

TOWN MEETING WARRANT
Saturday, May 11, 2019

To: Mark Greene, Citizen of the Town of Long Island, in the 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 Long Island in said county and state, qualified by law to vote in Town affairs, to meet at the **Long Island Community Center** in said Town on Saturday, the **11th of May, A.D. 2019**, at eight o'clock in the forenoon, then and there to act upon the **Articles 1 through 64**.

Article 1. To choose a moderator by written ballot to preside at said meeting.

Article 2. To see if the Town will vote to authorize the Board of Selectmen to make final determinations regarding the closing or opening of roads to winter maintenance pursuant to 23 M.R.S.A. {2953.

Article 3. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to procure a loan or loans in anticipation of taxes, such loan or loans (principal and interest) to be repaid during the municipal year out of money raised from municipal year taxes.

The Finance Committee recommends a "YES" vote.

Article 4. To see if the Town will vote to authorize and direct the Board of Selectmen to screen and approve or appoint Sheriff's Deputies and/or Constables for the fiscal year 2019-2020.

Article 5. To see if the Town will vote that the Town tax is due on September 15, 2019 and is payable in two (2) installments on September 15, 2019 and March 15, 2020 and to set the interest rate to be charged for late payments 8% per year.

The Finance Committee recommends a "YES" vote.

Article 6. To see if the Town will vote to authorize the Tax Collector to accept tax money in advance of receiving the tax commitment from the assessors. The Town will pay no interest on these advance payments.

The Finance Committee recommends a "YES" vote.

Article 7. To see if the Town will vote to authorize the Selectboard to dispose of town-owned personal property with a value of less than \$10,000 dollars or less, under such term and conditions as they deem advisable.

Article 8. To see if the Town will vote to authorize the Board of Selectmen and the School Committee to accept, on behalf of the Town: gifts, donations and contributions in the form of money, personal services and materials. Said gifts will be for the benefit of the Town, its government including legal departments and public facilities thereof, for the purpose of aiding and enhancing the delivery of public services. Said gifts to be without conditions and not require the voters to raise additional maintenance monies.

The Finance Committee and School Committee recommend a “YES” vote.

Article 9. To see if the Town will authorize the Board of Selectmen and the School Committee, on behalf of the Town, to secure grants, funds and other available revenues from the state, federal and other agencies and sources and authorize the expenditure of said dedicated funds provided that such grants, funds and other revenues do not require expenditure of Town funds not previously appropriated.

The Finance Committee and School Committee recommend a “YES” vote.

Article 10. To see if the Town will vote to authorize the Selectmen to borrow or appropriate from un-appropriated surplus as they deem advisable to meet unanticipated expenses and emergencies that occur during fiscal year 2019-2020.

The Finance Committee recommends a “YES” vote.

Article 11. To see if the Town will vote to set the interest rate to be paid by the Town on abated taxes at 5% for the 2019-2020 fiscal year.

Article 12. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to enter into multi year contracts with various service providers, for a period not to exceed 3 years.

Article 13. To see what sum of money the Town will vote to raise and appropriate for compensation for Town Officers, Appointees, and Professional Assistance.

The Finance Committee recommends:

Selectmen (3)	\$9,900
(Chair)	\$2,030
Parklands / Beaches	\$842
Wharves/ Floats/ Public Buildings	\$3,193
Assessing / Map Updates	\$1,140
Town Clerk	\$17,980
Treasurer	\$20,162
Tax Collector	\$17,980
Office Assistant	\$0
Code Enforcement Officer	\$11,457
CEO Assistant	\$3,000
Animal Control Officer	\$1,500
Harbormaster	\$1,091
Town Meeting Moderator	\$100
Social Services Director	\$300
Payroll Taxes	\$12,089
Town Administrator	\$21,293

Health Officer	\$300
Island Fellow	\$0
Annual Audit	\$9,500
Counsel	\$5,000
Tax Assessor	\$2,000
Additional Professional Assistance	\$2,000
Lawn Mowing Contract	\$10,900
LICLOC	\$5,000
TOTAL	\$158,757

Article 14. To see what sum of money the Town will vote to raise and appropriate for Town government administration.
Finance Committees Recommends: \$ 107,020

Article 15. To see what sum the Town will vote to raise and appropriate for the Wellness Council.
Finance Committees Recommends: \$ 18,950

Articles 16 through 27 Authorize Expenditures in Education Cost Center Categories.

Article 16. To see what sum the Town of Long Island will authorize the School Committee to expend for **REGULAR INSTRUCTION**.
School and Finance Committees Recommend \$ 369,420

Article 17. To see what sum the Town of Long Island will authorize the School Committee to expend for **SPECIAL EDUCATION**.
School and Finance Committees Recommend \$ 46,600

Article 18. To see what sum the Town of Long Island will authorize the School Committee to expend for **TECHNICAL EDUCATION**.
School and Finance Committees Recommend \$ 0

Article 19. To see what sum the Town of Long Island will authorize the School Committee to expend for **OTHER INSTRUCTION**.
School and Finance Committees Recommend \$ 0

Article 20. To see what sum the Town of Long Island will authorize the School Committee to expend for **STUDENT AND STAFF SUPPORT**.
School and Finance Committees Recommend \$ 13,500

Article 21. To see what sum the Town of Long Island will authorize the School Committee to expend for **SYSTEM ADMINISTRATION**.
School and Finance Committees Recommend \$ 34,350

Article 22. To see what sum the Town of Long Island will authorize the School Committee to expend for **SCHOOL ADMINISTRATION**.
School and Finance Committees Recommend \$ 21,630

Article 23. To see what sum the Town of Long Island will authorize the School Committee to expend for **TRANSPORTATION AND BUSES.**

School and Finance Committees Recommend **\$ 31,500**

Article 24. To see what sum the Town of Long Island will authorize the School Committee to expend for **FACILITIES MAINTENANCE.**

School and Finance Committees Recommend **\$ 44,125**

Article 25. To see what sum the Town of Long Island will authorize the School Committee to expend for **DEBT SERVICE.**

School and Finance Committees Recommend **\$ 0**

Article 26. To see what sum the Town of Long Island will authorize the School Committee to expend for **ALL OTHER EXPENDITURES.**

School and Finance Committees Recommend **\$ 9,375**

ARTICLES 27 AND 28 RAISE FUNDS FOR THE PROPOSED SCHOOL BUDGET

Article 27. To see what sum the Town of Long Island will appropriate for the total cost of funding public education from Kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (State recommends **\$247,270.00**) and to see what sum the Town of Long Island will raise as its contribution to the total cost of funding public education from Kindergarten to grade 12 as described in the Essential Programs and Services Act in accordance with Maine Revised Statutes, Title 20-A, section 15688.

The School and Finance Committees Recommend \$222,313.00.

Explanation: The Town's contribution to the total cost of funding public education from Kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars minus General Purpose Aid, which this year is projected to be \$24,957.00

ARTICLE 28 IS REQUIRED TO HAVE AN ACCURATE RECORDED HAND COUNT

Article 28. Shall the Town of Long Island raise and appropriate **\$176,581.00** in additional local funds, which exceeds the State's Essential Programs and Services funding model by **\$323,231.00** as required to fund the budget recommended by the School Committee?

The School and Finance Committees recommend **\$176,581.00** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$323,231.00**: EPS does not fully support all the necessary costs of a K-12 educational program, such as: (1) Special Education costs (2) transportation and bus costs and (3) staffing required in a small K-5 school.

Explanation: The additional local funds minus anticipated revenues are those locally raised funds over and above the Town's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and

local amounts raised for the annual payment on non-state funded debt service that will help achieve the Town budget for educational programs.

ARTICLE 29 SUMMARIZES THE PROPOSED SCHOOL BUDGET

Article 29. Shall the Town authorize the School Committee to expend **\$570,500.00** for the fiscal year beginning July 1, 2018 and ending June 30, 2019 from the Town's contribution to the total cost of funding public education from Kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy, and other receipts for the support of schools?

The School and Finance Committees Recommend \$570,500.00.

Explanation: This is a summary article and approves expenditures of the proposed budget of \$570,500.00. This article authorizes the School Committee to spend the money appropriated in the previous articles, plus other revenues. This article does not raise any additional money

Article 30. Shall the Town vote to appropriate the following Revenues, Balances Carried and Fund Transfers, to cover the expenditures appropriated in the previous articles? Remaining funding required to be raised by taxation.

School Undesignated Fund Balance	\$ 29,549
Tuition	\$ 88,000
Title Grants (estimated)	\$ 600
REAP Federal Grant Funds (estimated)	\$ 19,000
Special Education Entitlement (estimated)	\$ 7,500
School Nutrition Revenues	\$ 1,000
State School Nutrition Reimbursement	\$ 1,000
General Purpose Aid (estimated)	\$ 24,957
Total	\$ 171,606

The School Board and Finance Committee Recommends Adoption.

Article 31. To see what sum the Town will vote to raise and appropriate for the **LONG ISLAND COMMUNITY LIBRARY OPERATING COSTS.**

The Finance Committee recommends: **\$ 5,000**

Article 32. To see what sum of money the Town will vote to raise and appropriate for **INSURANCE.**

The Finance Committee recommends: **\$ 33,601**

Article 33. To see what sum of money the Town will vote to raise and appropriate for **PUBLIC SAFETY.**

The Finance Committee recommends:

Police	\$ 35,514
Fire and EMS	\$130,035
Rescue Boat	\$ 10,691
Emergency Preparedness	\$ 2,000
TOTAL	\$178,240

Article 34. To see what sum of money the Town will vote to raise and appropriate for **PUBLIC WORKS.**
The Finance Committee recommends: \$ 123,880

Article 35. To see what sum of money the Town will vote to raise and appropriate for **SOLID WASTE.**
The Finance Committee recommends: \$ 95,720

Article 36. To see what sum of money the Town will vote to raise and appropriate for **SOCIAL SERVICES.**
The Finance Committee recommends: \$ 1,150

Article 37. To see what sum of money the Town will vote to raise and appropriate for the **RECREATION COMMITTEE.**
The Finance Committee recommends: \$ 29,500

Article 38. To see what sum of money the Town will vote to raise and appropriate for the **COMMUNITY CENTER FACILITY COSTS.**
The Finance Committee recommends: \$ 21,480

Article 39. To see what sum of money the Town will vote to raise and appropriate for the **CEMETERY OPERATIONS.**
The Finance Committee recommends: \$ 4,990

Article 40. To see what sum of money the Town will vote to raise and appropriate for **CAPITAL DEBT SERVICE.**
The Finance Committee recommends: \$ 144,942

Article 41. To see if the Town will vote to appropriate, for the fiscal year beginning 1-July-2018 and ending 30-June-2019, all revenues, grants, fees and undesignated surplus, for the purpose of reducing 2019-2020 tax commitment.
The Finance Committee recommends:
Revenues, Fees & Grants \$ 153,876
Audited 17-18 Surplus \$ 43,984

Article 42. To see what sum of money the Town will vote to raise and transfer to the Minimum Balance Set Aside with the condition that it be used to maintain the mil rate established at Town Meeting.
The Finance Committee recommends: \$ 7,500

Article 43. To see what sum of money the Town will vote to raise and appropriate for **SOCIAL SERVICE REFERRALS.**
The Finance Committee recommends: \$ 0

Article 44. To see if the Town will vote to authorize 2018-2019 CIP Surplus to be transferred to CIP Reserve Fund.
The Finance Committee recommends a “YES” vote.

Article 45. To see what sum of money the Town will vote to transfer from the CIP Reserve Fund and appropriate for 2019-2020 Capital Improvement Projects.

The Finance Committee recommends:	\$ 0
--	-------------

Article 46. To see what sum of money the Town will vote to raise and appropriate for the Capital Improvement Project Reserve Fund.

The Finance Committee recommends:	\$ 0
--	-------------

Article 47. To see what sum the Town will vote to raise and appropriate for the Teacher Deferred Compensation Fund.

The School Committee and Finance Committee Recommend:	\$ 1,500
--	-----------------

Article 48. To see what sum the Town will vote to transfer from the Animal Control Officer Fund and appropriate for 2019-2020 Animal Control Officer Expenses.

The Finance Committee recommends:	\$ 0
--	-------------

Article 49. To see what sum the Town will vote to raise and appropriate for a Snow Plowing Reserve that can be used for snow plowing in FY 2019 should the FY 2019 plowing costs exceed budget. Any funds remaining in the reserve after the winter of 2019, will remain in the reserve.

The Finance Committee recommends:	\$ 0
--	-------------

Recess: President of LICA will present the 2019 Francis “Tiny” Murphy Civic Award

The following 4 actions are recommended to move some long unexpended Reserve funds into more accessible and/or useful Reserve Funds

Article 50: To see if the Town will vote to move unspent Car Disposal Fund amount of **\$9,365** to a new Town Abandoned Property Fund.
The purpose of this action is to allow more flexibility in the use of the funds in removing environmentally hazardous abandoned property from Town owned land.

The Finance Committee & Select Board recommends a “YES” vote.
--

Article 51; To see if the Town will vote to move unspent Restricted 2010 FEMA Storm Reserve Fund amount of **\$34,846** to the Town Capital Reserve Fund.
The purpose of this action is to allow more flexibility in the use of the funds by removing the limitations of the FEMA reference.

The Finance Committee & Select Board recommends a “YES” vote.
--

Article 52: To see if the Town will vote to move unspent 2012-2013 FEMA Legal Reserve Fund amount of **\$30,000** to a newly created Town Legal Reserve Fund.
The purpose of this action is to allow more flexibility in the use of the funds by removing the limitations of the FEMA reference.

The Finance Committee & Select Board recommends a “YES” vote.
--

Article 53: To see if the Town will vote to move unspent Fire Station Planning Fund amount of **\$5,000** to the Town Capital Reserve Fund.
The purpose of this action is to allow more flexibility in the use of the funds by removing the limitations of the Fire station reference.

The Finance Committee & Select Board recommends a “YES” vote.
--

Article 54. Shall the town vote to a) **approve a project to continue to improve roads and culverts, at a cost not to exceed \$50,000**; b) appropriate a sum not to exceed **\$50,000** to meet the cost; c) and fund the said appropriation by authorizing the Treasurer and Chairman of the Board of Selectmen to issue general obligation securities of the Town of Long Island, Maine (including temporary notes in anticipation of the sale thereof), in an aggregate principal amount not to exceed **\$50,000**, and the discretion to fix the date(s), maturity(ies), calls for redemption, place(s) of payment, form and other details of said securities, including execution and delivery of said securities on behalf of the Town of Long Island, and to provide for the sale thereof, is hereby delegated to the Treasurer and Chairman of the Board of Selectmen.

The Finance Committee and the Board of Selectmen recommend a ‘YES’ vote.

Financial Statement
Estimated 06/30/2019

1. Total indebtedness:

A. Bonds outstanding and unpaid:

1. Cumberland County	\$134,200
2. CCRP #1	\$125,556
4. CCRP #2	\$229,828
5. Misc. FY 2015 Projects	\$173,870
6. Roads Projects	\$183,408
7. Misc. FY 2016 Projects	\$251,663
8. Mariners Phase II & Wellness Center	\$139,268
9. Solid Waste Truck	\$51,784
10. Cardiac Monitor	\$33,152
11. Misc. FY 2019 Projects	\$114,000
(#2-#11 reflect the amount of principal still outstanding on loans.)	
Total debt:	\$1,436,729

B. Bonds to be issued if this Article is approved: **\$50,000**

2. Costs:

At an estimated maximum interest rate of 3.6 % for 10 year maturity, the estimated costs of this bond will be:

Principal	\$50,000
Interest	<u>\$9,600</u>
Total new debt service	\$59,600

3. Validity:

The validity of the bonds and of the voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bonds 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.

s/ Lisa A. Kimball
Town of Long Island Treasurer

Article 55. Shall the town vote to a) **approve a project to continue the improvement in the design and landscaping of the cemetery on the corner of Cushing and Fowler Roads, at a cost not to exceed \$20,000**; b) appropriate a sum not to exceed **\$20,000** to meet the cost; c) and fund the said appropriation by authorizing the Treasurer and Chairman of the Board of Selectmen to issue general obligation securities of the Town of Long Island, Maine (including temporary notes in anticipation of the sale thereof), in an aggregate principal amount not to exceed **\$20,000**, and the discretion to fix the date(s), maturity(ies), calls for redemption, place(s) of payment, form and other details of said securities, including execution and delivery of said securities on behalf of the Town of Long Island, and to provide for the sale thereof, is hereby delegated to the Treasurer and Chairman of the Board of Selectmen.

The Finance Committee and the Board of Selectmen recommend a ‘YES’ vote.

Financial Statement
Estimated 06/30/2019

1. Total indebtedness:

A. Bonds outstanding and unpaid:

1. Cumberland County	\$134,200
2. CCRP #1	\$125,556
4. CCRP #2	\$229,828
5. Misc. FY 2015 Projects	\$173,870
6. Roads Projects	\$183,408
7. Misc. FY 2016 Projects	\$251,663
8. Mariners Phase II & Wellness Center	\$139,268
9. Solid Waste Truck	\$51,784
10. Cardiac Monitor	\$33,152
11. Misc. FY 2019 Projects	\$114,000
(#2-#11 reflect the amount of principal still outstanding on loans.)	
Total debt:	\$1,436,729

B. Bonds to be issued if this Article is approved: **\$20,000**

2. Costs:

At an estimated maximum interest rate of 3.6 % for 10 year maturity, the estimated costs of this bond will be:

Principal	\$20,000
Interest	<u>\$3,850</u>
Total new debt service	\$23,850

3. Validity:

The validity of the bonds and of the voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bonds 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.

s/ Lisa A. Kimball
Town of Long Island Treasurer

Article 56. Shall the town vote to a) **approve an initial project to improve the safety and security of the transfer station, at a cost not to exceed \$20,000**; b) appropriate a sum not to exceed **\$20,000** to meet the cost; c) and fund the said appropriation by authorizing the Treasurer and Chairman of the Board of Selectmen to issue general obligation securities of the Town of Long Island, Maine (including temporary notes in anticipation of the sale thereof), in an aggregate principal amount not to exceed **\$20,000**, and the discretion to fix the date(s), maturity(ies), calls for redemption, place(s) of payment, form and other details of said securities, including execution and delivery of said securities on behalf of the Town of Long Island, and to provide for the sale thereof, is hereby delegated to the Treasurer and Chairman of the Board of Selectmen.

The Finance Committee and the Board of Selectmen recommend a ‘YES’ vote.

Financial Statement
Estimated 06/30/2019

1. Total indebtedness:

A. Bonds outstanding and unpaid:

1. Cumberland County	\$134,200
2. CCRP #1	\$125,556
4. CCRP #2	\$229,828
5. Misc. FY 2015 Projects	\$173,870
6. Roads Projects	\$183,408
7. Misc. FY 2016 Projects	\$251,663
8. Mariners Phase II & Wellness Center	\$139,268
9. Solid Waste Truck	\$51,784
10. Cardiac Monitor	\$33,152
11. Misc. FY 19 Projects	\$114,000
(#2-#11 reflect the amount of principal still outstanding on loans.)	

Total debt: \$1,436,729

B. Bonds to be issued if this Article is approved: **\$20,000**

2. Costs:

At an estimated maximum interest rate of 3.6 % for 10 year maturity, the estimated costs of this bond will be:

Principal	\$20,000
Interest	<u>\$3850</u>
Total new debt service	\$23,850

3. Validity:

The validity of the bonds and of the voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bonds 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.

s/ Lisa A. Kimball
Town of Long Island Treasurer

Article 57. Shall an ordinance entitled “Chapter 14 Land Use” be amended by moving jurisdiction for granting and denying applications for conditional uses from the Board of Appeals to the Planning Board by adding the underlined language and deleting the language in strikeover type as shown below?

ARTICLE 3: ZONING DISTRICT STANDARDS

...

Section 3.2.C. Conditional Uses:

The following uses are permitted only upon the issuance of a conditional use permit by the ~~Appeals Board~~ Planning Board, subject to the provisions of Article ~~13~~ 14 (~~Zoning Board of Appeals~~ Planning Board) of this chapter and any special provisions, standards or requirements specified below: ...

...

Section 3.3.C. Conditional Uses:

The following uses are permitted only upon the issuance of a conditional use permit by the ~~Appeals Board~~ Planning Board, subject to the provisions of Article ~~13~~ 14 (~~Zoning Board of Appeals~~ Planning Board) of this chapter and any special provisions, standards or requirements specified below: ...

...

Section 3.8.C. Conditional uses. The following uses are conditional uses in the recreation and open space zone, subject to approval by the ~~Board of Appeals~~ Planning Board. ...

Section 3.8.D. Standards for conditional uses. In addition to the criteria listed in Article ~~13~~ 14 (~~Zoning Board of Appeals~~ Planning Board), the ~~board of appeals~~ Planning Board shall consider the following criteria when reviewing conditional uses in the recreation and open space zone: ...

...

Section 3.9.C. Conditional Uses:

The following uses are permitted only upon the issuance of a conditional use permit subject to the provisions of Article ~~13~~ 14 (~~Zoning Board of Appeals~~ Planning Board) of this Chapter and any special provisions, standards or requirements specified below: ...

...

Section 3.10.C. Conditional uses: The following uses are permitted only upon the issuance of a conditional use permit by the ~~Appeals Board~~ Planning Board, subject to the provisions of Article ~~13~~ 14 (~~Zoning Board of Appeals~~ Planning Board) of the Land use Ordinance and any special provisions, standards or requirements specified below: ...

ARTICLE 7: TOWNWIDE PERFORMANCE STANDARDS

...

Section 7.10.D. A home occupation that is not listed in paragraph (C) of this section but is similar to and no more objectionable than those home occupations listed in that paragraph, shall be permitted as a conditional use subject to the requirements of this Article 7 (Town wide Performance Standards) and Article ~~13~~ 14 (~~Planning Board~~ Zoning Board of Appeals) of this chapter. This provision shall not include veterinarians, kennels, animal raising, funeral homes, retail uses including antique shops, restaurants, dancing studios, towing services, repair and painting of automobiles as home occupations.

...

Section 7.23.B.7. Prior to permitting an Accessory Dwelling Unit in either an existing structure or a new structure, the Board of Appeals shall require the applicant to hire a licensed Site Evaluator (SE), not at public expense, to certify that any existing subsurface wastewater disposal system (SSWD) proposed to be used, or a new system to be built, meets or will meet the current standards of the Maine State Plumbing Code Subsurface Wastewater Disposal Rules for the number of bedrooms being proposed for the structure. A full copy of the results shall be included in the Conditional Use Permit Application and submitted to the ~~Board of Appeals~~ Planning Board.

ARTICLE 13: ZONING BOARD OF APPEALS

13.1 Jurisdiction and authority.

The Board of Appeals shall have the following jurisdiction and authority:

- A. Subject to the provisions of section 13.4, to hear and decide appeals from, and review orders, decisions, determinations or interpretations made by the building authority;
- B. Subject to the provisions of section 13.5, to hear and grant or deny applications for variances from the terms of this article;
- C. ~~Subject to the provisions of section 13.6, to hear and grant or deny applications for conditional uses, as specified in this article;~~
- C. ~~D.~~ To initiate changes and amendments to this Article 13.

...

13.3 Conduct of Hearings

...

C. Public hearings.

...

(2) Notice.

...

(b) In the case of hearings related to a use variance, ~~or a nonconforming use, or a conditional use~~ involving a particular parcel or tract of land, by mail to the owners of all the property within five hundred (500) feet of such parcel or tract;

...

13.6 Conditional uses

~~A. Authority. The board of appeals may, subject to the procedures, standards and limitations set out in this section, approve the issuance of a conditional use permit authorizing development of conditional uses listed in this article.~~

~~B. Procedure:~~

~~(1) Application. Applications for conditional use permits shall be submitted to the building authority. A nonrefundable application fee, as established from time to time by the selectmen to cover administrative costs and costs of a hearing, shall accompany each application. The application shall be in such form and shall contain such information and documentation as shall be prescribed from time to time by the code enforcement officer but shall in all instances contain at least the following information and documentation:~~

- a. ~~The applicant's name and address and his or her interest in the subject property and a copy of the deed;~~
 - b. ~~The owner's name and address if different than the applicant;~~
 - c. ~~The address, or chart, block and lot number as shown in the records of the office of the assessor of the subject property;~~
 - d. ~~The zoning classification and present use of the subject property;~~
 - e. ~~The particular provision of this article authorizing the proposed conditional use;~~
 - f. ~~A general description of the proposed conditional use;~~
 - g. ~~Where site plan approval is required by Article 10 (Site Plan Review), a copy of a site plan application that has been determined by the Planning Board to be complete as defined by Article 10 (Site Plan Review).~~
- (Amended May 14, 2011)

~~(2) Public hearing. A public hearing shall be set at a reasonable place and time (not to exceed 60 days from receipt of a completed application for conditional use), advertised and conducted by the board of appeals in accordance with this Article 13 (Zoning Board of Appeals).~~

~~(3) Action by the board of appeals. Within thirty (30) days following the close of the public hearing, the board of appeals shall render its decision, in a manner and form specified by Article 13 (Zoning Board of Appeals), granting the application for a conditional use permit, granting it subject to conditions as specified in subsection (d), or denying it. The failure of the board to act within thirty (30) days shall be deemed an approval of the conditional use permit, unless such time period is mutually extended in writing by the applicant and the board. Within five (5) days of such decision or the expiration of such period, the secretary shall mail notice of such decision or failure to act to the applicant.~~

~~C. Conditions for conditional uses:~~

~~(1) Authorized uses. A conditional use permit may be issued for any use listed as a conditional use in the regulations applicable to the zone in which it is proposed to be located.~~

~~(2) Standards. Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the board determines that:~~

- a. ~~There are unique or distinctive characteristics or effects associated with the proposed conditional use;~~
- b. ~~There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and~~
- c. ~~Such impact differs substantially from the impact which would normally occur from such a use in that zone.~~

~~D. Conditions on conditional use permits. The board of appeals may impose such reasonable conditions upon the premises benefited by a conditional use as may be necessary to prevent or minimize adverse effects therefrom upon other property in the neighborhood. Such conditions shall be expressly set forth in the resolution authorizing the conditional use permit and in the permit. Violation of such conditions shall be a violation of this article.~~

~~E. Effect of issuance of a conditional use permit. The issuance of a conditional use permit shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals which may be~~

required by the codes and ordinances of the town, including but not limited to a building permit, a certificate of occupancy, subdivision approval and site plan approval.

~~F. Limitations on conditional use permits. No conditional use permit shall be valid for a period longer than six (6) months from the date of issue, or such other time as may be fixed at the time granted not to exceed two (2) years, unless the conditional use has been commenced or is issued and construction is actually begun within that period and is thereafter diligently pursued to completion; provided, however, that one (1) or more extensions of said time may be granted if the facts constituting the basis of the decision have not materially changed, and the two year period is not exceeded thereby. A conditional use permit shall be deemed to authorize only the particular use for which it was issued and such permit shall automatically expire and cease to be of any force or effect if such use shall for any reason be discontinued for a period of twelve (12) consecutive months or more.~~

~~G. Appeals from board decisions. Appeals from any decision of the board of appeals or, where applicable, the planning board respecting a conditional use permit shall be to superior court.~~

ARTICLE 14: PLANNING BOARD

...

14.4 Conditional uses

A. Authority. The Planning Board may, subject to the procedures, standards and limitations set out in this section, approve the issuance of a conditional use permit authorizing development of conditional uses listed in this ordinance.

B. Procedure:

(1) Application. Applications for conditional use permits shall be submitted to the Long Island Planning Board. A nonrefundable application fee, as established from time to time by the selectmen to cover administrative costs and costs of a hearing, shall accompany each application. The application shall be in such form and shall contain such information and documentation as shall be prescribed from time to time by the code enforcement officer but shall in all instances contain at least the following information and documentation:

- a. The applicant's name and address and his or her interest in the subject property and a copy of the deed;
- b. The owner's name and address if different than the applicant;
- c. The address, and lot number as shown in the town tax records;
- d. The zoning classification and present use of the subject property;
- e. The particular provision of this ordinance authorizing the proposed conditional use;
- f. A general description of the proposed conditional use;
- g. Where site plan approval is required by article 10 (site plan review), a copy of a site plan application that has been determined by the planning board to be complete as defined by Article 10 (site plan review).

(2) Conduct of hearings

a. Rights of all persons. Any person may appear and testify at a public hearing, either in person or by a duly authorized agent or attorney, and may submit documentary evidence, provided, however, that the board shall exclude irrelevant, immaterial and unduly repetitious evidence.

b. Rights of parties. The applicant and any interested party shall in addition have the following rights:

- I. To present witnesses on their behalf and offer rebuttal evidence;
- ii. To cross-examine all witnesses testifying in opposition to their position through the chair, and
- iii. To examine and introduce any documents produced at the hearing

c. Board rules to govern. All other matters pertaining to the conduct of hearings shall be governed by the provisions of the relevant state statutes, this article, and the rules promulgated by the planning board.

(3) Public hearing. A public hearing shall be set at a reasonable place and time (not to exceed 60 days from receipt of a completed application for conditional use), Notice of the date, time and place of such hearing shall be published in a newspaper of local circulation at least ten (10) calendar days before the hearing. At least ten (10) calendar days before the public hearing, the applicant must provide notice to include a copy of the application to all persons owning or occupying properties within five hundred (500) feet of the site proposed for the conditional use being applied for by certified mail, the applicant must then submit a list of all property owners notified and copies of return receipts to show that notices were received by all property owners.

(4) Action by the Planning Board. Within thirty (30) days following the close of the public hearing, the Planning Board shall render its decision, in a manner and form specified by Article 14(Planning Board) granting the application for a conditional use permit, granting it subject to conditions as specified in subsection (D), or denying it. The failure of the board to act within thirty (30) days shall be deemed an approval of the conditional use permit, unless such time period is mutually extended in writing by the applicant and the board. Within five (5) days of such decision or the expiration of such period, the secretary shall mail notice of such decision or failure to act to the applicant.

C. Conditions for conditional uses:

(1) Authorized Conditional Uses. A conditional use permit may be issued for any use listed as a conditional use in the regulations applicable to the zone in which it is proposed to be located.

(2) Standards. Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the board determines that:

- a. There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- b. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and
- c. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

D. Conditions on conditional use permits. The Planning Board may impose such reasonable conditions upon the property or owner benefited by a conditional use as may be necessary to prevent or minimize adverse effects therefrom upon other property in the neighborhood. Such conditions

shall be expressly set forth in the Board decision authorizing the conditional use permit and in the permit. Violation of such conditions shall be a violation of this article.

E. Effect of issuance of a conditional use permit. The issuance of a conditional use permit shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals which may be required by the codes and ordinances of the town, including but not limited to a building permit, a certificate of occupancy, subdivision approval and site plan approval.

F. Limitations on conditional use permits. No conditional use permit shall be valid for a period longer than six (6) months from the date of issue, or such other time as may be fixed at the time granted not to exceed two (2) years, unless the conditional use has been commenced or is issued and construction is actually begun within that period and is thereafter diligently pursued to completion; provided, however, that one (1) or more extensions of said time may be granted if the facts constituting the basis of the decision have not materially changed, and the two-year period is not exceeded thereby. A conditional use permit shall be deemed to authorize only the particular use for which it was issued and such permit shall automatically expire and cease to be of any force or effect if such use shall for any reason be discontinued for a period of twelve (12) consecutive months or more.

G. Appeals from board decisions. Appeals from any decision of the Planning Board regarding a conditional use permit shall be to the Board of Appeals.

Article 58. Shall an ordinance entitled “Chapter 14 Land Use” be amended by deleting the language in strikeover type and adding the underlined language to Article 7 – Townwide Performance Standards - section 7.16 Septic Inspection Required at Transfer - as shown below?

7.16 Septic Inspections Required at Time of Property Title Transfer. (Adopted May 5, 2001)

- ~~A. Prior to any title transfer of ownership of a lot containing a Subsurface Wastewater Disposal (SSWD) system or a structure connected to a SSWD system, the present owner of the property shall comply with the standards established in this section. A licensed Site Evaluator (SE) shall be hired, not at public expense, to test the SSWD system. The SSWD system will be tested with the standard die test, and the system evaluated to determine if it meets the standards in the Maine SSWD rules. The SE shall issue a written report of the findings, and a full copy of the report shall be forwarded to the Town within two weeks of the title transfer.~~
- ~~B. If the SE determines that the SSWD system is malfunctioning then the structure shall not be occupied until the system has been brought into conformance with the Maine SSWD Rules. In the event that the proposed title transfer is to occur between November and May and an adequate test is not able to be performed, the agreement between the present owner and the proposed owner shall ensure that funding sufficient to correct a malfunctioning system will be available.~~
- ~~C. The present title holder may not transfer, sell or offer to transfer/sell, any lot containing a SSWD system or structure connected to the SSWD system without advising the transferee/buyer of this requirement.~~
- ~~D. Noncompliance of this ordinance will result in an assessed fine of no less than \$500 to the seller or current owner of the property. Assessment of fine does not release the seller~~

~~or current owner from the requirements of Sections “A” and “B” of this section 7.16. (Adopted May 10, 2008)~~

7.16 Septic Inspections Required at Time of Property Title Transfer. (Adopted May 5, 2001)

- A. Prior to the title transfer of ownership of a lot containing a Subsurface Wastewater Disposal (SSWD) system or a structure connected to a SSWD system, a person certified by the state shall be hired, not at public expense, to inspect the SSWD system. If the inspection finds that the SSWD system is malfunctioning, the system must be repaired or replaced within one year after transfer. The indications of a malfunctioning system are those specified in “system, malfunctioning” as provided in the definition section of 10-144, Chapter 241, the State of Maine Subsurface Wastewater Disposal Rules (Rules). The following are the only exceptions allowed to the requirement of this paragraph:
1. When a SSWD system has been installed pursuant to rules adopted under Title 22 M.R.S. section 42, and Title 30-A M.R.S. subsection 4211, within 3 years prior to the date of the transfer of property title.
 2. When the current property owner has a written report from a person certified by the state for an inspection of the SSWD that was performed within 3 years prior to the date of transfer that certifies that the system was not found to be malfunctioning and the current property owner provides the inspection results to the purchaser.
 3. When weather conditions preclude an inspection of the SSWD by a person certified by the state prior to the date of transfer the inspection must be performed within 9 months after the date of transfer. If the inspection finds the system to be malfunctioning the system must be replaced or repaired.
 4. When the person acquiring title to the lot containing an SSWD system or a structure connected to a SSWD certifies to the Town Code Enforcement Officer (CEO) that the system will be replaced with one installed pursuant to Title 22 M.R.S. section 42, and Title 30-A M.R.S. subsection 4211, within one year from the date of transfer.
- B. A full copy of the inspection results required under section A shall be provided to the CEO in a timely manner. If the person certified by the state determines that a SSWD system is malfunctioning then a structure connected to the SSWD system shall not be occupied until the system has been brought into conformance with the Rules.
- C. The present title holder may not transfer, sell or offer to transfer or sell any lot containing a SSWD system or structure connected to the SSWD system without advising the prospective new title holder of the requirements of this article.
- D. Noncompliance of this section will result in an assessed fine of no less than \$500 to the prior or new title holder. Assessment of a fine does not release the prior or new title holder from the requirements of this section.

- E. In this section the term, "Transfer" shall include the following: any transfer of ownership whether by sale, gift, devise, transfer to an entity, and inheritance, including transfers to a trust for which the current owner is the beneficiary.

Article 59. Shall an ordinance entitled "Chapter 14 Land Use" be amended by deleting the language in strikeover type and adding the underlined language to Article 3 Zoning District Standards sections 3.2 B. part 6 and 3.3 B. part 6 as shown below?

~~(6) One detached accessory structure with a foot print less than one hundred (100) square feet shall be permitted on each lot and shall be exempt from side and rear setbacks and shall be permitted without a building permit provided that the town is notified by submitting a plot plan showing the location of the accessory structure on the property to be kept on file at Town hall.~~

(6) Storage Sheds One storage shed with a footprint of not more than one hundred (100) square feet shall be permitted on a lot and shall be exempt from side and rear setbacks and shall require a no fee building permit. Storage sheds shall not be used for human habitation.

Article 60. Shall an ordinance entitled "Chapter 30 Road and Street Construction Standards" be amended by deleting the language in strikeover type and adding the underlined language to Article 4 Transition Provision as shown below?

4. Transition provision.

Pending adoption by the Town of Road Construction Standards, all road construction shall be governed by the standards set forth by the Maine Department of Transportation in the Department's publication entitled "Standard Specifications" ~~December 2002~~ latest available edition.

Article 61. To elect by written ballot a School Committee member to serve on the School Committee for a term of three years, effective from 7/1/2019 to 06/30/2022.

Article 62. To elect by written ballot a School Committee member to serve on the School Committee for a term of two years, effective from 7/1/2019 to 06/30/2021.

Article 63. To elect by written ballot a Selectman to serve on the Board of Selectmen (those elected shall also serve as the assessors and overseers of the poor), to fill the vacant term, effective from 5/12/2019 to 06/30/2020.

Article 64. To elect by written ballot a Selectman to serve on the Board of Selectmen (those elected shall also serve as the assessors and overseers of the poor), for a term of three years, effective from 7/1/2019 to 06/30/2022.