

# TOWN OF NORTH YARMOUTH, MAINE

## 2013 ANNUAL MEETING FOR THE YEAR

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

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.

### 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*

**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

**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:

PUBLIC SAFETY PURPOSES	2011-12 Actual	2012-2013 Budget	2013-2014 Request	Dollar Difference 2013-14	Percent Difference 2013-14
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%
<b>Totals</b>	<b>\$7,875.31</b>	<b>\$9,688.00</b>	<b>\$8,888.00</b>	<b>-\$800.00</b>	<b>-8.26%</b>

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

**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

**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

**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. PACTS -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

**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. Wescustogo 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 More Funding For The Sharp House

**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	Percent
				Difference 2013-14	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%
<b>Totals</b>	<b>\$261,824.87</b>	<b>\$237,059.00</b>	<b>\$197,271.00</b>	<b>-\$39,788.00</b>	<b>-16.78%</b>

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

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

**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*

**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:

<b>DEBT SERVICE 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. 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*

**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

**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

**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>
<b>TOTAL:</b>	<b>\$474,409.00</b>

**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>
<b>TOTAL DEBT SERVICE:</b>	<b>\$164,300.00</b>

**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* **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*

**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
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 (EI, PI, 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%
<b>Total</b>	<b>\$1,604,834.90</b>	<b>\$1,466,425.00</b>	<b>\$1,335,283.00</b>	<b>-\$131,142.00</b>	<b>-8.94%</b>

Selectmen Recommend:..... \$1,335,283.00  
 Budget Committee Recommends: \$1,509,304.00

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



**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.)*

**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)*

**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

## 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 \_\_ 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) )*

**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 \_\_ 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) )*

**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 \_\_ 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) )*

**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 \_\_\_ 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) )*

**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 \_\_\_ 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) )*

**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 \_\_\_ 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) )*

**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 \_\_\_ 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) )*

**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 \_\_\_ 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) )*

## 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*

**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*

**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*

**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*

**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*

**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.

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

**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.)*

**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*

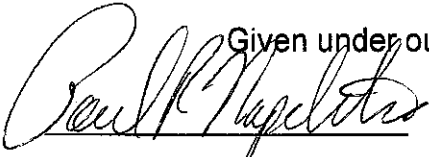
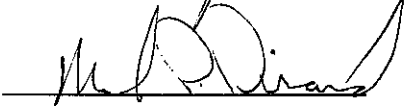
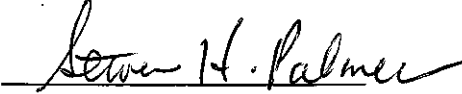
**ARTICLE 35:** To see if the Town will vote to authorize the Board of Selectmen to transfer any or all unexpended balances from a specific capital reserve equipment line after that piece of equipment has been purchased, and move it to the replacement equipment's new capital reserve line .

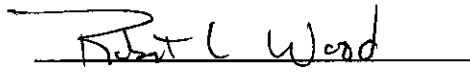
*Board of Selectmen Recommends: Vote Affirmative as Printed*

**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*

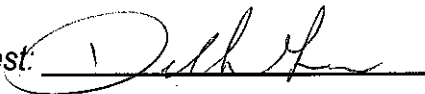
Given under our hands this 21st day of May, 2013 at North Yarmouth Maine.

  
\_\_\_\_\_

The Registrar of Voters gives notice that citizens will be able to register to vote June 15, 2013 from 8:30AM to close of meeting.

*A true copy of the warrant,*

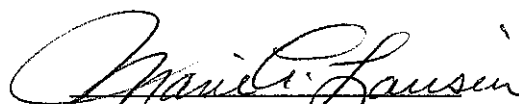
Attest: , Town Clerk

RETURN OF THE WARRANT

North Yarmouth, Maine

May 23, 2013

Pursuant to the within warrant to me directed, I have notified and warned the inhabitants of said Town qualified as herein expressed, to meet at said time and place, and for purposes therein named, by posting an attested copy of said warrant at the Town Office, North Yarmouth Variety, Ames Farm Center, Stone's Café and Toddy Brook Café in said town, being public and conspicuous places in said town, on the 23<sup>rd</sup> day of May, 2013, being at least seven days before the meeting.

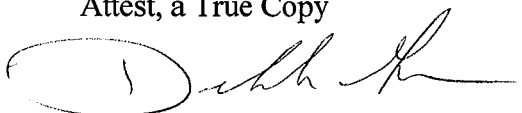
  
Marie Lausier, Resident

**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

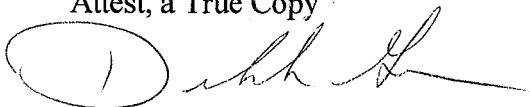
Town Clerk, North Yarmouth, ME

**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

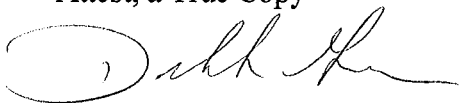
Town Clerk, North Yarmouth, ME

**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

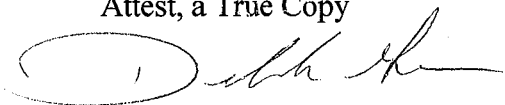
Justification: The intent is to cross- reference the lot length to width ratio.

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

**Temporary Housing:** The ~~CEO Selectmen~~ 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.

Attest, a True Copy



, 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.

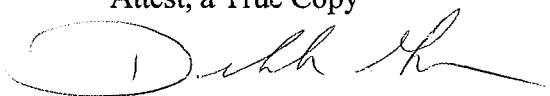
**C. Exempt signs:**

**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.

Attest, a True Copy



, 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*