

WARRANT FOR SPECIAL TOWN MEETING

Topsham, Maine  
November 16, 2011  
Sagadahoc, ss

TO: Timothy Young, a Constable for the Town of Topsham  
FROM: Municipal Officers of Topsham

GREETINGS: You are hereby required in the name of the State of Maine to notify and warn the Inhabitants of the Town of Topsham, qualified to vote on Town affairs, to assemble in the Mt. Ararat High School Commons on the 30<sup>th</sup> day of November, 2011 A.D. at 7:00 o'clock P.M., Eastern Standard Time and then and there to act upon Articles 1 thru 5 to wit:

**ARTICLE 1** To elect a **Moderator** to preside at said meeting. **Robert Lenna**

**ARTICLE 2** Shall the Town of Topsham vote to approve a Community Development Block Grant application for the following program(s) and dollar amounts:

Program: Community Planning Amount: \$10,000

and to submit same to the Department of Economic and Community Development and if said program is approved, to authorize the municipal officers to accept said grant funds, to make such assurances, assume such responsibilities, and exercise such authority as are necessary and reasonable to implement such programs. Furthermore, the Town of Topsham is cognizant of the requirement that should the intended National Objective of the CDBG program not be met all CDBG funds must be repaid to the State of Maine CDBG program.

**Passed**

**ARTICLE 3** To see what sum the Town will vote to appropriate and spend from an existing reserve account, G 3 100 56 ECD/QOL, for the purpose of creating redevelopment designs for the Green Street area, in accordance with the results of the Lower Village Waterfront Access Study.

Board of Selectmen recommendation: \$26,000

Finance Committee Recommendation: \$26,000 **Passed**

**ARTICLE 4** To see if the voters will adopt an ordinance entitled "An Ordinance to Amend the Topsham Zoning Code, Chapter 225-33, Signs, to provide standards for sign installation in new zoning districts"

Section 225-33.P

Where a lot is in a zone created by a 2008 or 2009 amendment to this Chapter without a corresponding amendment to the Table of Permitted Signs and Table of Maximum Sign Sizes to reflect the new zone, the Table of Permitted Signs and Table of Maximum Sign Sizes provisions that applied to the lot immediately prior to the creation of the zone remain in effect until the Table of Permitted Signs and Table of Maximum Sign Sizes have been amended to reflect the new zone.

Planning Board recommendation: Ought to Pass **Passed**

**ARTICLE 5** To see if the voters will adopt an ordinance entitled "An Ordinance to amend Chapter 225-59, Fairgrounds"

[§ 225-59. Fairgrounds.](#)

[Amended 5-20-1992 ATM, Art. 19]

Fairgrounds, being a vital and unique feature to the history and economy of Topsham, shall conform to the minimum requirements as stated under Maine State licensing procedures, 7 M.R.S.A. § 62 et seq., and the following:

A. Annual Fair Activities

All uses commonly and historically associated with the Annual Fair shall be allowed to continue as they historically have for the annual period licensed by the state. These uses shall conform to the fairgrounds performance standards (below) and all other performance standards in this chapter as applicable.

1. Performance Standards

a. All parking area travel lanes and internal vehicular circulation routes shall be kept clear at all times to maintain emergency vehicle access. All fire lanes, as determined by the Fire Chief, shall be kept clear of vehicles, vendors, awnings, or any other obstructions at all times.

b. The owners shall provide an appropriate number of parking and security staff to assure the safety of those attending any fairground activities.

c. It shall be the responsibility of the owners to coordinate all access to and egress from the fairgrounds for any event with the local authorities.

d. The owner shall provide dust control measures that will be available on an as-needed basis.

e. The owners shall contact the Fire Chief, EMS Director, Police Chief and Codes Enforcement Officer (CEO) no later than 30-days prior to the start of the event to schedule any necessary inspections and to submit Emergency Actions Plans. Emergency Action Plans shall include arrangements for emergency response, contact information, schedules of events, emergency service coverage proposals, and insurance requirements related to public safety. The applicant shall provide the Fire Chief any State permits when received.

f. The Fire Chief and CEO shall be contacted at least 48 hours prior to the start of the event to conduct inspections for compliance with the standards in this chapter.

g. Nothing in this section shall prevent the Fire or Police Chief, or EMS Director from requiring additional measures in order to meet an anticipated safety issue.

B. Non-Fair Permitted Activities

All uses commonly associated with fairgrounds, occurring outside the annual fair period, and the following uses, and those that the CEO determines in writing are sufficiently similar these following uses, shall be permitted. These Non-Fair Permitted Activities shall conform to the performance standards (below) as well as those in A.1 above and all other performance standards in this chapter as applicable.

<u>Car Show</u>	<u>Farm and Garden Show</u>
<u>Dog Show</u>	<u>Art Show</u>
<u>Dog Trials</u>	<u>School Bus Driving Training</u>

<u>Steer Pulling</u>	<u>Radio Controlled Trials</u>
<u>Flea Market</u>	<u>Boat Show</u>
<u>Public Suppers</u>	<u>Horse Show</u>
<u>Home Show</u>	<u>Rodeo</u>
<u>Camper Show</u>	<u>Beano</u>
<u>Fireman's Muster Training</u>	<u>Auction</u>
<u>Chicken Barbeque</u>	<u>Camporees</u>
<u>Fire and Rescue Training</u>	<u>Haunted House</u>
<u>Indoor Vehicle Pulls</u>	<u>Indoor Concerts</u>
<u>Weddings/receptions</u>	<u>Private Parties</u>

1. Performance Standards

- a. The standards for the Annual Fair activities shall apply for Non-Fair Activities.
- b. All activities shall cease operations no later than 11:00 p.m.
- c. These uses do not require individual permits from the Codes Enforcement Officer as long as they are operated in compliance with the approved Emergency Action Plan on file with the Fire Chief.

C. Special Events

The following uses, when occurring other than during the Annual Fair period, and those that the CEO determines in writing are sufficiently similar these following use, shall be considered as Special Events, and each such Special Event shall be required to obtain an annual license from the Board of Selectmen, following a public hearing, duly advertised and noticed to abutters.

Special Events previously approved by the Board of Selectmen, shall only require approval from the CEO in subsequent years, upon a written determination by the CEO that the current application is substantially the same as what the Selectmen previously approved. The CEO retains the right to refer any Special Event application to the Board of Selectmen for a new permit.

Special Event shall conform to the performance standards below, as well as those in A.1, unless waived by the Board of Selectmen, and other applicable standards in this Chapter.

1. Uses Requiring a Special Event License

- a. Outdoor Concerts
- b. Outdoor Motor Vehicle Racing Events
- c. Overnight Activities
- d. Activities scheduled to last later than 11:00 p.m.
- e. Circuses and Carnivals

2. Special Event Performance Standards

- a. All performance standards applicable to the Annual Fair shall be applicable to Special Events.
- b. The Board of Selectmen, or the CEO, has the authority to attach conditions to any license issued under this section.
- c. Off-site parking cannot be utilized without written approval of landowners, and any such arrangements must be part of the license application.

d. The application for license shall include a full site plan, illustrating fire lanes, structures, parking areas, areas of use and types of usage proposed for each area.

e. All activities shall cease by 11:00 p.m., unless the Board of Selectmen permits different closing times during its approval of the annual license.

Planning Board recommendation: Ought to Pass

**Passed**

**GIVEN UNDER OUR HANDS THIS 16<sup>th</sup> DAY OF November, 2011  
BY THE BOARD OF SELECTMEN:**

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Ronald Riendeau

\_\_\_\_\_  
Don Russell

\_\_\_\_\_  
Marie Brilliant

\_\_\_\_\_  
Andrew Mason

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Dave Douglass