

# TOWN OF NORTH YARMOUTH, MAINE

## 2013 ANNUAL MEETING FOR THE YEAR

*Beginning JULY 1, 2013 and Ending JUNE 30TH, 2014*

Marnie Diffin, Administrative Assistant read the Town Meeting notice.

To: Marie Lausier, a resident in the Town of North Yarmouth, County of Cumberland, State of Maine.

**GREETINGS:** In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of North Yarmouth, Maine qualified by law to vote in town affairs, to meet at Wescustogo Hall, in said Town on Saturday the 15th day of June A.D. 2013, at nine (9) o'clock in the forenoon, then and there to act upon Articles 1 through 36 as set out below, to wit;

**ARTICLE 1:** To Elect a Moderator to preside over said meeting.

**Steve Palmer moved and Paul Napolitano seconded to nominate Michael Traister as moderator.**

**Paul Napolitano moved and Mark Girard seconded to cease nominations.** Marnie Diffin requested 5 people to vote on the nomination. Michael Traister received a sufficient number of votes and was sworn in as moderator, gave an overview of himself and the Town Meeting process. He also recognized the state officials representing the town

The results of the June 11 election were read including the approval of the revised Charter.

Steve Palmer thanked Rob Wood for his work as a member of the Board of Selectmen and read a poem created in his honor.

Steve Palmer gave an overview of the budget mil rate of .33 and .08 of the .33 will be to operate the town. There are still a number of last minute items at the state level (i.e. homestead exemption) which are still unknown. He indicated that the budget addresses the future, property maintenance, Westcustogo Hall work and there is a new philosophical perspective on the CIP. This will be the last Town Meeting in June and under the new town charter, the date will be moved to sometime in April.

## BUDGET ADOPTION SECTION

**ARTICLE 2:** To see what sum of money the Town will vote to appropriate and raise for each of the following ADMINISTRATION purposes, or take any action thereon:

ADMINISTRATION PURPOSES	2011-12 Actual	2012-2013 Budget	2013-2014 Request	Dollar Difference 2013-14	Percent Difference 2013-14
A. Central Office	\$251,709.96	\$246,894.00	\$253,525.00	\$6,631.00	2.69%

B. Selectmen	\$3,953.77	\$3,688.00	\$3,688.00	\$ 0.00	0.00%
C. Legal	\$32,115.54	\$38,960.00	\$32,520.00	-\$6,440.00	-16.53%
D. Elections & Moderator	\$6,505.95	\$9,800.00	\$12,500.00	\$2,700.00	27.55%
E. Technology & Broadcasting	\$5,446.04	\$7,575.00	\$10,460.00	\$2,885.00	38.09%
F. Contingency	\$1,376.03	\$10,000.00	\$15,000.00	\$5,000.00	50.00%
<b>Totals</b>	<b>\$301,107.29</b>	<b>\$316,917.00</b>	<b>\$327,693.00</b>	<b>\$10,776.00</b>	<b>3.40%</b>

Selectmen Recommend:..... \$327,693.00

Budget Committee Recommends: \$330,743.00 Less Funding For Contingency; More in Legal and Elections

**Darla Hamlin moved and Rob Wood seconded to approve Article 2 as presented.**

Katie Muphy asked someone from the Budget Committee to explain the difference in the amount recommended.

Jeff Shorey stated that there were some minor changes and some are anticipated legal costs for a variety of items within the budget line items.

**Article 2 passed as presented.**

**ARTICLE 3:** To see what sum of money the Town will vote to appropriate and raise for each of the following LAND USE AND REGULATION purposes, or take any action thereon:

LAND USE REGULATIONS AND PLANNING	2011-12 Actual	2012-2013 Budget	2013-2014 Request	Dollar Difference 2013-14	Percent Difference 2013-14
A. Assessing	\$32,848.99	\$34,035.00	\$38,170.00	\$4,135.00	12.15%
B. Planning Board	\$3,235.65	\$14,100.00	\$10,100.00	-\$4,000.00	-28.37%
C. Charter Commission	\$0.00	\$10,750.00	\$0.00	-\$10,750.00	-100.00%
D. Code Enforcement	\$71,561.25	\$72,774.00	\$75,682.00	\$2,908.00	4.00%
E. Economic Development	\$ 0.00	\$0.00	\$152,000.00	\$152,000.00	
<b>Totals</b>	<b>\$107,645.89</b>	<b>\$131,659.00</b>	<b>\$275,952.00</b>	<b>\$144,293.00</b>	<b>109.60%</b>

Selectmen Recommend:..... \$275,952.00

Budget Committee Recommends: \$275,952.00

**Steve Palmer moved and Paul Napolitano seconded to appropriate and raise \$275,952.00 for Land Use and Regulation purposes as outlined in Article 3.**

Turner Hanson asked for more information regarding line E. Dave Perkins stated that this is also an item that will be presented at another part of the meeting and deferred to the Selectmen. Steve Pamer suggested that a brief presentation be done at this time given that it appears here.

A resident asked the appropriateness of approving something at one point and then discuss it later in the meeting.

Steve Palmer stated that the dilemma rests with voting on expenditure versus raising the revenue. Marnie Diffin stated that this item is to appropriate and raise the expenditures and then further items (Article 14) are the determination as to how to offset the revenue.

Norman Smith asked if tabling this item to discuss it further later in the meeting. Michael gave an overview of how it could be done.

**Mark Smith moved and the motion was seconded to modify this article to remove line E (\$152,000).**

Rob Wood suggested proceeding with this item for discussion.

Al Ahlers of the Economic and Sustainability Committee gave an overview of this committee's purpose, which is to find ways to bring more business to the community. He indicated that this proposal's purpose is to make the area between the fire station and town offices (town center) more attractive and inviting. There have been a number of public comments indicating that town property in this area is difficult to be seen and find. Dave Perkins of the committee outlined the project. He discussed the school building (possibly as senior housing), and Cassidy Pit and to them back on the tax rolls for taxable revenue within 5 years. This proposal would be the first phase since it is a long term project. It would thin out the trees in the area to make the buildings more visible, extend the sidewalk to Westcustogo Hall and connect that area with town hall with a bridge. This committee would work with the Selectmen on this and there is a lot of expertise within the group. This approval is essentially seed money for the longterm expansion.

Mark Smith asked about housing for the school. Dave Perkins stated that the easiest would be elderly housing or for a charter school. Also possible could be for multiple uses or possibly a business park.

A resident of Sligo Road commented on the extent of the project as outlined in the proposed drawings. He also urged the group to look ahead and consider the other phases. Dave Perkins stated that the request this is just the first phase.

Mark Smith stated that if the town wants to create more economic development they should make changes to the Comprehensive Plan. He expressed his frustration at the continued changes to the character of the community and gave some examples. He believes this is a waste of money.

Mark Verrill stated that the community should take this project one phase at a time. He also expressed his concerns over the groundwater overlay districts and that this should be revisited. He also believes that not doing anything would be a detriment to the town. There are limited options for business taxes in the community and this is something to consider spending funds on.

Dave White commended the committee for their efforts with this project. He is concerned that there are a lot of ideas but they have not been committed to which is important in order to understand the costs.

Anne Graham stated that economic development is important to the state and there are opportunities

for funding at the state level and with various organizations. She encourages people to vote on this

Mark Girard was impressed with the committee's work on costs and process in their phases. It is a practical approach in how the process is being done. It is a simple and modest step that could make a huge improvement.

Dave Holman stated that he likes the idea of clustering economic growth within these areas. He stated that thinning the trees for the sake of the building view may not be the best thing. He recommended that the committee research the various options for the project and funding.

Ginny Van Dyke stated that part of this community's charm is the rural character of this area and building.

Al Ahlers stated that the Comprehensive Plan outlined by Mark Smith are something that this committee has suggested be reviewed since there are some constraints by it. He also indicated that there is some state grant funding available. While this plan is a suggestion, it is not a concrete, finite plan. It can change based on additional feedback and funding.

Steve Gordon asked if any other area is being considered. Dave Perkins stated that the Smith parcel is a possibility but there are some zoning limitations. The main focus is the town center.

Dick Baston gave a historical overview of the changes in the town center and how the land was acquired, in particular Veteran's Park.

Linc Merrill asked to be sure that the residents know exactly what this money will be used for. Dave Perkins read the items and their costs to be applied.

Audrey Lones stated that thinning can be a variety of things from clear cutting to selective cutting.

Randy Simmons stated that there is continued spending in this. If the community wants economic development it should offer tax incentives.

Dave Perkins reminded the group that this phase would be reflective of the town's character.

**The amended motion failed (39 No/ 33 Yes)**

**The original motion passes. Article 3 was approved.**

**ARTICLE 4.** To see what sum of money the Town will vote to appropriate and raise for each of the following PUBLIC SAFETY purposes, or take any action thereon:

<b>PUBLIC SAFETY PURPOSES</b>	<b>2011-12 Actual</b>	<b>2012-2013 Budget</b>	<b>2013-2014 Request</b>	<b>Dollar Difference 2013-14</b>	<b>Percent Difference 2013-14</b>
A. Health Officer	\$171.59	\$423.00	\$423.00	\$0.00	0%
B. Animal Control	\$5,050.00	\$6,000.00	\$5,500.00	-\$500.00	-8.33%
C. Emergency Management	\$ 107.65	\$300.00	\$ 0.00	-\$300.00	-100.00%
D. Streetlights	\$2,546.07	\$2,965.00	\$2,965.00	\$0.00	0%

**Totals                    \$7,875.31            \$9,688.00            \$8,888.00            -\$800.00            -8.26%**

*Selectmen Recommend:..... \$8,888.00*  
*Budget Committee Recommends: \$10,763.00 More in Animal Control*

**Paul Napolitano moved and Mark Girard seconded to approve \$8,888 for public safety purposes.**

**Article 4 passed.**

**ARTICLE 5.** To see what sum of money the Town will vote to appropriate and raise for each of the following FIRE & RESCUE purposes, or take any action thereon:

FIRE & RESCUE PURPOSES	2011-12 Actual	2012-2013 Budget	2013-2014 Request	Dollar Difference 2013-14	Percent Difference 2013-14
A. Personnel & Benefits	\$51,937.79	\$102,838.00	\$135,538.00	\$32,700.00	31.80%
B. Supplies & Software	\$14,530.03	\$22,750.00	\$19,155.00	-\$ 3,595.00	-15.80%
C. Vehicles & Equipment	\$70,449.17	\$53,720.00	\$47,870.00	-\$ 5,850.00-	-10.89%
D. Contracted Services	\$75,079.00	\$83,375.00	\$87,800.00	\$4,425.00	5.31%
E. Training, Dues & Insurances	\$5,317.69	\$13,500.00	\$5,800.00	-\$7,700.00	-57.04%
<b>Totals</b>	<b>\$217,313.68</b>	<b>\$276,183.00</b>	<b>\$296,163.00</b>	<b>\$19,980.00</b>	<b>7.23%</b>

*Selectmen Recommend:..... \$296,163.00*  
*Budget Committee Recommends: \$312,633.00 More for Equipment Purchase*

**Darla Hamlin moved and Paul Napolitano seconded to raise \$296,163 for Fire & Rescue Purposes.**

Anne Graham asked for some clarification on the differences between Budget and BOS rec.

Jeff Shorey gave an overview of some of the changes in their call volume and their changing needs. Some equipment is very old. The recommendation is not

Clark Whittier stated that it is for new rather than secondhand air packs. There is an application for a grant for some funding for this.

Jim Melanson, Walnut Hill Rd stated that the current air packs can be converted to accommodate new bottles. Fire Chief Plummer stated that the air packs is intended to be converted.

**Pam Ames moved and was seconded to amend Article 5 to raise \$312,633.** Jim Melanson stated that he believes the Selectmen's recommendation of \$296,163 as the quality of equipment is excellent.

Margie Hansel, Sweetser Rd asked the life of the retrofitted air packs. Fire Chief Plummer stated that the cylinders have the 15 year life. Mark stated the BOS recommendation is based on an extensive review of the Fire/Rescue needs overtime and is a reasonable recommendation. Steve Palmer stated

that there is a time constraint in review regarding this and this is the reason why this figure

**The amended motion fails.**

**Article 5 passed as presented.**

**ARTICLE 6.** To see what sum of money the Town will vote to appropriate and raise for each of the following PUBLIC ASSISTANCE purposes, or take any action thereon:

PUBLIC ASSISTANCE PURPOSES		2011-12 Actual	2012-2013 Budget	2013-2014 Request	Dollar Difference 2013-14	Percent Difference 2013-14
A.	General Assistance	\$15,895.15	\$20,350.00	\$20,350.00	\$0.00	0.00%
B.	Home Health Visiting Nurses	\$518.00	\$1,300.00	\$2,000.00	\$700.00	53.85%
C.	Regional Transportation	\$745.00	\$745.00	\$500.00	-\$245.00	-32.89%
D.	Opportunity Alliance	\$4,200.00	\$4,200.00	\$4,200.00	\$0.00	0.00%
E.	Southern Me. Area on Aging	\$1,640.00	\$1,640.00	\$1,640.00	\$0.00	0.00%
F.	Sexual Assault	\$100.00	\$100.00	\$0.00	-\$100.00	-100.00%
G.	VNA Home Health Hospice	\$0.00	\$250.00	\$250.00	\$0.00	0.00%
H.	Family Crisis Shelter	\$160.00	\$160.00	\$160.00	\$0.00	0.00%
I.	Property Tax Assistance	\$745.27	\$1,000.00	\$1,750.00	\$750.00	75.00%
<b>Totals</b>		<b>\$24,003.42</b>	<b>\$29,745.00</b>	<b>\$30,850.00</b>	<b>\$1,105.00</b>	<b>3.71%</b>

Selectmen Recommend:..... \$30,850.00

Budget Committee Recommends: \$30,850.00

**Mark Girard moved and Darla Hamlin seconded to approve Article 6 as presented.**

**Article 6 passed as presented.**

**ARTICLE 7.** To see what sum of money the Town will vote to appropriate and raise for each of the following PUBLIC WORKS purposes, or take any action thereon:

PUBLIC WORKS PURPOSES		2011-12 ACTUAL	2012-2013 BUDGET	2013-2014 REQUEST	Dollar Difference 2013-14	Percent Difference 2013-14
A.	FACTS -Dues	\$425.00	\$450.00	\$0.00	-\$450.00	-100.00%
B.	Personnel & Fringe	\$222,922.83	\$224,070.00	\$236,452.00	\$12,382.00	5.53%
C.	Equip Repairs, Purchase & Maint	\$55,098.39	\$60,500.00	\$57,875.00	-\$2,625.00	-4.34%
D.	Road Maintenance & Repairs	\$207,849.16	\$291,325.00	\$343,115.00	\$51,790.00	17.78%
E.	Winter Road Plowing	\$22,259.84	\$39,400.00	\$46,325.00	\$6,925.00	17.58%
F.	Mill Road Reclamation Project	\$0.00	\$250,000.00	\$0.00	-\$250,000.00	
<b>Totals</b>		<b>\$508,555.22</b>	<b>\$865,745.00</b>	<b>\$683,767.00</b>	<b>-\$181,978.00</b>	<b>-21.02%</b>

Selectmen Recommend:..... \$683,767.00

Budget Committee Recommends: \$633,312.00 Less Funding For Chip Sealing & Vehicle Fuel

**Rob Wood moved and Paul Napolitano seconded to approve Article 7 as presented.**

Article 7 passed as presented.

**ARTICLE 8.** To see what sum of money the Town will vote to appropriate and raise for each of the following PUBLIC FACILITIES purposes, or take any action thereon:

PUBLIC FACILITIES PURPOSES	2011-12 ACTUAL	2012-2013 BUDGET	2013-2014 REQUEST	Dollar	Percent
				Difference 2013-14	Difference 2013-14
A. Janitorial Services	\$14,787.88	\$17,285.00	\$18,925.00	\$1,640.00	9.49%
B. Fire Station	\$27,355.04	\$21,585.00	\$23,380.00	\$1,795.00	8.32%
C. Public Works Garage	\$19,925.40	\$7,080.00	\$6,280.00	-\$800.00	-11.30%
D. Town Office	\$12,382.44	\$16,895.00	\$14,140.00	-\$2,755.00	-16.31%
E. Westcustogo Hall	\$14,044.79	\$14,958.00	\$60,980.00	\$46,022.00	307.67%
F. Sharp House	\$2,608.81	\$1,740.00	\$1,000.00	-\$740.00	-42.53%
G. Insurance	\$23,711.00	\$26,500.00	\$25,500.00	-\$1,000.00	-3.77%
<b>Totals</b>	<b>\$114,815.36</b>	<b>\$106,043.00</b>	<b>\$150,205.00</b>	<b>\$44,162.00</b>	<b>41.65%</b>

Selectmen Recommend: ..... \$150,205.00

Budget Committee Recommends: \$151,445.00

..... Budget Committee has \$1000 LESS in Heating fuel  
 ..... HAS \$2240 more in Sharp House maintenance

**Steve Palmer moved and Paul Napolitano seconded to appropriate and raise \$150,205.00 for Public Facilities purposes.**

Nelson Smith, Ledge Rd. asked about the increased funding for Westcustogo Hall. Steve Palmer stated that after review by the Fire Chief and Code Enforcement, there are a number of violations. There is no insulation, issues with the bathrooms and kitchen. The \$45,000 figure for Westcustogo is intended to do a detailed study to find out how to bring the building up to code. The State Fire Marshall has been helpful to keep the building open so long as there is a good faith effort being done by the town to keep the building operating. If nothing is done, then the building will have to be closed or for limited use.

Linda Marsh asked why these funds are not being spent on the improvements as people have visited the properties and suggested ideas.

Jeff Shorey stated that the funds are for a detailed engineering study of the entire building to bring it to code

Mark Verrill stated that he cannot support this Article with the Westcustogo funding. He suggested having the BOS meet w/contractors to correct the each violation and this action would satisfy the Fire marshall and would be a better use of the funds

Mark Girard stated that Mark Verrill's suggestion are valid, and that the Board of Selectmen did not want to propose this to the town given the future unknowns without a complete review and that future spending could be impacted by this action. The intent is to keep the longterm life of the property and

not for short-term spending. Steve Palmer stated that the initial intent was to address some basic issues but without and investment in the future of this building for more rental options. Without a significant review, it would be difficult for the BOS to help make recommendations to the community. He outlined a number of the building's problems.

Steve Gordon stated that he agreed with the Selectmen's recommendation to help create a strategic plan for the future of the building. Anne Graham stated that the town is losing public meeting space, in particular, for elections. There is some state funding that may be available.

Darla Hamlin stated that she communicated with a contractor to get some feedback and their recommendation was to do this study to develop a plan and then get competitive bids. She also stated that the Westcustogo Committee wasted funds from the town on lighting since they are not usable and is an example of why a complete review is necessary. She urged the residents to support this.

Dave Holman agreed with the comprehensive approach. He asked if this figure also includes an energy audit. Mark Girard stated that the figure includes a complete study of all parts and includes all aspects of the building. Mark Verrill expressed concerns about rehabilitating the kitchen and disagrees with the suggestion of a meeting room downstairs and the suggested completed rehab cost of \$500,000 as suggested by the Selectmen in a past meeting. Steve Palmer stated that it is up to the residents to decide. The Board of Selectmen's intent is to provide recommendations and the study would provide that. Mark Girard that the use of the building would be part of the study and would be a public process.

Ginny Van Dyke stated that this is the heart of the community and spending money for it is important.

Nelson Smith stated that there are a number recent updates but supports this recommendation and can be considered part of the economic plan. The building is a plus to the community.

Katie Murphy urged people to get involved in the process.

**Article 8 passed as presented.**

**ARTICLE 9.** To see what sum of money the Town will vote to appropriate and raise for each of the following PUBLIC LANDS & RECREATION purposes, or take any action thereon:

PUBLIC LANDS & RECREATION PURPOSES		2011-12 ACTUAL	2012-2013 BUDGET	2013-2014 REQUEST	Dollar Difference 2013-14	Percent Difference 2013-14
A.	Parks	\$19,218.23	\$31,855.00	\$18,655.00	-\$13,200.00	-41.44%
B.	Town Events	\$9,374.07	\$10,350.00	\$10,350.00	\$0.00	0.00%
C.	Royal River Trust	\$1,000.00	\$1,000.00	\$1,000.00	\$0.00	0.00%
D.	Conservation Commission	\$15.00	\$200.00	\$0.00	-\$200.00	-100.00%
E.	Library & Recreation	\$213,039.00	\$181,629.00	\$149,946.00	-\$31,683.00	-17.44%
F.	Cemeteries	\$17,788.37	\$8,625.00	\$14,520.00	\$5,895.00	68.35%
G.	Shellfish	\$0.00	\$2,000.00	\$2,000.00	\$0.00	0.00%
H.	Snowmobile Clubs	\$1,390.20	\$1,400.00	\$800.00	-\$600.00	-42.86%



**Totals                    \$261,824.87    \$237,059.00    \$197,271.00    -\$39,788.00    -16.78%**

*Selectmen Recommend:..... \$197,271.00*

*Budget Committee Recommends: \$192,811.00 More funding for signs; Less Funding Cemetery Software*

**Paul Napolitano moved and Rob Wood seconded to approve Article 9 as presented.**

Anne Graham asked if something is being eliminated and commended the group for their efforts to

A resident asked about the Library Recreation amount. Rob stated that the afterschool care program has been successful.

A resident asked about the request for cemetery software. Jeff Shorey stated that the cemetery commission is still working on hand written documents for the plots. The software will make tracking the plots easier.

**Article 9 passed as presented.**

**ARTICLE 10.** To see what sum of money the Town will vote to appropriate and raise for each of the following SOLID WASTE & RECYCLING purposes, or take any action thereon:

<b>SOLID WASTE &amp; RECYCLING PURPOSES</b>	<b>2011-12 ACTUAL</b>	<b>2012-2013 BUDGET</b>	<b>2013-2014 REQUEST</b>	<b>Dollar Difference 2013-14</b>	<b>Percent Difference 2013-14</b>
A. MSW & Recycling	\$252,499.16	\$248,689.00	\$228,567.00	-\$20,122.00	-8.09%
B. PAYT Bags & Compost Bins	\$31,276.04	\$34,500.00	\$24,200.00	-\$10,300.00	-29.86%
C. Old Landfills	\$555.50	\$3,300.00	\$300.00	-\$3,000.00	-90.91%
<b>Totals</b>	<b>\$284,330.70</b>	<b>\$286,489.00</b>	<b>\$253,067.00</b>	<b>-\$33,422.00</b>	<b>-11.67%</b>

*Selectmen Recommend:..... \$253,067.00*

*Budget Committee Recommends: \$253,067.00*

**Rob Wood moved and Mark Girard seconded to approve Article 10 as presented.**

Rob gave an overview of the changes and savings. Steve Gordon asked if hazardous waste program is included. At present, there is not. Steve expressed concerns about hazardous materials being disposed in the trash.

Dick Brobst stated that the fees have gone down and ecomaine's debt bonding has been paid.

**Article 10 passed as presented.**

**ARTICLE 11.** To see what sum of money the Town will vote to appropriate and raise for each of the following DEBT SERVICE purposes, or take any action thereon:

DEBT SERVICE PURPOSES		2011-12 ACTUAL	2012-2013 BUDGET	2013-2014 REQUEST	Dollar Difference 2013-14	Percent Difference 2013-14
A.	PRINCIPAL	\$13,187.50	\$46,527.50	\$96,527.50	\$50,000.00	107.46%
B.	INTEREST	\$3,279.80	\$4,722.00	\$5,304.75	\$582.75	12.34%
C.	Tax & Bond Anticipation Note	\$1,220.58	\$0.00	\$3,000.00	\$3,000.00	
<b>Totals</b>		<b>\$17,687.88</b>	<b>\$51,249.50</b>	<b>\$104,832.25</b>	<b>\$53,582.75</b>	<b>104.55%</b>

Selectmen Recommend:..... \$104,832.25  
 Budget Committee Recommends: \$104,832.25

**Mark Girard moved and Darla Hamlin seconded to approve Article 11 as presented.**

Norman Smith asked why the principal has increased. Marnie Diffin stated that this is the first year of the new fire truck payment, roofs and next year, the Mill Rd bond.

**Article 11 passed as presented.**

**ARTICLE 12.** To see what sum of money the Town will vote to appropriate and raise for each of the following CAPITAL RESERVE ADDITION purposes, or take any action thereon:

CAPITAL RESERVE ADDITION PURPOSES		2011-12 ACTUAL	2012-2013 BUDGET	2013-2014 REQUEST	Dollar Difference 2013-14	Percent Difference 2013-14
A.	Public Works Trucks & Equip	\$55,617.00	\$18,516.00	\$0.00	-\$18,516.00	-100.00%
B.	Public Works Minor Items	\$3,385.00	\$3,385.00	\$0.00	-\$3,385.00	-100.00%
C.	Fire & Rescue Vehicles	\$186,704.00	\$20,908.00	\$58,333.00	\$37,425.00	179.00%
D.	Fire & Rescue Minor Items	\$2,900.00	\$2,900.00	\$0.00	-\$2,900.00	-100.00%
E.	Parks & Public Lands	\$3,000.00	\$3,000.00	\$0.00	-\$3,000.00	-100.00%
F.	Capital Building Sys Repairs	\$30,000.00	\$30,000.00	\$0.00	-\$30,000.00	-100.00%
G.	Town Office Air Conditioning Sys	\$185.00	\$185.00	\$0.00	-\$185.00	-100.00%
H.	Assessing	\$35,000.00	\$65,000.00	\$0.00	-\$65,000.00	-100.00%
I.	Irrigation System for OTHP	\$0.00	\$10,000.00	\$0.00	-\$10,000.00	-100.00%
J.	Snow Blowing Equipment	\$0.00	\$25,000.00	\$0.00	-\$25,000.00	-100.00%
K.	Sharp House	\$0.00	\$8,760.00	\$3,400.00	-\$5,360.00	-61.19%
L.	Cable & Technology Special Rev	\$0.00	\$19,500.00	\$0.00	-\$19,500.00	-100.00%
<b>Totals</b>		<b>\$316,791.00</b>	<b>\$207,154.00</b>	<b>\$61,733.00</b>	<b>-\$145,421.00</b>	<b>-70.20%</b>

Selectmen Recommend:..... \$61,733.00  
 Budget Committee Recommends: \$71,693.00 Contribution to Cable & Technology account

**Rob Wood moved and Paul Napolitano seconded to approve Article 12 as presented.**

Andy Walsh stated that there is a large drop in the capital reserves and asked why. Mark Girard gave an overview of the process and that the high figures being held in reserve is too much given the interest currently being made. The capital reserves for upgrades for equipment will be done on a rolling basis. Steve Palmer stated that there is no change in philosophy in the equipment

replacement's timeline. Jeff Toorish, Gray Rd asked about the process and expressed concern that the reserve could be very low to plan longterm. Mark Girard gave an overview of the capital reserve process and looks at the cash flow over a few years and that this change is a balanced and timing approach. The short term change will ease out the process and the future increase would be a more gradual one.

Jeff Shorey stated that they are trying to strike a balance and that the costs for the equipment have changed and the needs for the equipment and that they were concerned about asking for more money given the significant amount in the account. Steve Gordon asked if having a lower amount in the account will lower the interest amount that the town can borrow. Mark stated that the low debt amount the town has and the demonstrated fiscal responsibility puts the town in a good borrowing position. There was a discussion on the amount put aside in the past versus the changes in the future.

Rob Wood stated that this approach has been a longtime in coming.

**Article 12 passed as presented.**

**ARTICLE 13.** To see what sum of money the town will vote to appropriate and raise for the following CAPITAL PURCHASE PROJECT purpose, or take any action thereon:

CI PURCHASE PROJECT PURPOSES	2011-12 ACTUAL	2012-2013 BUDGET	2013-2014 REQUEST	Dollar Difference 2013-14	Percent Difference 2013-14
A. Truck Replacement	\$350,946.16	\$147,000.00	\$0.00	-\$147,000.00	-100.00%
B. Lawn Mower Replacement	\$ 0.00	\$ 0.00	\$10,750.00	\$ 10,750.00	
C. Fire Station Repairs	\$ 0.00	\$ 0.00	\$10,500.00	\$ 10,500.00	
<b>Totals</b>	<b>\$350,946.16</b>	<b>\$147,000.00</b>	<b>\$21,250.00</b>	<b>-\$125,750.00</b>	<b>-85.54%</b>

Selectmen Recommend:..... \$21,250.00

Budget Committee Recommends: \$221,250.00 Fire Brush Truck purchase included

**Steve Palmer moved and Paul Napolitano seconded to appropriate and raise \$21,250.00 for Capital Purchase Project purposes.**

Jeff Shorey stated that the difference in the recommended amounts is a timing issue.

**Article 13 passed as presented.**

**ARTICLE 14.** To see if the Town will vote to approve a capital improvement project consisting of the completion of Phase 1 of an economic development project; to fund the economic development project, to authorize the Treasurer and the Chairperson of the Board of Selectmen to issue general obligation securities of the Town of North Yarmouth (including temporary notes in anticipation of the

sale thereof) in an aggregate principal amount not to exceed \$155,000; and to delegate to the Treasurer and the Chairperson of the Board of Selectmen the discretion to fix the date(s), maturity(ies), interest rate(s), denomination(s), place(s) of payment, form and other detail of said securities, including execution and delivery of said security(ies) and to provide for the sale thereof.

**TOWN OF NORTH YARMOUTH FINANCIAL STATEMENT**

**1. Total Town Indebtedness**

A. Bonds outstanding	\$319,409.00
B. Bonds authorized and unissued:	\$0.00
C. Bonds to be Issued if this vote is approved	<u>\$155,000.00</u>
TOTAL:	\$474,409.00

**2. Costs**

At an estimated interest rate of 2 percent, the estimated costs of this bond will be:

PRINCIPAL:	\$155,000.00
INTEREST:	<u>\$9,300.00</u>
TOTAL DEBT SERVICE:	\$164,300.00

**3. Validity**

The validity of the Bond or the voters' ratification of the bond may not be affected by any errors in the above estimate. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance. VALIDATED: Damaris A. Diffin

Appointed Treasurer

*Selectmen Recommend: ..... Borrowing \$155,000.00 and Passing This Article*  
*Budget Committee Recommends: Borrowing \$155,000.00 and Passing This Article*

**Paul Napolitano moved and Steve Palmer seconded to approve Article 14 as presented.**

Steve Palmer stated that if voted down, the BOS will need to find a \$155,000 reduction in the budget. Marnie stated that this begins the funding phase of the Town Budget.

Audrey Lones asked if this item is not approved, would the mil rate rise. Marnie Diffin stated that this is possible or taking it out of the funds (Article 16) would be an option. Mark Girard stated that they were trying to be sensitive to the needs of the town and the unknowns from the state in revenue sharing. This amount seemed to be a balance to borrow this amount. Cindy Guernsey asked the funding amount. Steve stated that this is maximum borrowing limit and if it is not needed, then less would be borrowed. Anne Graham asked about the state sharing projections. Mark gave an overview of their consideration for this.

**Article 14 passed as presented.**

**ARTICLE 15.** *To see what sum of money the Town will vote to appropriate from ANTICIPATED NON PROPERTY TAX REVENUES to reduce the property taxes for the fiscal year 2013-2014 as detailed below, or take any action thereon:*

REVENUE TYPE	2011-2012 Actual	2012-2013 Budget	2013-2014 Request	Dollar Difference 2013-14	Percent Difference 2013-14
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A. Copier,Faxes,Notary& Search Fees	\$ 880.93	\$ 575.00	\$575.00	\$0.00	0.00%
B. Clerk Fees	\$556.00	\$655.00	\$655.00	\$0.00	0.00%
C. State License Agent Fees	\$12,565.88	\$11,500.00	\$12,000.00	\$500.00	4.34%
D. Front Counter Permit Fees	\$ 399.26	\$3,050.00	\$2,095.00	-\$955.00	-31.31%
E. Municipal Revenue Sharing	\$228,450.16	\$185,000.00	\$150,000.00	-\$35,000.00	-18.92%
F. Supplies	\$1,235.00	\$150.00	\$0.00	-\$150.00	-100.00%
G. Dog Licenses, Fines & Late Fees	\$4,721.00	\$2,500.00	\$1,200.00	-\$1300.00	-52.00%
H. Permit Fees (El, Pl, Bldg)	\$8,288.53	\$8,400.00	\$8,400.00	\$0.00	0.00%
I. Building Impact Fees-New	\$8,734.30	\$12,000.00	\$10,000.00	-\$2,000.00	-16.67%
J. Other Land Use Fees	\$600.00	\$400.00	\$400.00	0.00	0.00%
K. Planning Board Fees	\$5,893.70	\$2,650.00	\$1,200.00	-\$1,450.00	-54.72%
L. Motor Vehicle Excise Collections	\$621,514.50	\$623,000.00	\$643,000.00	\$20,000.00	3.21%
M. Boat Excise	\$5,355.00	\$4,500.00	\$4,500.00	\$0.00	0.00%
N. MSAD Reimbursement	\$2,172.54	\$2,000.00	\$2,000.00	\$0.00	0.00%
O. Rescue Fees- New	\$38,171.17	\$34,500.00	\$37,500.00	\$3,000.00	8.70%
P. Rescue Fees- Old	\$0.00	\$30,000.00	\$48,858.00	\$18,858.00	62.86%
Q. Tax Exemptions	\$3,356.69	\$2,350.00	\$3,100.00	\$750.00	31.91%
R. General Assistance Reimbursement	\$4,983.52	\$7,500.00	\$3,500.00	-\$4,000.00	-53.33%
S. Cell Tower Rental	\$30,319.99	\$30,000.00	\$27,500.00	-\$2,500.00	-8.33%
T. Cap. Res.Transfers	292,112.61	\$147,000.00	\$0.00	-\$147,000.00	-100.00%
U. Public Works	\$664.76	\$200.00	\$200.00	\$0.00	0.00%
V. Wescustogo Rental Income	\$8,377.50	\$5,295.00	\$0.00	-\$5,295.00	-100.00%
W. Sharp House Rental Income	\$12,000.00	\$12,000.00	\$14,400.00	\$2,400.00	20.00%
X. Investment (Interest) Fees	\$0.00	\$750.00	\$100.00	-\$650.00	-86.67%
Y. Taxes' Interest Income	\$14,024.42	\$13,000.00	\$13,000.00	\$0.00	0.00%
Z. Rebates & Grants	\$8,028.00	\$500.00	\$1,750.00	\$1,250.00	250.00%
AA. Cable TV Franchise Fees-New	\$29,129.29	\$29,000.00	\$29,000.00	\$0.00	0.00%
AB. Cable TV Franchise Fees-Old	\$0.00	\$0.00	\$9,000.00	\$9,000.00	
AC. PAYT Bag Sales	\$114,400.00	\$98,000.00	\$105,000.00	\$7,000.00	7.14%
AD. Compost Bins	\$446.75	\$1,000.00	\$500.00	-\$500.00	-50.00%
AE. Waste Collection Fees	\$984.40	\$2,200.00	\$1,000.00	-\$1,200.00	-54.55%
AF. Snowmobile Program	\$1,390.20	\$1,400.00	\$800.00	-\$600.00	-42.86%
AG. Events Committee	\$13,626.70	\$10,350.00	\$10,350.00	\$0.00	0.00%
AH. Local Road Assistance	\$38,736.00	\$35,000.00	\$38,700.00	\$3,700.00	10.57%
AI. Loan Proceeds	\$100,000.00	\$150,000.00	\$155,000.00	\$5,000.00	3.33%

**Total            \$1,604,834.90   \$1,466,425.00   \$1,335,283.00   -\$131,142.00   -8.94%**

*Selectmen Recommend:..... \$1,335,283.00*

*Budget Committee Recommends: \$1,509,304.00*

*Difference explanation: Budget committee is recommending offsetting revenue for capital purchase.*

**Darla Hamlin moved and Steve Palmer seconded to approve Article 15 as presented.**

Pam Ames asked if line E (Revenue Sharing) is expected. Steve Palmer stated that it is.

**Article 15 passed as presented.**

**ARTICLE 16:** To see what sum of money the Town will vote to appropriate from the Unassigned Fund Balance to reduce property taxes.

*Board of Selectmen Recommends: \$ 150,000*

*Budget Committee Recommends: \$ 150,000*

*(Note of Explanation: The Town's current Unassigned Fund Balance as of June 30, 2012 and after last year's Annual Town Meeting vote is \$ 1,091,371.)*

**Mark Girard moved and Rob Wood seconded to approve Article 16 as presented.**

**Article 16 passed as presented.**

**ARTICLE 17:** To see if the Town will vote to increase the maximum property tax levy limit established by State law in the event that the municipal budget approved at this Town Meeting results in a tax commitment in excess of the property tax levy otherwise allowable, such that the increased maximum property tax levy hereby established will equal the amount committed.

*(By State law, the vote on this article must be by written ballot)*

This Article 17 is moot as the town isn't over the limit.

Michael Traister asked to move over Article 17. No one objected.

**ARTICLE 18:** To see if the Town will vote to accept certain State Funds as provided by the Maine State Legislature during the fiscal year beginning July 1, 2013 and any other funds provided by any other entity included but not limited to:

- A. Municipal Revenue Sharing
- B. Local Road Assistance
- C. Emergency Management Assistance
- D. Snowmobile Registration Money
- E. Tree Growth Reimbursement
- F. General Assistance Reimbursement
- G. Veteran's Exemption Reimbursement
- H. State Grant or Other Funds

**Steve Palmer moved and Rob Wood seconded to approve Article 18 as presented.**

**Article 18 passed as presented.**

The meeting recessed at 11:42am for 10 minutes.

The meeting reconvened at 11:55 am.

## LAND USE & ORDINANCE ADOPTION SECTION

**ARTICLE 19:** Shall an ordinance entitled Town of North Yarmouth, Maine Land Use Ordinance,

Amendment A be enacted, the text of which is shown on page 89 of this Town Report, or take any action thereon.

*An attested copy of Amendment A is posted with this warrant.*

*Copies of the ordinance are available at the Town Office and on the Town Website [www.northyarmouth.org](http://www.northyarmouth.org) )*

**Mark Girard moved and the motion was seconded to adopt Article 19**

Clark Whittier stated that this article is simply ministerial.

**Article 19 was adopted.**

**ARTICLE 20:** Shall an ordinance entitled Town of North Yarmouth, Maine Land Use Ordinance, Amendment B be enacted, the text of which is shown on page 89 of this Town Report, or take any action thereon.

*An attested copy of Amendment B is posted with this warrant.*

*Copies of the ordinance are available at the Town Office and on the Town Website [www.northyarmouth.org](http://www.northyarmouth.org) )*

**Steve Palmer moved and Mark Girard seconded to adopt Article 20**

**Article 20 was adopted.**

**ARTICLE 21:** Shall an ordinance entitled Town of North Yarmouth, Maine Land Use Ordinance, Amendment C be enacted, the text of which is shown on page 89 of this Town Report, or take any action thereon.

*An attested copy of Amendment C is posted with this warrant.*

*Copies of the ordinance are available at the Town Office and on the Town Website [www.northyarmouth.org](http://www.northyarmouth.org) )*

**Paul Napolitano moved and Mark Girard seconded to adopt Article 21**

Steve Gordon asked if Articles 21-26 can be voted together.

Michael Traister stated that they cannot.

**Article 21 was adopted.**

**ARTICLE 22:** Shall an ordinance entitled Town of North Yarmouth, Maine Land Use Ordinance, Amendment D be enacted, the text of which is shown on page 90 of this Town Report, or take any action thereon.

*An attested copy of Amendment D is posted with this warrant.*

*Copies of the ordinance are available at the Town Office and on the Town Website [www.northyarmouth.org](http://www.northyarmouth.org) )*

**Steve Palmer moved and Rob Wood seconded to adopt Article 22.**

Jeff Shorey asked for more information about the change.

No one objected to Barbara Skelton, code enforcement officer, non-resident to speak. She gave an explanation of the change on the reduction of a lot or parcel as applied in the proposed amendment. Jeff asked what is driving the change. She stated that there are increased requests for hybrid septic systems but this added expense ends up not allowing the ability to build on the lot. Mark stated that this change allows application of better science and technology for septic systems and to have better effect on density

**Article 22 was adopted.**

**ARTICLE 23:** Shall an ordinance entitled Town of North Yarmouth, Maine Land Use Ordinance, Amendment E be enacted, the text of which is shown on page 91 of this Town Report, or take any action thereon.

*An attested copy of Amendment E is posted with this warrant.*

*Copies of the ordinance are available at the Town Office and on the Town Website [www.northyarmouth.org](http://www.northyarmouth.org) )*

**Steve Palmer moved and Darla Hamlin seconded to adopt Article 23.**

Jeff Shorey asked what the change is. Barbara Skelton stated that this change adds a cross reference use chart.

**Article 23 was adopted.**

**ARTICLE 24:** Shall an ordinance entitled Town of North Yarmouth, Maine Land Use Ordinance, Amendment F be enacted, the text of which is shown on page 92 of this Town Report, or take any action thereon.

*An attested copy of Amendment F is posted with this warrant.*

*Copies of the ordinance are available at the Town Office and on the Town Website [www.northyarmouth.org](http://www.northyarmouth.org) )*

**Steve Palmer moved and Mark Girard seconded to adopt Article 24.**

**Article 24 was adopted.**

**ARTICLE 25:** Shall an ordinance entitled Town of North Yarmouth, Maine Land Use Ordinance, Amendment G be enacted, the text of which is shown on page 92 of this Town Report, or take any action thereon.

*An attested copy of Amendment G is posted with this warrant.*

*Copies of the ordinance are available at the Town Office and on the Town Website [www.northyarmouth.org](http://www.northyarmouth.org) )*

**Steve Palmer moved and Rob Wood seconded to adopt Article 25.**

**Article 25 was adopted.**



**ARTICLE 26:** Shall an ordinance entitled Town of North Yarmouth, Maine Land Use Ordinance, Amendment H be enacted, the text of which is shown on page 93 of this Town Report, or take any action thereon.

*An attested copy of Amendment H is posted with this warrant.*

*Copies of the ordinance are available at the Town Office and on the Town Website [www.northyarmouth.org](http://www.northyarmouth.org) )*

**Steve Palmer moved and Mark Girard seconded to adopt Article 26.**

**Article 26 was adopted.**

## TOWN BUSINESS SECTION

**ARTICLE 27:** To see if the Town will vote to set the date that FY 2013-14 Real and Personal Property Taxes are due. The 1st half shall be due October 2nd, 2013 and the 2nd half shall be due April 2nd, 2014 and to charge interest at the rate of seven (7%) percent per annum for 2013-14 tax payments made after the respective due dates, or take any action thereon.

*(Note of Explanation: Seven (7%) percent is the maximum allowed to be charged pursuant to M.R.S.A. Title 36, Section 505(4))*

*Board of Selectmen Recommends: Vote Affirmative as Printed*

**Paul Napolitano moved and Mark Girard seconded to vote in the affirmative as printed.**

**Article 27 was approved as printed.**

**ARTICLE 28:** To see if the Town will vote to authorize the Tax Collector to accept payment of real estate and personal property taxes not yet due or assessed pursuant to M.R.S.A. Title 36, Section 506-A. The Town does not apply interest on such collections.

*Board of Selectmen Recommends: Vote Affirmative as Printed*

**Darla Hamlin moved and Mark Girard seconded to vote in the affirmative as printed.**

**Article 28 was approved as printed.**

**ARTICLE 29:** To see if the Town will vote to authorize the payment of tax abatements and applicable interest approved by the Town's Assessor from the property tax overlay account.

*Board of Selectmen Recommends: Vote Affirmative as Printed*

**Mark Girard moved and Rob Wood seconded to vote in the affirmative as printed.**

**Article 29 is approved as printed.**

**ARTICLE 30:** To see if the Town will vote to authorize the Board of Selectmen and the Treasurer, on behalf of the Town and any of the Town's departments, to accept gifts, real estate, donations and other funds, including trust funds that may be given or left to the Town and to grant the Board of Selectmen the further authority to expend up to \$25,000 from unassigned funds, if necessary, to match the grant funding such sums of money as they deem necessary from these donations for their designated purposes. These expenditures may be reflected outside of the Town's approved budget.

*Board of Selectmen Recommends: Vote Affirmative as Printed*

**Rob Wood moved and Mark Girard seconded to vote in the affirmative as printed.**

**Article 30 was approved as printed.**

**ARTICLE 31:** To see if the Town will vote to authorize the Board of Selectmen or the Town Treasurer acting in concurrence with the Board of Selectmen, to accept and expend, on behalf of the Town, any Federal or State funds received in the form of grants during the period July 1, 2013 until June 30, 2014. These expenditures may be reflected outside of the Town's approved budget.

*Board of Selectmen Recommends: Vote Affirmative as Printed*

**Steve Palmer moved and Mark Girard seconded to vote in the affirmative as printed.**

**Article 31 was approved as printed.**

**ARTICLE 32:** To see if the Town will vote to authorize the Board of Selectmen to consolidate the individual Public Works and Fire & Rescue departments' equipment and vehicle capital reserve line items into 1 line item (trucks and equipment).

*Board of Selectmen Recommends: Granting the authorization for the consolidation into the following line item: Trucks & Equipment.*

**Paul Napolitano moved and Mark Girard seconded to consolidate the items in Article 32 into one line item as outlined.**

Pam Ames asked for an explanation. Mark stated that this merger is for budgetary purposes and if it is not for a specific piece of equipment and combined the accounts.

Steve Gordon asked how the priorities are established. Steve palmer stated that it wouldn't be one department over another and individual pieces would be reviewed for replacement 3-5 years prior. Steve expressed concerns that Fire & Rescue would get the priority over Public Works.

**Article 32 was approved as printed.**

**ARTICLE 33:** To see if the Town will vote to authorize the Board of Selectmen to expend such sums

of money as they deem necessary from the designated Capital Reserve Line Items for their purpose. These expenditures may be reflected outside of the Town's approved budget.

*Board of Selectmen Recommends: Vote Affirmative as Printed*

*(Note of Explanation: This article would authorize the Board of Selectmen to expend such funds from any reserve account line item for the purpose in which the line item was established without having to hold a special Town Meeting or having to wait until the annual town meeting to get approval.)*

**Darla Hamlin moved and Mark Girard seconded to vote in the affirmative as printed.**

Steve Palmer stated that there is an established capital reserves fund and that the Public Works and Fire/Rescue line item has been combined. The purpose would be to allow the Selectmen to act on designated equipment purchases without returning to Town meeting.

Jeff Shorey stated that the Budget Committee had extensive conversations about this and that there are missed opportunities for earlier purchases at better prices.

**Article 33 is approved as printed.**

**ARTICLE 34:** To see if the Town will vote to authorize the Board of Selectmen to carry forward account balances, customarily approved by the auditor, which occurred in the Town's operation during the fiscal year ending June 30, 2013.

*Board of Selectmen Recommends: Vote Affirmative as Printed*

**Mark Girard moved and Darla Hamlin seconded to vote in the affirmative as printed.**

**Article 34 was approved as printed.**

**ARTICLE 35:** To see if the Town will vote to authorize the Board of Selectmen to transfer any or all unexpended balances from a specific capital reserve equipment line after that piece of equipment has been purchased, and move it to the replacement equipment's new capital reserve line .

*Board of Selectmen Recommends: Vote Affirmative as Printed*

Michael Traister stated that Article 35 is moot as Article 32 was approved.

He asked for consent to pass over by unanimous consent. No one objected.

**ARTICLE 36:** To see if the Town will vote to authorize the transfer of all unexpended balances to the Unassigned Fund Balance and to authorize any overdrafts that may occur in Town operations during the fiscal year ending June 30, 2013 to be taken from Unassigned Fund Balance.

*Board of Selectmen Recommends: Vote Affirmative as Printed*

**Steve Palmer moved and Mark Girard seconded to vote in the affirmative as printed**

**Article 36 was approved as printed.**

**Steve Palmer moved and Rob Wood seconded to adjourn the meeting**

*The meeting ended at 12:22pm.*

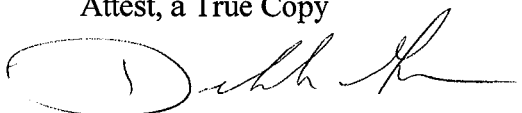
*Attest a True Copy  
① [Signature] 7-28-2015  
Town Clerk, Main*

**ARTICLE 19, AMENDMENT A:** Amend Article V. Subdivision Review Procedures and Criteria Section 5-7 Final Plan for Major Subdivision Paragraph A Procedure Subparagraph 1.

1. Within 6 months after the approval of the preliminary plan, the applicant shall submit an application for approval of the final plan at least ~~10~~ 14 days prior to a scheduled meeting of the Planning Board. Applications shall be submitted to the Planning Board in care of the CEO. If the application for the final plan is not submitted within 6 months after preliminary plan approval, the Planning Board shall require resubmission of the preliminary plan, except as stipulated below. The final plan shall approximate the layout shown on the preliminary plan, plus any changes required by the Planning Board.

Justification: The intent is to change the wording to be consistent with other ordinance sections requiring submissions 14 days before the scheduled Planning Board meeting

Attest, a True Copy

 , 5-17-2013

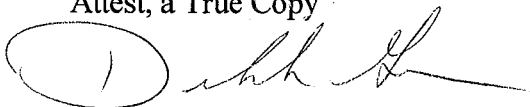
Town Clerk, North Yarmouth, ME

**ARTICLE 20, AMENDMENT B:** Amend Article V. Subdivision Review Procedures and Criteria Section 5-8 Final Approval and Filing for Minor and Major Subdivisions Paragraph D.

**D.** No changes, erasures, modifications, or revisions shall be made in any final plan after approval has been given by the Planning Board and endorsed in writing on the plan, unless the revised final plan is first submitted and the Planning Board approves any modifications, except in accordance with Section ~~5-8~~ 5-9. Revisions to Approved Plans for Minor and Major Plans. The Planning Board shall make findings that the revised plan meets the criteria of Title 30-A M.R.S.A., Section 4404, and Section 5-12. Subdivision Review Criteria, and the other standards of these regulations. In the event that a plan is recorded without complying with this requirement, it shall be considered null and void, and the Planning Board shall institute proceedings to have the plan stricken from the records of the Cumberland County Registry of Deeds.

Justification: The intent is to correct the referenced section to the proper section for changes to approved subdivision plans.

Attest, a True Copy

 , 5-17-2013

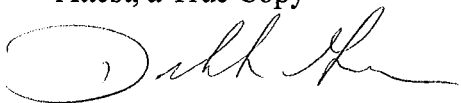
Town Clerk, North Yarmouth, ME

**ARTICLE 21, AMENDMENT C:** Amend Article V. Subdivision Review Procedures and Criteria Section 5-9 Revisions to Approved Plans for Minor and Major Subdivisions Paragraph A.

**A. Procedure:** An applicant for a revision to a previously approved plan shall, at least 14 days prior to a scheduled meeting of the Planning Board, request to be placed on the Planning Board's agenda. If the revision involves abandonment of the subdivision or the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed. If the revision involves only modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed. [Amended 6/18/11]

Justification: The intent is to require the applicant to follow the section in which notifications are sent to abutters to allow for input from affected property owners.

Attest, a True Copy



, 5-17-2013

Town Clerk, North Yarmouth, ME

**ARTICLE 22, AMENDMENT D:** Amend Article VII. Zoning District Regulations Table 7-2  
Space and Dimensional Requirements.

**TABLE 7-2. SPACE AND DIMENSIONAL REQUIREMENTS**

District	Minimum Lot Area (Acres)	Maximum Residential Density <sup>1</sup> (Acres)	Maximum Lot Coverage (%) <sup>2</sup>	Minimum Street Frontage <sup>3</sup> (Feet)	Minimum Structure Setback From Property Lines (Feet)			Maximum Structure Height (Feet) <sup>4</sup>
					Front	Side	Rear	
Village Center	Residential – 1 acre <sup>5</sup> ; Other Uses - none	1 Residential unit per acre <sup>6</sup> ; Subdivisions – 1 residential unit per net residential acre	50%	Routes 9, 115 and 231 – 100 feet; Other streets – 50 feet	20'	10'	10'	2.5 stories, no higher than 35 feet
Village Residential	Residential – 1 acre <sup>5,6</sup> ; Other Uses - none	1 Residential unit per acre <sup>6</sup> ; Subdivisions – 1 residential unit per net residential acre	30%	Routes 9, 115 and 231 – 200 feet; Other streets – 100 feet	20'	10'	10'	2.5 stories, no higher than 35 feet
Farm and Forest	3 acres	1 Residential unit per 3 acres; Subdivisions <sup>7</sup> – 1 residential unit per 3 net residential acres	20%	200 feet	50'	20'	20'	2.5 stories, no higher than 35 feet
Residential Shoreland	3 acres	1 Residential unit per 3 acres; Subdivisions <sup>8</sup> – 1 residential unit per 3 net residential acres	20%	200 feet	50'	20'	20'	35'
Resource Protection	3 acres	1 Residential unit per 3 acres; Subdivisions <sup>9</sup> – 1 residential unit per 3 net residential acres	20%	200 feet	50'	20'	20'	35'

(Table continued on next page)

<sup>1</sup> See Subsection C. for calculation of “net residential acreage”, which is only applicable to subdivisions.

<sup>2</sup> Lot Coverage is the percentage of total area of the lot that is covered by impervious areas or surfaces, such as buildings, structures, parking lots and other non-vegetated surfaces.

<sup>3</sup> Includes street frontage on lots within subdivisions.

<sup>4</sup> Not applicable to wireless communications towers, windmills, antennas, barn silos and structures having no floor area

<sup>5</sup> Minimum Lot Area: The minimum lot area requirement may be reduced to 20,000 square feet under any of the following conditions:

- a. In clustered developments pursuant to Section 11-3. Cluster Housing Development and Open Space Development;
- b. When the lot is served by public sewer; or
- c. When the lot is served by an advanced wastewater treatment system where a hydrogeological assessment pursuant to Section 10-24 Water Quality, has demonstrated that water quality will not be degraded.

The minimum lot area requirement may be reduced to 10,000 square feet when both public water and public sewer serve the lot.

<sup>6</sup> Same as footnote 5. Maximum Residential Density shall be the same as the Minimum Lot Area if area is reduced in accordance with footnote 5.

<sup>7</sup> Open space or clustered subdivisions are mandatory and at least 50 percent of the total parcel must be preserved in open space pursuant to Section 11-3. Cluster Housing Development and Open Space Development.

<sup>8</sup> Same as footnote 7

<sup>9</sup> Same as footnote 7

Justification: The intent is to allow a corresponding reduction in density if lot size is reduced.



**ARTICLE 23, AMENDMENT E:** Amend Article VII. Zoning District Regulations Table 7-2 Space and Dimensional Requirements.

<b>TABLE 7-2. SPACE AND DIMENSIONAL REQUIREMENTS (Continued from prior page)</b>						
<b>District</b>	<b>Minimum Lot Area (Acres)</b>	<b>Maximum Residential Density<sup>1</sup> (Acres)</b>	<b>Maximum Lot Coverage</b>	<b>Minimum Street Frontage</b>	<b>Minimum Structure Setback From Property Lines</b>	<b>Maximum Structure Height</b>
<b>Royal River Corridor Overlay</b>	3 acres	Same as underlying district	Same as underlying district			
<b>Groundwater Protection Overlay<sup>2</sup></b>	Single lots not part of a subdivision must meet the minimums for the underlying district; no reduction in lot size shall be permitted.	Maximum net residential density requirement may not be increased to more than: 1 residential unit per acre in the Village Center District or the Village Residential District; and 1 residential unit per 3 acres in the Farm and Forest District, Residential Shoreland District or Resource Protection District.	Same as underlying district			

**Cross Reference Notes for other provisions with dimensional requirements:**

**Section 7-5. Special Exception for Single Family Dwellings and Accessory Structures in a Resource Protection District:** Restrictions on building location and setbacks, etc.

**Section 7-6. Space and Dimensional Requirements:** Ratio of Lot Length to Lot Width 4 to 1

**Section 8-3. Back Lots and Street Access Requirements -** Back lots must be served by a right-of-way of at least 50 feet in width. The 50-foot right-of-way serving a back lot shall not be counted for the purpose of meeting the minimum street frontage requirements for the adjacent lots that have frontage on a public street.

**Section 8-4. Driveway/Road Entrance Permit Requirements –** Minimum site distance and driveway/road entrance spacing requirements, etc. for access to a state highway or town road.

**Section 9-1. Residential Shoreland District and Resource Protection District Performance Standards –** Minimum shore frontage requirements; minimum setbacks from rivers, streams, wetlands and tributary streams.

**Section 9-3. Royal River Corridor Overlay District –** Corridor consists of area 500 feet on both sides of the Royal River, Chandler Brook and the East Branch; single family dwellings (non-subdivision) must be set back at least 250 feet from the high water line; subdivision dwellings and structures must be located outside the Corridor unless granted a waiver pursuant to the provisions of this Section.

**Section 10-3. Brook, Pond, Vernal Pool and Wetland Buffers –** Requires buffers and structure setbacks along streams, brooks, ponds, vernal Justification: The intent is to correct the referenced section to the proper section for changes to approved subdivision plans.

*Attest a True Copy*  
*Dinah Ann* 5-17-13  
Town Clerk

<sup>1</sup> See Subsection C. for calculation of “net residential acreage”, which is only applicable to subdivisions.

<sup>2</sup> Explanatory Note: Controlling residential density is most important issue. Therefore, single residential lot development must be kept at the 1 and 3-acre minimum lot sizes depending on the district. However, in subdivisions, individual lots can be as small as 20,000 sq.ft, but the overall (net) residential density must be maintained at 1 residential unit to 1 acre in the Village Residential District and the Village Center District, or 1 residential unit to 3 acres in the Farm and Forest District

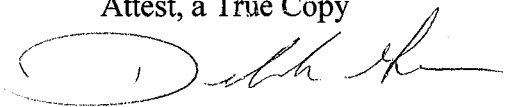
Justification: The intent is to cross- reference the lot length to width ratio.

**ARTICLE 24, AMENDMENT F:** Amend Article XII. Definitions.

**Temporary Housing:** The ~~CEO Selectmen~~ CEO may issue permits for temporary housing for a period not to exceed 6 months with one 6-month renewal possible. This provision is limited to the intended occupants of a permanent dwelling unit that is being constructed or repaired and for which a Certificate of Occupancy will be sought.

Justification: The intent is to make the definition consistent with Section 3-2.H which was changed on 5/13/06 to allow the CEO to issue the permit.

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, 5-17-2013

Town Clerk, North Yarmouth, ME

**ARTICLE 25, AMENDMENT G:** Amend Article VIII. General Requirements Applicable to All Land Uses Section 8-7 Signs.

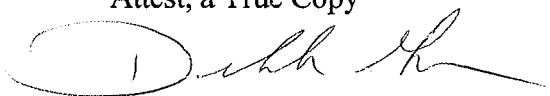
**C. Exempt signs:**

**The following temporary signs shall not require a permit or other approval:**

1. **Special Event Signs:** Special event signs shall be allowed with written permission from the property owner as long as these signs are erected no sooner than 4 weeks prior to the event being advertised. All special event signs must be removed within one week following the event being advertised. Such signs shall be located and erected so as not to create a traffic hazard.
2. Contractor signs: One sign each for a building contractor, architect or engineer, each sign shall not exceed sixteen (16) square feet, relating to construction projects. Such sign shall be removed within one (1) week after construction is complete.
3. Subdivision marketing signs: Subdivisions may have one non-internally lit sign at each public entrance to the development not to exceed thirty-two (32) square feet per sign.
4. Real estate signs: One sign not exceeding sixteen (16) square feet relating to the sale, rental or lease of the premises. Such sign shall be removed within one (1) week after the completion of the property transaction.
5. Political signs are allowed in accordance with State law, except as follows: political signs are prohibited from being placed on the following Town owned properties: **Town Office** - located at 10 Village Square Road – tax map 7 lot 64; **Fire Station** – located between Routes 9 & 115 (463 Walnut Hill Road and Memorial Highway) – tax map 7 lot 66; **Public Works Garage** – located at 40 Parsonage Road – tax map 7 lots 84 & 92; **Wescustogo Hall** – located at 475 Walnut Hill Road – tax map 7 lot 64; **Veterans Memorial Park** – located at the corner of Memorial Highway and Parsonage Road – tax map 7 lot 76.

Justification: The intent is to restrict political signs on Town owned properties in the “Town Center” which includes voting places.

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, 5-17-2013

Town Clerk, North Yarmouth, ME

**ARTICLE 26, AMENDMENT H:** Amend Article VII. Zoning District Regulations Section 7-4 District Land Use Table.

**C. Accessory Uses and Structures:** Any accessory structure or use shall require a permit from the same permitting authority as would be required for the principal use or structure in accordance with Table 7-1 except as follows:

For example, a swimming pool (an accessory use) associated with a single-family residence (the principal use) would require a permit from the CEO in the Village Center District.

The Code Enforcement Officer may permit an accessory structure of up to 600 square feet in size in either the Royal River Corridor Overlay District or the Ground Water Protection Overlay District using the same criteria and standards as if the review were conducted by the Planning Board. [Amended 6/28/11]

No permit is required if a shed is less than 200 sq. ft. in total area and has a height less than 15 feet.

Justification: The intent is to allow small sheds, consistent with the Residential Building Code (2009 IRC), without a permit.

*Attest a True Copy  
Debby M. 5-17-13  
Town Clerk*