

**MINUTES OF ANNUAL TOWN MEETING  
Saturday, May 8, 2010  
And  
Monday, May 10, 2010**

86 Voters Present

Town Clerk brought meeting to order at 8:00AM.

Town Clerk read the Warrant and Return on Warrant.

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

**Nomination for Mark Greene made by Robert Jordan**

**Vote: Mark Greene – 7**

**Town Clerk Swore in Mark Greene as Moderator**

**Pledge of Allegiance.**

**Motion made by Jim Wilber to allow the public to speak – 2<sup>nd</sup> by Meredith Sweet**

**Vote: U -2**

**Moderator asked voters if it would be acceptable to read warrant articles and have Thomas Hohn move to accept each article as read and to have Newell Stewart 2<sup>nd</sup>, there were no objections.**

**Moderator made announcements and accepted announcements from the public.**

**Article 2.** 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 7/1/2010 to 06/30/2013.

**Nomination for Samuel Whitener made by Zachary Whitener**

**Nomination for Pamela Parker made by Luke Parker**

**Vote: Samuel Whitener – 53      Pamela Parker – 21**

**Article 3.** To elect by written ballot a School Committee member to serve on the School Committee for a term of three years, effective from 7/1/2010 to 06/30/2013.

**Nomination for Lynn LaMontagne made by Yvette Dunnigan**

**Vote: Lynn LaMontagne - 17**

**Moderator swore in Selectman Elect and School Committee Elect**

**Article 4.** 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.

**Vote: U -2**

**Article 5.** 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.**

**Vote: U -1**

**Article 6.** 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 2010-2011.

**The Selectmen recommend a “YES” vote.**

**Vote: U**

**Article 7.** To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to enter into a contract with a waste hauler for solid waste hauling, for a period not to exceed three years.

**The Selectmen recommend a “YES” vote.**

**Vote: U**

**Article 8.** To see if the Town will vote that the Town tax is due on September 15, 2010 and is payable in two (2) installments on September 15, 2010 and March 15, 2011 and to set the interest rate to be charged for late payments 7% per year.

**The Finance Committee recommends a “YES” vote.**

**Vote: U -2**

**Article 9.** 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.**

**Vote: U**

**Article 10.** 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.**

**Vote: U**

**Article 11.** 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.**

**Vote: U**

**Article 12.** 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 2010-2011.

**The Finance Committee recommends a “YES” vote.**

**Vote: U -2**

**Article 13.** 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 2010-2011 fiscal year.

**Vote: U**

**Article 14.** To see what sum of money the Town will vote to raise and appropriate for compensation for Town Officers and/or Appointees.

<b>The Finance Committee recommends:</b>	
Selectmen (3 at \$1,500)	\$ 4,613
(Chair)	\$ 1,025
Parklands/Beaches	\$ 791
Wharves/Floats	\$ 0
Public Safety	\$ 0
Solid Waste	\$ 520
Rescue Boat	\$ 1,071
Assessing/Map Updates	\$ 1,071
Town Clerk	\$11,588
Treasurer	\$12,166
Tax Collector	\$11,588
Office Assistant	\$ 3,244
Admin. Assistant to Selectmen	\$ 2,714
Town Hall Employee Benefits	\$ 2,200
Road Commissioner	\$ 2,112
Code Enforcement Officer	\$10,277
Animal Control Officer	\$ 1,025
Harbormaster	\$ 1,025
Town Meeting Moderator	\$ 100
Social Services Director	\$ 256
Recreation Director	\$ 4,100
Payroll Taxes	\$ 7,197
Island Fellow Contribution	\$ 0
Municipal Assistant	\$12,480

Health Officer	\$ 256
<b>TOTAL</b>	<b>\$91,419</b>

**Vote: U -1**

**Article 15.** To see what sum of money the Town will vote to raise and appropriate for professional assistance.

<b>The Finance Committee recommends:</b>	
Town Accountant	\$ 1,000
Town Annual Audit	\$ 7,600
Town Counsel	\$11,000
Tax Assessor	\$ 2,000
Additional Professional Assistance	\$ 4,000
Lawn Mowing Contract	\$ 4,815
LICLOC	\$ 2,500
<b>TOTAL</b>	<b>\$32,915</b>

**Vote: U**

**Article 16.** To see what sum of money the Town will vote to raise and appropriate for Town government administration.

<b>The Finance Committee recommends:</b>	
<b>Town Government Administration</b>	<b>\$70,400</b>

**Vote: U -1**

**Articles 17 through 27 Authorize Expenditures in Education Cost Center Categories.**

**Article 17.** To see what sum the Town of Long Island will authorize the School Committee to expend for **REGULAR INSTRUCTION.**

**School and Finance Committees Recommend \$293,209**

**Vote: U -2**

**Article 18.** To see what sum the Town of Long Island will authorize the School Committee to expend for **SPECIAL EDUCATION.**

**School and Finance Committees Recommend \$44,000**

**Motion made by Emil Berges to move pending question – 2<sup>nd</sup> by Rod Jacobs**

**Vote: U -1**

**Vote on Article 18: U -4**

**Article 19.** 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**

**Vote: U**

**Article 20.** 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**

**Vote: U -1**

**Article 21.** 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 \$2,700**

**Vote: U**

**Article 22.** To see what sum the Town of Long Island will authorize the School Committee to expend for **SYSTEM ADMINISTRATION.**

**School and Finance Committees Recommend \$31,020**

**Vote: U**

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

**School and Finance Committees Recommend \$15,260**

**Vote: U**

**Article 24.** 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 \$35,200**

**Vote: U**

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

**School and Finance Committees Recommend \$32,200**

**Vote: U**

**Article 26.** 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**

**Vote: U**

**Article 27.** 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 \$6,900**

**Vote: U -2**

**ARTICLES 28 AND 29 RAISE FUNDS FOR THE PROPOSED SCHOOL BUDGET**

**Article 28.** 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 (Recommend **\$326,459**) 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 \$302,703.**

*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.*

**Motion made by Brenda Singo to move pending question – 2<sup>nd</sup> by Newell Stewart**

**Vote: U -3**

**Vote on Article 28: U -3**

**ARTICLE 29 IS REQUIRED TO HAVE AN ACCURATE RECORDED HAND COUNT**

**Article 29.** Shall the Town of Long Island raise and appropriate **\$134,030** in additional local funds, which exceeds the State's Essential Programs and Services funding model by **126,997** as required to fund the budget recommended by the School Committee?

**The School and Finance Committees** recommend **\$134,030** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$126,997**: EPS does not fully support all the necessary costs of a K-12 educational program, such as:

(1) Special Education cost (2) transportation and bus costs and (3) escalating fuel and electricity costs.

*Explanation: The additional local funds 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 Program and Services Funding Act that will help achieve Long Island's budget for educational programs.*

**Vote: Yes – 59      No - 2**

**ARTICLE 30 SUMMARIZES THE PROPOSED SCHOOL BUDGET**

**Article 30.** Shall the Town authorize the School Committee to expend **\$460,489** for the fiscal year beginning July 1, 2010 and ending June 30, 2011 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 \$460,489.**

*Explanation: This is a summary article and approves expenditures of the proposed budget of \$460,489. 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*

**Vote: U -1**

**Articles 31 and 32 are required by State Law 20-A M.R.S.A. § 1486, to be voted on by a secret ballot – as noted in the greeting of this warrant, the election will take place Monday, May 10, 2010 at Town Hall – Polls will be open from 10:00AM – 8:00PM. Contact Town Clerk for important information in regards to requesting and submitting Absentee Ballots as the procedure differs greatly from that of a Federal/State Election.**

**Article 31.** Do you favor approving the Town of Long Island’s school budget for the upcoming school year that was adopted at the latest Town Meeting and that includes locally raised funds that exceed the required local contribution as described in the Essential Programs and Services Funding Act?

**Informational Note:**

A ‘YES’ vote allows additional funds to be raised for K-12 public education.

A ‘NO’ vote means additional funds cannot be raised for K-12 public education.

**Election Results Posted by Moderator on May 10, 2010: Yes – 58      No – 6**

**Article 32.** Do you wish to continue the budget validation referendum process in Long Island for an additional three years?

**Informational Note:**

A “YES” vote will require Long Island to continue to conduct a referendum to validate its annual school budget for the next three years.

A “NO” vote will discontinue the budget validation referendum for at least three years and provide instead that the annual school budget shall be finally adopted at the Annual Town Meeting.

**Election Results Posted by Moderator on May 10, 2010: Yes – 16      No – 48**

**LICA President Richard Murphy presented the “Francis ‘Tiny’ Murphy Civic Award” to Helen Kay.**

**Moderator introduced State Senator Jerry Davis and State Representative Meredith Strang Burgess.**

**Article 33.** To see what sum the Town will vote to raise and appropriate for the Long Island Community Library operating costs.

<b>The Finance Committee recommends:</b>	<b>\$ 6,000</b>
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**Vote: U -1**

**Article 34.** To see what sum of money the Town will vote to raise and appropriate for insurance.

<b>The Finance Committee recommends:</b>	
<b>Insurance</b>	<b>\$ 22,410</b>

**Vote: U**

**Article 35.** To see what sum of money the Town will vote to raise and appropriate for Public Safety.

<b>The Finance Committee recommends:</b>	
<b>Police</b>	<b>\$ 28,889</b>
<b>Fire and EMS</b>	<b>\$113,658</b>
<b>Rescue Boat</b>	<b>\$ 4,550</b>
<b>Emergency Preparedness</b>	<b>\$ 2,000</b>
<b>TOTAL</b>	<b>\$149,097</b>

**Vote: U**

**Article 36.** To see what sum of money the Town will vote to raise and appropriate for Public Works.

<b>The Finance Committee recommends:</b>	
<b>Public Works</b>	<b>\$101,001</b>

**Vote: U**

**Article 37.** To see what sum of money the Town will vote to raise and appropriate for Solid Waste.

<b>The Finance Committee recommends:</b>	
<b>Solid Waste</b>	<b>\$ 87,579</b>

**Vote: U**

**Article 38.** To see what sum of money the Town will vote to raise and appropriate for Social Services.

<b>The Finance Committee recommends:</b>	
<b>Social Services</b>	<b>\$ 2,500</b>

**Vote: U -1**

**Article 39.** To see what sum of money the Town will vote to raise and appropriate for the Recreation Committee, including Community Center operation.

<b>The Finance Committee recommends:</b>	
	<b>\$ 23,252</b>

**Vote: U -1**

**Article 40.** To see what sum of money the Town will vote to raise and appropriate for the Cemetery operations.

<b>The Finance Committee recommends:</b>	
	<b>\$ 8,728</b>

**Vote: U**

**Article 41.** To see what sum of money the Town will vote to raise and appropriate for Capital Debt Service.

<b>The Finance Committee recommends:</b>	
<b>Capital Debt Service</b>	<b>\$ 64,849</b>

**Vote: U**

**Article 42.** To see if the Town will vote to accept the categories of funds listed below as provided by the Maine State Legislature. Funds to be expended pursuant to M.S.R.A. by municipal legislative body. The amount of each category is an estimate only.

Beach (State Park Revenue Sharing)	\$ 2,500
Civil Emergency Funds	unknown
General Assistance Reimbursement	\$ 0
Local Road Assistance	\$10,000
Municipal Revenue Sharing	\$10,000
Registration Refund	unknown
Property Tax Relief	unknown
Public Library State Aid per Capital	unknown
Public Library Stipend	\$ 0
Special Ed. Entitlement	\$ 0
State Gen. Purpose Aid to Education	\$23,756
ECIA Title I	\$ 0
ECIA Title II	\$ 0
School Lunch Reimbursement and miscellaneous	\$ 0
Cert. Block Grant	unknown
Tree Growth	\$ 0
Veteran's Exemption Reimbursement	\$ 100

**The Finance Committee recommends a "YES" vote.**

**Vote: U**

**Article 43.** To see if the Town will vote to appropriate, for the fiscal year beginning 1-July-2010 and ending 30-June-2011, all revenues, grants, fees and designated surplus, for the purpose of reducing 2010-2011 tax commitment.

<b>The Finance Committee recommends:</b>	
Revenues, Fees & Grants	\$135,334
Audited 08-09 Government Surplus	\$ 54,670

**Vote: U -1**

**Article 44.** 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.

<b>The Finance Committee recommends:</b>	<b>\$ 10,000</b>
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**Vote: U**

**Article 45.** To see what sum of money the Town will vote to raise and appropriate for Social Service Referrals.

<b>The Finance Committee recommends:</b>	
<b>Social Service Referrals</b>	<b>\$ 0</b>

**Vote: U -1**

**Article 46.** To see if the Town will vote to authorize 2009-2010 CIP Surplus to be transferred to CIP Reserve Fund.

**The Finance Committee recommends a “YES” vote.**

**Vote: U**

**Article 47.** To see what sum of money the Town will vote to transfer from the CIP Reserve Fund and appropriate for 2010-2011 Capital Improvement Projects.

<b>The Finance Committee recommends:</b>	<b>\$ 0</b>
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**Motion made by Pamela Parker to move pending question – 2<sup>nd</sup> by Luke Parker**

**Vote: Motion Failed by 2/3rds**

**Vote on Article 47: U -1**

**Article 48.** To see what sum of money the Town will vote to raise and appropriate for the Capital Improvement Project Reserve Fund.

<b>The Finance Committee recommends:</b>	<b>\$ 0</b>
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**Vote: U**

**Article 49.** To see what sum the Town will vote to raise and appropriate for capital spending.

<b>The Finance Committee recommends:</b>	<b>\$ 25,000</b>
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**Vote: U**

**Article 50.** 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 2011 should the FY2011 snowfall exceed 72”. Any funds remaining in the reserve after the winter of 2011, will remain in the reserve.

<b>The Finance Committee recommends:</b>	<b>\$ 6,000</b>
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**Vote: U -2**

**Article 51.** To see what sum the Town will vote to raise and appropriate for the Harbor Master Boat Reserve.

<b>The Finance Committee recommends:</b>	<b>\$ 1,000</b>
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**Vote: U -4**

**Article 52.** Shall the Town vote to a) approve a Town Hall Renovation project at a cost not to exceed \$15,500; b) appropriate a sum not to exceed \$15,500 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 \$15,500, 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 Board of Selectmen and the Finance Committee recommend**

FINANCIAL STATEMENT  
Estimated 03/31/2010

1. Total indebtedness:
  - A. Bonds outstanding and unpaid:

1. Cumberland County	\$ 18,831
2. Second Fire Truck	\$ 30,000
3. Cemetery Expansion	\$ 3,920
4. Roofs	\$ 5,334
5. Crack Sealing	\$ 3,667
6. Cemetery Expansion II	\$ 6,306
7. Ponce's Wharf repairs	\$ 16,000
8. Roads 2010	\$ 10,000
  - B. Bonds to be issued if this Article is approved: \$ 15,500
2. Costs:

At an estimated maximum interest rate of 3.5% for 3 year maturity, the estimated costs of this bond issue will be:

Principal	\$ 15,500
Interest	<u>\$ 1,492</u>
Total New Debt Service	\$ 16,992

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/Nancy Jordan  
Nancy Jordan, Treasurer

**Vote: U**

**Article 53.** Shall the Town vote to a) approve a Wave Break Repair project for \$15,400; b) appropriate a sum not to exceed \$15,400 to meet the cost; c) to 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 \$15,400, 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 Board of Selectmen and the Finance Committee recommend a 'YES' vote.**



FINANCIAL STATEMENT  
Estimated 03/31/2010

3. Total indebtedness:

A. Bonds outstanding and unpaid:

1. Cumberland County	\$ 18,831
2. Second Fire Truck	\$ 30,000
3. Cemetery Expansion	\$ 3,920
4. Roofs	\$ 5,334
5. Crack Sealing	\$ 3,667
6. Cemetery Expansion II	\$ 6,306
7. Ponce's Wharf repairs	\$ 16,000
8. Roads 2010	\$ 10,000

B. Bonds to be issued if this Article  
is approved:

\$ 26,000

2. Costs:

At an estimated maximum interest rate of 3.5% for 3 year maturity, the estimated costs of this bond issue will be:

Principal	\$ 26,000
Interest	<u>\$ 2,502</u>
Total New Debt Service	\$ 28,502

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/Nancy Jordan  
Nancy Jordan, Treasurer

**Vote: U**

**Article 55.** Shall the Town vote to a) approve a Fire Dept Water Truck project at a cost not to exceed \$60,000; b) appropriate a sum not to exceed \$60,000 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 \$60,000, 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 Board of Selectmen and the Finance Committee recommend**

FINANCIAL STATEMENT  
Estimated 03/31/2010

4. Total indebtedness:

A. Bonds outstanding and unpaid:

1. Cumberland County	\$ 18,831
2. Second Fire Truck	\$ 30,000
3. Cemetery Expansion	\$ 3,920
4. Roofs	\$ 5,334
5. Crack Sealing	\$ 3,667
6. Cemetery Expansion II	\$ 6,306
7. Ponce's Wharf repairs	\$ 16,000
8. Roads 2010	\$ 10,000

B. Bonds to be issued if this Article  
is approved:

\$ 60,000

2. Costs:

At an estimated maximum interest rate of 4% for 5 year maturity, the estimated costs of this bond issue will be:

Principal	\$ 60,000
Interest	<u>\$ 9,002</u>
Total New Debt Service	\$ 69,002

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/Nancy Jordan  
Nancy Jordan, Treasurer

**Vote: U**

**Planning Board Notes Regarding Warrant Articles 56, 57, 58, and 59**

At last year's Town Meeting you voted to amend our shoreland zone ordinances. In June of 2009 the DEP approved them using the criteria in effect at the time, a document titled "State Guidelines for Municipal Shoreland Zoning Ordinances", dated February 13, 2000. On July 1, 2009 a new version of the Guidelines, which were revised in May 2006, went into effect. In the June letter of approval we were also advised by the DEP that our shoreland zone ordinances would no longer meet their criteria for approval under the revised Guidelines. We were further advised that if we did not bring our ordinances into compliance with the Guidelines that the state would impose a shoreland zone ordinance on us, in the form of the State Guidelines, which the Town would be required to administer and enforce. As a result, the Planning Board has spent most of its time and energy this past year producing a proposal for revising our shoreland zone ordinances for your consideration this year. The Planning Board has worked with the Southern

Maine DEP shoreland zoning representative and we feel the proposal, embodied in the next four warrant articles, will be accepted by the DEP.

You might ask why we should go to all the work of rewriting our shoreland zone ordinances to make them basically the same as the State Guidelines when all we have to do is let the DEP impose the Guidelines on us and use the Guidelines as our ordinance. The reason is that our current, and also the proposed, ordinance has a less restrictive definition of a single family dwelling than that given in the Guidelines. We allow a single family dwelling to contain an accessory dwelling unit. The Guidelines considers such a structure to be a two family dwelling. Why is this distinction important? In the shoreland zone the lot standards for a single family dwelling require 60,000 sq.ft. (30,000 sq.ft. in the IB zone) of area and 150 feet of shore frontage. On the other hand, a two family dwelling doubles this requirement, i.e. 120,000 sq.ft. (60,000 sq.ft. in the IB zone) and 300 feet of frontage. The DEP does not allow any relaxation of the standards in an imposed shoreland zone ordinance. If we hope to preserve our less restrictive definition of a single family dwelling we must change our current shoreland zone ordinances and get them approved by the DEP.

**Article 56.** Shall an ordinance entitled "Chapter 14 - Land Use, Article 2 - Definitions" be amended?

## **ARTICLE 2: DEFINITIONS**

### **Word Usage**

The following words shall be defined as set forth below for use in this chapter. Definitions set forth in the building code of the town shall apply to words not herein defined. Additional definitions are contained in Article 4 (Shoreland Zoning District Standards), Article 7, subsection 7.20 (Townwide Performance Standards-Temporary Occupancy Structures) Articles 10 (Site Plan Review), Article 11 (Subdivisions), Article 12 (Floodplain) and Article 15 (Wireless Communication Facilities). Some terms are defined in more than one of the sections listed and the definitions may differ. In the event that differing definitions of a term apply to an activity the more restrictive definition shall be used.

*Explanation: These changes merely note that we have a new definitions section in Article 4 and indicate how multiple definitions of the same term are to be interpreted.*

**Vote: U -1**

**Article 57.** Shall an existing ordinance entitled "Chapter 14 - Land Use, Article 3 - Zoning District Standards" be amended by moving ordinance "Chapter 14 - Land Use, Article 4 - Shoreland Zoning District Standards, 4.9 -Resource Protection District Standards" to Article 3 as section 10?

### **3.10 RESOURCE PROTECTION ZONE**

**A. Purpose.** The purpose of the Resource Protection Zone is to restrict development in those areas of the Shoreland Zone (see Article 4) in which it would adversely affect water quality, productive habitat, biological ecosystems or scenic and natural values.

**B. Uses.** No building shall be erected, altered, enlarged, rebuilt or used, and no premises shall be used, in a R-P resource protection zone except for the following uses:

- (1) Nonintensive recreational uses not requiring structures, such as fishing and hiking;
- (2) Bikeways, pedestrian trails and walkways;
- (3) Fire prevention activities;
- (4) Wildlife management activities;
- (5) Soil and water conservation activities;
- (6) Surveying and natural resource analysis;
- (7) Emergency operations as defined in Article 2 (Definitions);
- (8) Harvesting of wild crops;
- (9) Nonresidential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than two hundred (200) square feet;
- (10) Public and private parks and recreational areas, including one (1) or more structures containing a total maximum floor area of not more than two hundred (200) square feet;
- (11) Permanent and temporary piers, docks, wharves, bridges and uses projecting into water bodies, as allowed in this article 4 (Shoreland Zoning District Standards);
- (12) Storehouses for fishermen's gear;
- (13) Essential aids to navigation;

**C. Conditional uses.** The following uses are permitted only upon the issuance of a conditional use permit by the appeals board, subject to the provisions of Article 13 (Zoning Board of Appeals) of this article and any special provisions, standards or requirements specified below:

- (1) Buried and underwater electric and telephone transmission cables (entering the Town of Long Island from the ocean only).

**D. Space and bulk.** No building or structure shall be erected, altered, enlarged, rebuilt, or used in a R-P resource protection zone which does not comply with the following requirement:

- (1) Maximum height:
  - a. Building or structure: 15 feet.

*Explanation: We are suggesting that our existing Article 4.9 Resource Protection District Standards be removed from Article 4 and placed in Article 3 as section 10. This will put all our zoning standards in a single article, with the exception of the shoreland zone, which is Article 4. Please note that the shoreland zone is unlike all our other zones in that it overlays and imposes additional standards on them. We are also suggesting that the text of our existing resource protection section be modified as noted.*

**Vote: U**

**Article 58.** Shall an ordinance entitled "Chapter 14 - Land Use, Article 13 -Zoning Board of Appeals, 13.5 Variances" be amended?

**C. Variances Permitted.**

2. Disability Variances

Notwithstanding the provisions of Sections 13.5.C.1, 13.5.C.3, 13.5.C.4, and 13.5.5.D of this section, the board may grant a variance to an ~~property~~ owner of a residential dwelling for the limited purpose of making that dwelling property accessible to a person with a disability who resides in or regularly uses the dwelling is living on the property. The board shall restrict any variance granted under this subsection

solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling property by the person with the disability. The board may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling on the property. The term "structures necessary for access to or egress from the dwelling" shall include railing, wall or roof systems necessary for the safety and effectiveness of the structure. For the purpose of this subsection, with a disability and disability shall have the same meaning as person with a physical or mental disability as defined in subsections 7-A and 7-B of section 4553 of Title 5 of the Maine Revised Statutes Annotated.

~~H. Copy of shoreland variances to be sent to DEP. Shoreland variance requests to be sent to DEP. A copy of variance approvals within the shoreland zone shall be sent to the Department of Environmental Protection within 14 days of the Board of Appeals decision. A copy of each variance request, including the application and all supporting information supplied by the applicant, shall be forwarded by the municipal officials to the Commissioner of the Department of Environmental Protection at least twenty (20) days prior to action by the Board of Appeals. Any comments received from the Commissioner prior to the action by the Board of Appeals shall be made part of the record and shall be taken into consideration by the Board of Appeals.~~

*Explanation: We are proposing the following changes to section 13.5 of this ordinance since they are required by the current State Guidelines.*

**Motion made by Emil Berges to move pending question – 2<sup>nd</sup> by John Norton**

**Vote: Carries by 2/3rds**

**Vote on Article 58: Yes – 26            No – 22**

**Article 59.** Shall ordinances entitled "Chapter 14 - Land Use, Article 4 - Shoreland Zoning District Standards" and "Chapter 14 – Land Use, Article 6 – Non-conforming Structures, Uses and Lots, Section 6.3 – Expansion in Shoreland Zone, be repealed and replaced with proposed new "Chapter 14 – Land Use, Article 4"?

**(Full text of our existing Article 4 and section 3 of Article 6 as well as the proposed new Article 4 are available for viewing at Town Hall or on the Town's Website: [www.townoflongisland.us](http://www.townoflongisland.us) and will also be available as handouts at Town Meeting.)**

*Explanation: The proposed Article 4, Shoreland Zoning District Standards, is basically the current State Guidelines that we have modified for the Town of Long Island. It is not dramatically different from our existing Article 4, but it looks quite different because we have changed the section numbering to conform*

*with the State Guidelines. We are proposing this renumbering change to make it easier for the Town to keep our standards consistent with the State Guidelines in the future. Because of the renumbering we felt it would be confusing to present the proposed changes to this article as strikeouts, indicating deletions, and underlines, indicating additions, as is done for the other articles.*

*In addition, we are proposing that the existing Article 6.3, which applies only to the shoreland zone, be modified to meet the current guidelines and inserted in Article 4.*

**Vote: U**

**Article 60.** To see if the Town will vote to accept, as a gift, a service vehicle acquired by the Fire & Rescue Association.

**Vote: U -2**

**Article 61.** To see if the Town will vote to accept the conditions listed below regarding the future use of the Long Island Memorial Post of the Veterans of Foreign Wars Hall and appurtenant property located at Long Island Tax Map – Lot 205, the transfer of the property to take place at a mutually practical date on or as soon as possible after July 1, 2010.

This Article is a follow-up to the previous vote and approval of Article 67 on the 2009 Annual Town Meeting Warrant in which the Town Meeting assembled voted unanimously to accept the property as a gift.

The conditions forwarded and proposed by representatives of the VFW and the Selectmen are as follows:

1. For the ten year period following the transfer of the property to the Town, the VFW and the organization's affiliated VFW Ladies Auxiliary will, based on mutually agreeable scheduling, be allowed to use the building for meetings and for limited fund raising to support our community activities. Such use shall be at no cost to the Town. At the request of the VFW and by mutual agreement between the organization and the Town, this provision may be extended for addition periods.
2. For the ten year period following the transfer of the property to the Town, the Town will, as practicable, favor uses of the property that support public and community functions consistent with the historic use of property. At the request of the VFW and by mutual agreement between the organization and the Town, this provision may be extended for addition periods.
3. If the property is sold within the period of 10 years following the transfer to the Town, unless otherwise agreed to by the then remaining members of the Long Island Memorial post of the VFW, the proceeds from the sale, after deducting any expenses or accrued charges related to the property or sale, shall be retained and set aside by the Town in an interest bearing account and the interest from that account shall be made available for the use and benefit of Long Island civic and non-profit organizations and for student scholarships for a period of ten years. Upon expiration of the ten year period, the principle from the sale shall revert to the Town's general fund.

4. All costs associated with the conveyance and transfer of the property shall be the Town's sole responsibility.

5. All proceeds from activities taking place at the property during the 2010 calendar year shall be credited to the Town on the date of transfer.

**Motion made by Nancy Jordan to amend Article 61 – Item 3 to read: If the property is sold at any time, 10% of proceeds would be set aside in the name of “VFW Post 9605” with the interest to be awarded annually to benefit Long Island civic groups, non-profit organizations and graduating students to be administered by a 3 (three) member board to be appointed by the Board of Selectmen at time of sale – 2<sup>nd</sup> by Rod Jacobs**

**Vote on amendment: Motion Failed**

**Motion made by Bill Overlock to move pending question – 2<sup>nd</sup> by Curt Murley  
Vote: Carried by 2/3rds**

**Vote on Article 61: U -2**

**MODERATOR ADJOURNS MEETING (12:05PM) TO MAY 10, 2010, 10:00AM AT THE LONG ISLAND TOWN HALL TO VOTE ON ARTICLES 31, AND 32 BY SECRET BALLOT.**

**Motion made by Melissa Brown to adjourn – 2<sup>nd</sup> by Brenda Singo  
Meeting adjourned 8:30PM**

**Brenda L. Singo  
Town Clerk**

**ATTEST: “A true copy of the Minutes of the 2010 Annual Town Meeting, May 8<sup>th</sup> & May 10<sup>th</sup>”.**

**s/Brenda L. Singo                    
Long Island Town Clerk**