assessment:	\$0		Original Tax: \$0.00
New Assessment:	\$0		New Tax: \$0.00
Abatement:	\$0		Credit to Account: \$0.00
TOTAL:	\$25,000		\$413.75

CAUSE/REASON FOR ABATEMENT:

HOMESTEAD EXEMPTION OMITTED

Brian Sites, Select Board Chair

Diane Barnes, Tax Collector

**RESOLUTION
of the
SELECT BOARD
TOWN OF NORTH YARMOUTH**

WHEREAS, planning for community and infrastructure resilience will protect people, preserve businesses and the local economy, and reduce the impact and costs of natural disasters;

WHEREAS, investing in energy efficiency and weatherization improvements is proven to lower municipal electricity expenses and make buildings more comfortable for employees and visitors;

WHEREAS, addressing climate change will present economic opportunities for the Town of North Yarmouth as well as opportunities to invest in the public good and cost-saving practices;

WHEREAS, the State of Maine’s four-year climate action plan, *Maine Won’t Wait*, seeks to put Maine on a trajectory to decrease greenhouse gas emissions 45% by 2030 and 80% by 2050, and achieve carbon neutrality by 2045;

WHEREAS, achieving these emissions and resilience goals will require Maine to act with urgency to slow the causes of climate change and prepare people, communities, and the environment for climate-related impacts to come;

WHEREAS, the Town of North Yarmouth has completed the Community Resilience Partnership’s Community Resilience Self-Assessment and List of Community Actions, and held a community workshop on August 25, 2022 which prioritized the following action areas: modernize town buildings for energy efficient upgrades, protect the environment by eliminating invasives and promote tree plantings, create sidewalks to promote walking and bicycling, seek professional assistance to conduct a community vulnerability assessment, and adopt a climate resilience plan.

BE IT RESOLVED, the Town of North Yarmouth commits to participating in the Community Resilience Partnership, which supports community leadership in reducing greenhouse gas emissions and increasing resiliency to extreme weather and climate change impacts;

BE IT FURTHER RESOLVED, the Town of North Yarmouth designates Diane Barnes, Town Manager with assistance from the Economic Development & Sustainability Committee to coordinate planning, implementation, and monitoring of energy and resilience projects and to be the primary point of contact to the Community Resilience Partnership.

Select Board

Brian Sites, Chairperson

Amy Haile, Vice-Chairperson

Paul Hodgetts

Katherine Perrin

Andrea Berry

Town of North Yarmouth Select Board Business

XIII. Executive Session

September 6, 2022

8) Discussion or Consideration of the Acquisition of Real Estate

SUGGESTED MOTION

Move that the Select Board enter executive session with the Town Manager pursuant to Title 1 M.R.S. § (6)(C). Second, discussion and vote follow.