

WARRANT FOR SPECIAL TOWN MEETING

Topsham, Maine
 May 22, 2024
 Sagadahoc, ss

TO: Marc Hagan, 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 at the Mt. Ararat High School Forum Room on Wednesday, the 22nd day of May 2024 A.D. at 7:00 o'clock p.m. in the evening, with a back-up date on Friday, May 24th and then and there to act on Articles 1 thru 24 to wit:

Article 1: To elect a **Moderator** to preside at said meeting. JOHN LOYD

Article 2: To see if the Town will ratify the change to allow the Select Board, by a two-thirds majority, to waive the interest penalty on property taxes for up to six months beyond the due date during a declared state of emergency within the past six months. PASSED

Article 3: To have the Town vote to raise, appropriate and spend the sum of **\$204,602** for Debt Service.

	2024-2025 Select Board Recommendation	Estimated Allocation	2024-2025 Finance Committee Recommendation
Equipment Bond (2015)	\$ 69,819	Taxation	\$ 69,819
	\$ 7,758	Interchange TIF	\$ 7,758
Equipment Bond (2016)	\$ 114,323	Taxation	\$ 114,323
	\$ 12,702	Interchange TIF	\$ 12,702
	\$ 204,602	TOTAL	\$ 204,602

Select Board Recommendation: Ought to Pass PASSED
Finance Committee Recommendation: Ought to Pass

Article 4: To see what sum the Town will vote to spend for General Government under the following accounts and to see what sum the Town will vote to raise and appropriate for the same, and to authorize the Select Board to transfer funds from Municipal Insurance to departments outside of General Government, for anticipated employee wage and benefit adjustments.

	2023-2024 Approved Appropriation	2024-2025 Select Board Recommendation	2024-2025 Finance Committee Recommendation
General Government			
Administration	\$ 390,248	\$ 428,898	\$ 428,898
Municipal Officers	\$ 18,878	\$ 20,021	\$ 20,021
Finance	\$ 217,224	\$ 420,403	\$ 420,403
Central Services	\$ 311,465	\$ 340,100	\$ 340,100
Tax (1)	\$ 200,585	\$	\$
Town Clerk/Elections	\$ 207,105	\$ 220,934	\$ 220,934
Codes (2)	\$ 116,524	\$	\$
Assessing	\$ 149,314	\$ 156,354	\$ 156,354
Planning	\$ 311,806	\$ 446,803	\$ 446,803
Economic Development/TDI (3)	\$ 142,188	\$ 31,500	\$ 31,500
Municipal Insurance	\$ 209,277	\$ 204,359	\$ 204,359
Facilities Maintenance	\$ 325,238	\$ 372,960	\$ 372,960
Parks & Recreation	\$ 353,531	\$ 377,733	\$ 377,733
Library	\$ 810,014	\$ 887,954	\$ 887,954
General Assistance	\$ 8,170	\$ 20,100	\$ 20,100
Contractual Services	\$ 154,582	\$ 154,432	\$ 154,432
Public Utilities	\$ 426,000	\$ 461,000	\$ 461,000
TOTALS	\$ 4,352,149	\$ 4,543,551	\$ 4,543,551

	Select Board Recommendation	Finance Committee Recommendation
Interchange TIF	\$ 470,087	\$ 470,087
State Revenue Sharing	\$ 687,051	\$ 687,051
Homestead Exemption	\$ 651,039	\$ 651,039
BETE Reimbursement	\$ 73,179	\$ 73,179
General Revenue	\$ 1,602,039	\$ 1,602,039
Taxation	\$ 1,060,156	\$ 1,060,156
TOTAL	\$ 4,543,551	\$ 4,543,551

(1) Moved Tax within Finance
 (2) Moved Codes within Planning
 (3) Moved Economic and Development Wages and Benefits to Public Works (Article 7) to create Deputy Public Works Director position. Economic Development functions absorbed by Town management.

Select Board Recommendation: Ought to Pass PASSED
Finance Committee Recommendation: Ought to Pass

Article 5: To see what sum the Town will vote to spend for the Capital Projects Fund under the following accounts and see what sum the Town will vote to raise and appropriate for the same.

	2023-2024 Approved Appropriation	2024-2025 Select Board Recommendation	2024-2025 Finance Committee Recommendation
Administration			
IT/Comms/Office Replacement	\$ 30,000	\$ 30,000	\$ 30,000
Capital Maintenance	\$ 75,000	\$ 75,000	\$ 75,000
Capital Replacement	\$ 350,000	\$ 350,000	\$ 350,000
Revaluation	\$ 15,000	\$ 25,000	\$ 25,000
Fire Protection/Rescue			
Vehicle/Equipment Replacement (1)	\$ 102,000	\$ 465,000	\$ 465,000
Police			
Vehicle/Equipment Replacement (2)	\$ 101,000	\$ 130,000	\$ 130,000
Public Works			
Road Construction	\$ 650,000	\$ 650,000	\$ 650,000
Vehicle/Equipment Replacement (3)	\$ 475,000	\$ 350,000	\$ 350,000
Projects (4)	\$ 190,000	\$ 950,000	\$ 950,000
TOTALS	\$1,988,000	\$3,025,000	\$3,025,000

Estimated Allocation	Select Board Recommendation	Finance Committee Recommendation
Interchange TIF	\$ 148,250	\$ 148,250
Frost Street TIF	\$ 25,850	\$ 25,850
Surplus	\$1,873,754	\$1,873,754
Taxation	\$ 977,146	\$ 977,146
TOTAL	\$3,025,000	\$3,025,000

- (1) Includes replacements for ambulance #1, CPR equipment, and fire hoses
- (2) Includes replacements for two police cruisers
- (3) Includes replacement for a street sweeper
- (4) Pleasant Point erosion control, design and construction, Tedford Rd. culvert and sidewalk construction, Foreside Rd. parking and sidewalks.

PASSED

Select Board Recommendation: Ought to Pass
Finance Committee Recommendation: Ought to Pass

Article 6: To see what sum the Town will vote to spend for Public Safety under the following accounts and to see what sum the Town will vote to raise and appropriate for the same.

	2023-24 Approved Appropriation	2024-2025 Select Board Recommendation	2024-2025 Finance Committee Recommendation
Public Safety			
Police Protection	\$2,075,934	\$2,374,276	\$2,374,276
Fire Protection/Rescue	\$1,772,561	\$1,933,695	\$1,933,695
TOTAL	\$3,848,495	\$4,307,971	\$4,307,971

Estimated Allocation	Select Board Recommendation	Finance Committee Recommendation
General Revenue	\$1,484,816	\$1,484,816
State Revenue Sharing	\$ 636,779	\$ 636,779
Taxation	\$2,186,376	\$2,186,376
TOTAL	\$4,307,971	\$4,307,971

Select Board Recommendation: Ought to Pass
Finance Committee Recommendation: Ought to Pass

PASSED

Article 7: To see what sum the Town will vote to spend for Public Works and Solid Waste/Recycling under the following accounts and to see what sum the Town will vote to raise and appropriate for the same: (The Public Works Department is authorized to spend funds from this article in support of Capital Projects).

	2023-24 Approved Appropriation	2024-2025 Select Board Recommendation	2024-2025 Finance Committee Recommendation
Public Works	\$ 1,598,753	\$1,799,631	\$1,799,631
Solid Waste/Recycling	\$ 497,674	\$ 601,930	\$ 601,930
TOTAL	\$ 2,096,427	\$2,401,561	\$2,401,561

Estimated Allocation	Select Board Recommendation	Finance Committee Recommendation
General Revenue	\$ 820,556	\$ 820,556
State Revenue Sharing	\$ 351,904	\$ 351,904
Taxation	\$ 1,229,101	\$ 1,229,101
TOTAL	\$2,401,561	\$2,401,561

Select Board Recommendation: Ought to Pass
Finance Committee Recommendation: Ought to Pass

PASSED

Article 8: To see what sum the Town will vote to increase the maximum property tax levy limit established by State Law (L.D. 1) in the event that the municipal budget approved at this Town Meeting results in a tax commitment in excess of the maximum property tax levy otherwise applicable such that the increased maximum property tax levy hereby established will equal the amount committed: (By State Law, the vote on this article must be by written ballot).

ARTICLE PASSED OVER
DOES NOT EXCEED

Select Board Recommendation:
Finance Committee Recommendation:

No Recommendation
No Recommendation

Article 9: An Ordinance to amend the Town Code, **Chapter 225-50 Multi-family dwelling dimensional requirements subsections C(1)(i) and C(1)(j)** to revise the density permitted in the VC zoning district and remove any appearance of a conflict with LD 2003.

§ 225-50 Multifamily dwelling dimensional requirements.

[Amended 5-21-1997 STM, Art. 42; 5-19-1999 STM, Art. 13; 5-17-2000 STM, Art. 6; 5-24-2007 STM, Art. 15; 11-13-2008 STM, Art. 8; 5-20-2009 STM, Art. 15; 5-17-2017 STM, Art. 13; 5-16-2018 STM, Art. 10; 5-25-2022STM by Art. 10]

- A. Purpose: It is the purpose of this section to provide for multiple-family dwelling structures which are in the moderate to higher density range in centrally located areas near supporting transportation facilities, utility infrastructure and commercial facilities, in areas adjoining institutional or employment centers, and in locations which are suitable and appropriate when taking into consideration existing conditions, sustainable development practices, and including present use of land and future land use needs.
- B. All proposals to construct multifamily dwellings shall be in conformance with the general performance standards of Article VII, Chapter 191, Subdivision of Land, and/or Chapter 175, Site Plan Review, and the design requirements listed below. Multifamily dwellings within a mixed-use building shall be exempt from the requirements of § 225-50, provided that they are served by public water and public sewerage.
- C. Design requirements.
 - (1) Density. The residential density shall not exceed the density required for single-family dwellings in the zone or district in which the multifamily dwellings are proposed except that:
 - (a) Any dwelling in the R-1 Zone existing prior to enactment of this chapter shall require 10,000 square feet for the first unit plus 2,000 square feet for each additional unit.
 - (b) (Reserved)
 - (c) New multifamily dwellings built in the R-1 Zone and connected to public sewer and water shall require 30,000 square feet of usable land for each two dwelling units.
 - (d) New multifamily dwellings built in the R-2 Zone and connected to public sewer and water shall require 40,000 square feet of usable land for each two dwelling units.
 - (e) New multifamily dwellings built in the Mixed Use Limited (MUL) Zone and connected to public sewer and water must have a minimum of 12,500 square feet of lot for each dwelling unit.
 - (f) New multifamily dwellings built in the CC, RCU, LV, MV, VC, and LI Zones shall be connected to public sewer and water and shall have a minimum lot area of at least the minimum lot size for the first unit plus 1/2 of the minimum lot size of usable land for each additional unit.
 - (g) New multifamily dwellings built in the MUC Zone shall have a maximum density of 18 units per acre.
 - (h) New multifamily developments located in the R4 Zone shall be connected to public sewer and water and shall be allowed at the density specified in the Topsham Annex Reuse Master Plan, in the areas so identified. In those areas of the R4 not included in the Topsham Annex Reuse Master Plan, new multifamily dwellings may be constructed at a density of four (4) units per acre.
 - (i) ~~In the LV, VC and LI Zones, the first two dwelling units do not count towards the maximum density calculations in mixed-use developments. Each the first unit shall adhere to the minimum lot size and each additional unit shall have 1/4 the minimum lot size for the zone and shall meet all other applicable dimensional and performance standards. In addition, multi-family developments in these zones shall be eligible for two bonus-density units.~~
 - (j) ~~In the VC Zone, the first two dwelling units do not count towards the maximum density calculations in mixed-use developments. Each the first unit shall adhere to the minimum lot size and each additional unit shall have 1/12 the minimum lot size for the zone and shall meet all other applicable dimensional and performance standards.~~
 - (2) All dwellings in a multifamily dwelling shall be connected to the Brunswick & Topsham Water District public water system, at no expense to the Town, unless the applicant can demonstrate that a suitable on-site water supply is available. The applicant shall demonstrate by a signed letter from an authorized representative of the water district that an adequate water supply can be provided to the development at an adequate pressure for firefighting purposes.
 - (3) If the public water supply is to be utilized, fire hydrants shall be located so that they are not more than 300 feet from any building, as hose is laid on the street.
 - (4) All residential buildings shall be connected to a public sewer system unless the applicant can demonstrate that soils are suitable for individual subsurface wastewater disposal. If the public sewer system is to be utilized, the applicant shall submit a letter from the Superintendent of the Topsham Sewer District to the reviewing authority indicating that service is available and the sewage from the development can be adequately treated.
 - (5) It shall be the responsibility of the owner to provide for rubbish disposal, snow removal and site maintenance. All outdoor storage areas for waste collection shall be enclosed by a wooden or masonry screen at least six feet in height.
 - (6) Stormwater management and surface drainage systems shall be designed in accordance with § 225-34, Stormwater management.
 - (7) Access, circulation and parking.
 - (a) The proposed development shall provide for safe access to and from public or private roads. Safe access shall be assured by providing an adequate number and location of access points, with respect to sight distances, intersections, schools and other traffic generators. All corner lots shall be kept clear from visual obstructions higher than three feet above ground level, for a distance of 25 feet, measured along the intersecting street lines.
 - (b) The proposed development shall not have an unreasonable adverse impact on the public road system and shall assure safe interior circulation within its site by separating pedestrian and vehicular traffic and by providing adequate parking and turnaround areas.
 - (c) All developments containing 15 or more dwelling units may be required by the Planning Board to have more than one street access (for emergency and safety purposes). No more than two accesses shall be allowed on any single street or roadway.

Planning Board Recommendation:

Ought to Pass

PASSED

Article 10: An Ordinance to amend the Town Code, **Chapter 225, Attachment 2, Table of Dimensional Requirements** to amend the following:

- a. Replace Floor Area Ratio and Open Space Ratio with Impervious Coverage (%)
- b. Remove Maximum Frontage
- c. Add “per building” to Maximum building footprint
- d. Strike footnotes 6 and 16 (relating to open space and floor area ratio)
- e. Revise footnote 15 to clarify that maximum setback only applies to the first building on the lot and modify streetscape language for consistency
- f. Add footnote 29 to allow for a lesser reduction in impervious coverage for civic uses (in R3)
- g. Add footnote 30 to require 12 feet for streetscape improvements

**Town of Topsham
Table of Dimensional Requirements**

[Amended 7-31-2000 STM, Art. 5; 5-16-2001 STM, Art. 28; 5-20-2004 STM, Art. 18; 9-8-2005 STM, Art. 3; 5-24-2006 STM, Art. 15;
5-24-2007 STM, Art. 15; 11-13-2008 STM, Art. 8; 5-20-2009 STM, Art. 15; 5-19-2010 STM, Art. 13; 5-16-2012 STM, Art. 11;
5-18-2016 STM, Art. 12; 5-17-2017 STM, Art. 11; 5-30-2023 STM by Art. 11; 5-30-2023 STM by Art. 12]

Requirements	R-1	R-2	R-3 ²³	CC	R4 ²⁸	RCU	MUL	MUC	MUC-1	BP2	BP ¹⁰	CC196	LV	MV	VC	LI	I	R2B	
Minimum lot size (sf)	20	30	1.5 acres	20	10	30	30 ¹	20	30	10	10	10 ¹¹	7.5	15	10	20 ²²	40	3,000	
Minimum frontage	100	125	150	100	75	200	200 ¹	100	100	50 ⁶	50 ⁶	100 ¹²	50	100	50	100 ¹⁷	200	125 ²⁴	
Maximum frontage																		35	200
Minimum front setback	20	25	75	25	10	80 ⁴	20	25 ³⁰	25	15	25 ⁷	25	10 ^{15,30}	25 ³⁰	10 ^{15,30}	25 ^{18,19}	100	35	
Maximum front setback					25 ²⁶								15 ¹⁵		25 ¹⁵				
Minimum side setback	10	15	35	15 ³	10	30 ⁴	20 ¹	15 ⁴	15 ⁴	15 ¹⁵	15 ^{7,8,9}	15 ¹³	10 ¹⁵	15	10 ¹⁵	15 ¹⁵	25	25	
Minimum rear setback	25	25	50	25 ³	10	30 ⁴	20 ¹	25 ³	25 ³	15	15 ^{7,8,9}	15 ¹³	25 ³	25	25	25	40	25 ²⁵	
Maximum building height	35	35	35	45 ²⁷	45	35	50 ²⁷	45 ²⁷	45 ²⁷	35 ²⁷	50 ²⁹	45 ²⁹	45 ²⁷	35	45 ²⁷	45 ²⁷	50	35	
Minimum building height													35 ²¹	25 ²¹	35 ²¹				
Maximum structure height	75 ⁵	75 ⁵	150 ⁵	75 ⁵	75 ⁵	100 ⁵	75 ^{1,5}	100 ⁵	60	60	60	60	75 ⁵	75 ⁵	75 ⁵	75 ⁵	150 ⁵	75 ⁵	
Maximum building footprint (sf) per building													15.0	5.0	15.0	70 ²⁰			
Minimum building footprint (sf)													2.5	1.0	2.5	2.0 ²⁰			
Minimum landscape (open space ratio)	0.2 ⁶	0.2 ⁶	0.6	0.2	0.2 ⁴	0.3	0.3 ¹	0.2	0.2	0.3	0.2	0.2	0.1	0.4 ⁴	0.1	0.2	0.1	0.2 ⁶	
Floor area ratio	0.4	0.2	0.1	0.5	0.6	0.4	0.4 ¹	0.5	0.5	1.0	1.0	0.5	0.6 ¹⁶	0.4	0.6 ¹⁶	1.0	1.0		
Maximum Impervious Coverage %	60	40	15 ²⁹	80	60	60	40	85	80	80	80	80	85	65	80	80	90	40	

All dimensions are feet or square feet (sf) unless otherwise noted. Minimum and maximum building footprints and lot sizes are in thousands of square feet. Superscript numbers refer to the following footnotes.

NOTES:

- A. The front setback may be reduced to the average of the front setbacks of existing structures on adjacent properties, however the front setback may not exceed the maximum allowable setback as specified in the Table of Dimensional Requirements.
- B. Buildings and structures which are separated by less than 30 feet from abutting property buildings and structures or are less than 15 feet from a property line are recommended to utilize fire rated construction.
- C. Residential subdivisions proposed to be located on open fields or pasture (whether or not they are actively used) shall be designed in accordance with the clustering approach described in § 225-43.
- D. Individual dwelling units shall have a minimum of 500 square feet of living space. Accessory dwelling units shall also have a minimum of 500 square feet of living space.
- E. No building may be erected on any lot which does not abut a public way or a private way with the minimum length of frontage required for the particular zone. Any private way must connect directly to a public way.
- F. Refer to overlay zone and specific use regulations for lot sizes which may pertain within those zones or for specific uses.
- G. The dimensional requirements set forth in this § 225-17 shall not be applicable to any common plan development (§ 225-17D below) located within a commercial zone.
- H. Within the MUC-1 District, a vegetated buffer must be maintained along the boundary with a residential zone in accordance with the buffer requirements of § 225-60.7 or § 225-60.8, whichever is applicable.

FOOTNOTES:

- ¹ Residential development located in a subdivision approved by the Planning Board prior to April 1, 1999, may be amended and developed, without a variance or waiver, based on the dimensional requirements existing at the time of the original Planning Board approval of the subdivision, provided that building permits for the construction are issued by December 31, 2004.
- ² No parking shall be allowed in the front setback.
- ³ Parking and drives shall be a minimum of 10 feet from property line except that parking and drives may not be located within a side or rear setback adjacent to a parcel in residential use.
- ⁴ No parking shall be allowed in the setback in this district.
- ⁵ Structures that have roofs or other means of overhead protection from the weather are subject to the same height limits as for buildings in this zone.
- ⁶ ~~Minimum landscape (open space ratio) will be 0.4 for clubs. (Reserved).~~
- ⁷ No lot in the BP Zone may have its required frontage on Route 196.
- ⁸ Any building or structure shall be set back a minimum of 75 feet from the edge of the paved travel way of Route 196.
- ⁹ Any building or structure other than public utility facilities shall be set back a minimum of 75 feet from the property line of the Interstate 295 right-of-way.
- ¹⁰ Any building or structure shall be set back a minimum of 75 feet from the boundary of the BP Zone if the abutting zone is a residential zone, or from the property line of a parcel that is in residential use in any other zone. If any portion of this required setback from the zone boundary or residential property is located within a utility easement, road right-of-way, or other legally restricted area that limits its value as a buffer, the size of the required setback shall be increased by the width of easement, right-of-way, or other restriction.
- ¹¹ All required front yard, side yard, and rear yard setbacks, including required setbacks from Route 196, I-295, the boundary of the BP Zone, and adjacent residential properties, must be maintained as naturally vegetated and/or landscaped open space except for access drives that cross the setback from the adjacent street. No parking, service, or storage facilities may be located within the required setbacks.
- ¹² The required minimum lot size shall be 20,000 square feet for single-family dwellings that are not connected to the public sewer system.
- ¹³ The minimum frontage shall be 50 feet for lots that do not front on or have vehicle access to Route 196.
- ¹⁴ The required setback shall be increased to 25 feet for new nonresidential buildings or structures that abut a residential use.

- 15 ~~Maximum setback does not apply to additional buildings if the massing of the initial building meets the setback; consideration shall be given to building siting.~~ Front and side zero-foot lot line developments are allowed with conditional review by the Planning Board. If the zero-foot setback fronts a public right-of-way, a ~~twelve-foot wide streetscape consisting of, containing at a minimum, a six-foot wide sidewalk and a three-foot wide esplanade within the public right-of-way is required.~~ a five-foot wide sidewalk is required.
- 16 ~~If a new building or renovation of an existing building includes two residential units or more on the second floor, the floor area ratio can be increased to 0.8. (Reserved).~~
- 17 In the LI Zone, lots fronting on Route 201 shall have a minimum of 100 linear feet of frontage. Lots without frontage on Route 201 shall have a minimum of 200 linear feet of frontage.
- 18 In the LI Zone, when a parcel includes Route 201 frontage, this frontage shall be the front property line and from which the front setback is measured.
- 19 Near-field buildings placed between Route 201 and larger buildings setback a minimum of 150 feet from the front property line shall have a maximum setback of 25 feet and a minimum setback of 10 feet.
- 20 Freestanding buildings directly fronting Route 201 shall not exceed 30,000 square feet and shall require conditional Planning Board review. Freestanding buildings directly fronting Route 201 exceeding 30,000 square feet shall be placed behind near-field buildings meeting the minimum building footprint for the zone. Minimum building footprints are only applicable to buildings fronting Route 201.
- 21 Only applies to buildings directly fronting Route 201.
- 22 Lots fronting on Route 201 shall have a minimum lot size of 10,000 square feet.
- 23 A property owner or applicant may choose to develop a subdivision in the R-3 District in one of the following three ways or a combination thereof:
- (a) As a conventional subdivision which conforms to the requirements for the R-3 District as set out in the Table of Dimensional Requirements; or
 - (b) As a large-lot subdivision meeting the requirements set forth in Subsection H; or
 - (c) As an open space subdivision meeting the requirements set forth in Subsection I.
- 24 For any nonresidential use, frontage must be increased by 25 feet.
- 25 For any nonresidential use, the rear setback is increased to 50 feet, where existing vegetation within the rear 35- foot setback is maintained and supplemented with three rows of six foot minimum height trees 10 feet to 15 feet on center.
- 26 Twenty-five foot maximum setback shall only apply to residential uses within the R4 Zoning District.
- 27 Where a ground-level or below-grade parking area resides within the building footprint, 15 feet of height may be added to the maximum building height.
- 28 Housing developments in the R4 Zone shall achieve a standard of 10% of all units being classified as affordable. Affordable housing units shall meet the development standards in § 225-60.6D(1) through (4), including qualified buyers/renters, non-segregation, design, and maintenance of affordability.
- 29 ~~Permitted civic uses on lots under 6 acres may not exceed 40% impervious or 39,204 sq ft whichever is less.~~
- 30 ~~Where the area from the back of curb or the edge of pavement to the lot line is less than 12 feet, a streetscape easement must be provided on the private lot to expand the area to at least 12 feet. The minimum setback for the building must be measured from the easement edge, at least 12 feet off the back of curb/edge of pavement.~~

Planning Board Recommendation:

Ought to Pass

PASSED

Article 11: An Ordinance to amend the Town Code, Chapter 225-6 Definitions to add the definition of Civic Use.

§225-6 Definitions

CIVIC USE

A use group that includes educational, cultural or community assembly facilities that provide services that benefit the general public.

Planning Board Recommendation:

Ought to Pass

PASSED

Article 12: An Ordinance to amend the Town Code, **Chapter 225-17 Dimensional requirements subsection C** to allow for multiple buildings on a lot without the requirement of locating the buildings so that the lot can be legally subdivided.

§225-17 Dimensional Requirements

~~C. Relationship of buildings to lot. Except for lots and buildings located in a planned commercial development or planned mixed-use development as further modified by this chapter, no more than one principal structure, excluding accessory structures, may be constructed or moved onto any one lot of land unless provided that lot meets the minimum lot size required by the total of the density requirements of each principal could be subdivided so that each such principal structure and accessory structures thereto would be on a subdivided lot which in all respects would conform to the minimum dimensional requirements for the use in the particular zone where situated. Buildings and lots in a planned commercial development shall comply with the requirements of § 225-60.4E. Buildings and lots in a planned mixed-use development shall comply with the approved master plan for the development in accordance with the requirements of § 225-60.7.~~

Planning Board Recommendation:

Ought to Pass

PASSED

Article 13: An Ordinance to amend the Town Code, **Chapter 191-18 Public open space and protection of natural resources** to require Conservation Commission approval for deed restrictions as a method of conservation.

§ 191-18 Public open space and protection of natural resources.

[Amended 5-20-2009 STM, Art. 14]

The subdivider shall be required to reserve land for parks or playgrounds, or other recreational or open space facilities commensurate with the increased demands the proposed development will have on public facilities. Reserved land acceptable to the Board and developer shall be conserved through one of the following methods: ~~permanent deed restriction under the bylaws of a homeowner's association, conservation easement that lists the Town or local land trust as the grantee, or the land may be deeded over to the Town or local land trust.~~ a conservation easement that lists the Town or local land trust as the grantee, deeded over to the Town or local land trust, or protected by permanent deed restriction if recommended by the Conservation Commission. Conservation or recreation restrictions shall appear as a condition of approval and the ~~conserved reserved~~ land shall be shown on the plan as "Reserved for Conservation or Recreational Purposes." Where the Board determines that land proposed for set aside is not suitable, based on the standards in § 191-18A, B or D, a payment-in-lieu of dedication shall be provided as further described in § 191-18C. The Planning Board may seek input from the Conservation Commission and Recreation ~~Committee Department~~ in determining the conservation and/ or recreational value of any proposed open space.

A. Recreation. Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield or other recreational purpose. Each reservation shall be a minimum of two acres and shall be of suitable size, dimension, topography and soils and shall have adequate road access.

B. Other. Other public uses, such as natural resource preservation, scenic vistas or traditional land uses, necessitating land reservation may be required as determined by the Board. Where alternative land development planning techniques make provisions for public or private use space, land dedication requirements may be waived by the Board.

C. Payment-in-lieu calculation. Payments in lieu of land reservations are calculated on the basis of \$650 per bedroom as of (date of amendment adoption). Be advised that this fee shall adjust annually on July 1st, and increase/decrease by the percentage demonstrated in the Consumer Price Index New England for the preceding twelve months. This fee shall be paid per dwelling unit at the time of building permit application and shall be dedicated for conservation and/or recreational purposes. [Amended 5-20-2015 STM, Art. 11]

D. In determining the need for such land and reviewing the location and appropriateness of an area reserved for park, playground, open space or other public purposes, the Planning Board shall consider:

- (1) The presence, absence, or expansion of any existing open spaces, parks or playgrounds in the neighborhood;
- (2) The conservation and protection of significant wildlife and natural or scenic resources;
- (3) The protection of historic or archaeological sites;
- (4) The meeting of neighborhood and/or community-wide recreational needs;
- (5) The focus areas identified in the Topsham Natural Areas Plan, with special consideration to those areas rated medium or higher in the "Town of Topsham Natural Areas Evaluation Matrix Analysis with Community Values"; [Amended 5-16-2012 STM, Art. 11]
- (6) Any plans adopted by the Parks and Recreation Committee.

Planning Board Recommendation:

Ought to Pass

PASSED

Article 14: To see if the voters will vote to pay for tax abatements and applicable interest granted during the fiscal year of 2024/2025 from Overlay.

(Explanation: The Assessor is authorized to raise Overlay under 36 MRSA, Section 710, but voter authorization is required to spend Overlay. Overlay cannot be more than 5% of the Tax Commitment

Select Board Recommendation:

Ought to Pass

ARTICLES 14-24 VOTED ON AS A
BLOCK- PASSED AS A GROUP

Article 15: To see if the Town will fix the date of Wednesday, May 28, 2025 for the Special Town Meeting.

Select Board Recommendation:

Ought to Pass

Article 16: To see if the Town will fix the dates when taxes are due and payable, Tuesday, October 15, 2024 and Tuesday, April 15, 2025 and to see if the Town will fix a rate of interest to be charged on taxes after said date at 8.5% or the maximum amount determined by the State Treasurer.

Select Board Recommendation:

Ought to Pass

Article 17: To see if the Town will establish a maximum interest rate to be paid on abated taxes

8.5% or the maximum rate established by the State Treasurer

For delinquent taxes the interest rate to be paid by the Town reduced by 2%

Select Board Recommendation:

Ought to Pass

Article 18: To see if the Town will vote to authorize the Select Board to sell, convey, and otherwise dispose of any Town-owned property the Select Board determines not to be needed for Town use upon such terms and conditions as the Select Board may deem in the best interests of the Town as otherwise allowed by law.

Select Board Recommendation:

Ought to Pass

Article 19: To see if the Town will authorize the Select Board to accept gifts, real estate, and certain funds, including trust funds (hereinafter collectively referred to as "the Gifts") on behalf of the Town under such terms as they deem advisable, spend the Gifts for the purposes intended as allowed by law and establish reserve funds as necessary in order to give effect to the Gifts.

Select Board Recommendation:

Ought to Pass

Article 20: To see if the Town will vote to authorize the Select Board to accept and convey any easements on behalf of the Town of Topsham which the Select Board deem appropriate.

Select Board Recommendation:

Ought to Pass

Article 21: To see if the Town will authorize the Treasurer, with the approval of the Select Board, to waive foreclosure on any tax lien during the course of the fiscal year, leaving the Tax Lien Mortgage in full force and effect as provided for in 36 M.R.S.A. Sec. 944(1).

Select Board Recommendation: **Ought to Pass**

Article 22: To see if the Town will authorize the Select Board to establish reserve accounts for Town accounts holding donated money, spend such donations for the purposes intended as allowed by law in order to give effect to the donation and transfer the current balances of existing donation accounts into the corresponding reserve account.

Select Board Recommendation: **Ought to Pass**


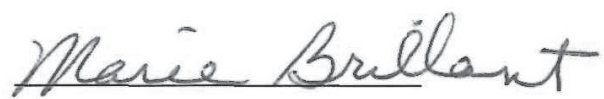
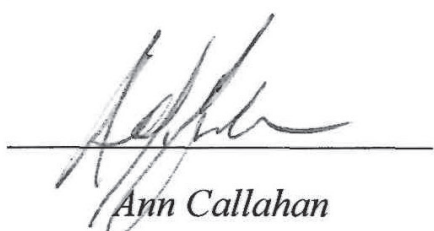

Article 23: To see if the Town will authorize the Select Board to establish reserve accounts for capital or other statutorily authorized purposes, spend such reserves for the purposes intended as allowed by law and transfer the current balances of existing accounts into the corresponding reserve account.

Select Board Recommendation: **Ought to Pass**

Article 24: To see if the Town will authorize the Select Board to apply for grants, approve the acceptance of grants, receive grants, appropriate the Town's share of the grant from funds raised at a Town Meeting, expend the grants for the purposes stated in the grant and enter into agreements or other documentation required in connection therewith. These expenditures may be reflected outside of the Town's approved budget.

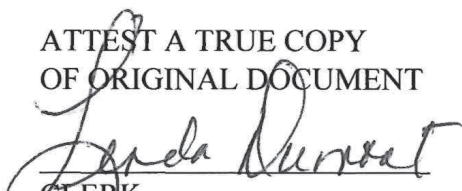
Select Board Recommendation: **Ought to Pass**

GIVEN UNDER OUR HANDS 18th DAY OF APRIL 2024 BY THE SELECT BOARD

<hr style="width: 200px; margin: 0 auto;"/> <p><i>Roland Tufts, Chair</i></p>	 <hr style="width: 200px; margin: 0 auto;"/> <p><i>Matthew Nixon, Vice-Chair</i></p>	 <hr style="width: 200px; margin: 0 auto;"/> <p><i>Marie Brilliant</i></p>
 <hr style="width: 200px; margin: 0 auto;"/> <p><i>Ann Callahan</i></p>	 <hr style="width: 200px; margin: 0 auto;"/> <p><i>Ryan Holmes</i></p>	

The Registrar of Voters located at the Municipal Building is open Monday- Friday during regular business hours; for the purpose of accepting new registration and to make address, name and /or enrollment changes. In addition, the Deputy Registrar will be present at the Special Town Meeting from 6:00pm-7:00pm on May 22, 2024.

ATTEST A TRUE COPY
OF ORIGINAL DOCUMENT


CLERK
TOWN OF TOPSHAM, MAINE

DATE 4-19-2024



**Please mark your calendar and
bring this warrant to Topsham's**

SPECIAL TOWN MEETING

**Wednesday, May 22nd, 2024 at 7:00 PM
Mt. Ararat High School - Forum Room**

Back-up date: Friday, May 24th, 2024

For additional information about Topsham municipal government,
call (207) 725-5821 or visit theTown's website at: www.topshammaine.com

The Town warrant presents the proposed budget for the period of July 1, 2024, through June 30, 2025, and ordinance articles for your consideration. The proposed municipal budget in this warrant combined with Topsham's MSAD-75 education and Sagadahoc County tax levies, produces a total budget for Topsham, which becomes the basis for the property tax levy. MSAD-75 and Sagadahoc County budgets are approved independently from this warrant. Information regarding the MSAD-75 budget approval is provided below.

M.S.A.D No. 75 District Budget Meeting

Mt. Ararat Middle School Orion Performing Arts Center
Thursday, May 16, 2024 at 6:30 PM

The District must first hold a District budget meeting, where voters will vote on the warrant articles. Each article will be presented to those present for a show of hands vote or a secret ballot vote. The meeting will end when all articles pass. All articles are subject to amendment.

M.S.A.D No. 75 Budget Validation Referendum

Polls open 8:00 AM to 8:00 PM
June 11, 2024
Mt. Ararat High School Gymnasium

Within 30 calendar days, the District must hold a referendum on the decision made at the District budget meeting. The referendum will have one warrant article and it will ask the voters to vote on the final budget amount as approved at the District budget meeting. The article will not state the specific amount of the final budget, because time does not permit the printing and distribution of absentee ballots. However, the amount will be posted in the polling area and in the polling booth.

The graph below shows the trend of the MSAD-75, Municipal, and County budgets since FY2017.

