

WARRANT FOR SPECIAL TOWN MEETING

May 16, 2001 and May 17, 2001

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 Mt. Ararat School on the sixteenth day of May, 2001, A.D. at 7:00 o'clock p.m. Daylight Savings Time and then and there to act on Article 1 thru 48 to wit:

ARTICLE 1 – To elect a *Moderator* to preside at said meeting. John Loyd

ARTICLE 2 – 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.

2001-2002
Selectmen's Recommendation

General Government	
1. Administration	171,210
2. Municipal Officers	21,750
3. Treasurer	61,320
4. Central Services	50,260
5. Town Clerk	66,210
6. Tax Collector	79,097
7. Code Enforcement	52,052
8. Assessing	87,525
9. Elections/Registration	12,151
10. Town Planner	123,753
11. Municipal Insurance	46,990
12. Municipal Building	35,080
13. Police/Rescue Bldg.	11,053
14. Shade Trees	2,000
15. General Celebrations	2,310
16. General Assistance	34,492
17. Contractual Services	89,140
18. Public Utilities	188,500
19. Emergency Mgmt.	20,000
20. EMM	0
21. Wages/Sal. Contingency	17,660
TOTAL:	1,172,553

Selectmen's Recommendation: (Allocated Below)		
\$ 272,438	Estimated Revenue	
\$ 288,630	Taxation/State Reimb. For Homestead	
	Property Tax Exemption	
\$ 250,000	Unappropriated Surplus	
\$ 361,485	State Revenue Sharing	
\$ 0	General Ledger Accounts	
\$ 1,172,553	Total	

ARTICLE 3 -- To see what sum the Town will vote to spend from the **Capital Reserve Fund** and to see what sum the Town will vote to raise and appropriate for same.

2001-2002
Selectmen's Recommendation

	<u>Raise</u>	<u>Spend</u>
Public Wrks. – Truck	\$40,000	\$40,000
Public Wrks. – Reconstr.	150,000	150,000
Public Wrks. – Sidewalks	5,000	5,000
Public Wrks. – Bridge	0	0
Police Dept. – Cruisers	0	0
Police Building	0	0
Police Dept. – Vests	4,000	4,000
Ambulance Reserve	0	0
Fire Dept. – Air Packs	9,640	9,640
Fire Dept. Equipment	0	0
Computerization	17,000	17,000
Municipal Buildings	0	0
Recreation – Mower	4,895	4,895

Recreation – Playground		
Equipment	6,000	6,000
Recreation Tennis Cts	0	0
ForeSIDE Field	0	0
Revaluation	10,000	0
SWF - Equipment	0	10,000
Landfill Closure	0	0
Comm. Repeat.	13,000	13,000
General Gov. Voting	0	0
Library Building	0	0
Main Street Project	0	104,000
Police – Weapons	8,551	8,551
TOTAL:	\$268,086	\$372,086

Selectmen's Recommendation: (Allocated Below)

\$ 114,000	Capital Reserves Prior Years
\$ 51,000	State Revenue Sharing
\$ 208,535	Taxation/State Reimb. For Homestead
	Property Tax Exemption
\$ 8,551	G/L Reimbursement/Training
\$ 382,086	Total
\$ 10,000	Not to be spent
\$ 372,086	Adjusted to be spent 2001-2002

ARTICLE 4 – To see what sum the Town will vote to spend for a new Public Works Building to be located on property to be owned by the Town from the Bypass North Municipal Development and Tax Increment Financing District and to see what sum the Town will vote to raise and appropriate for same.

1. Municipal Buildings Capital Reserve	\$ 698,297
2. Funds to be raised for the 2001 – 2002 Municipal Buildings Capital Reserve	46,380
3. Funds to be reallocated from completed or non-initiated projects:	
Reserve/Consolidated Dispatch	9,250
Reserve/FD – Exhaust Vent	2,272
Reserve/Landfill – Closure	4,330
Reserve/MMWAC Buy – in	59,190
Reserve/Police – Metro Computer	136
Reserve/Public Works – Bridge	5,000
Reserve/Police – Telephone Recorder	6,758
Reallocation/EMM Funds	94,933
G/L #530 Educ Cert. Block Grant 90-91	2,621
4. Town TIF Program Funds/Village Candle Project Estimate	79,766
5. Funds from Unappropriated Surplus	97,067
Total:	\$ 1,106,000

Selectmen's Recommendation: Approval Passed
Finance Committee Recommendation: Approval Passed

ARTICLE 5 – To see if the Town will authorize the Selectmen to spend up to \$85,000 from the Library – Building Capital Reserve Account and to donate or transfer such funds to the Topsnam Public Library for the purchase of land for a new library, all upon such terms and conditions as established by the Board of Selectmen?

Selectmen's Recommendation: Approval Passed
Finance Committee Recommendation: Approval Passed

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 same:

	2001-2002	Selectmen's Recommendation
Public Safety		
Police Protection	758,190 (amended)	
Communications	187,700	
Fire Protection	203,420	
EMS (Rescue)	134,757	
TOTAL:	1,284,067 (amended)	

Selectmen's Recommendation: (Allocated Below)

\$	314,380 (amended)	Taxation/State Reimb. For Homestead
		Property Tax Exemption
\$	43,587	Estimated Revenue
\$	1,100	Dog Ordinance Fee
\$	925,000	Excise Tax
\$	1,284,067 (amended)	Total

ARTICLE 7 – To see what sum the Town will vote to spend for **Recreational Purposes** under the following accounts and to see what sum the Town will vote to raise and appropriate for same.

2001-2002
Selectmen's Recommendation

Recreational Operations	135,810
Recreation Programs	117,600
TOTAL:	253,410

Selectmen's Recommendation: (Allocated Below)

\$	117,600	Estimated Revenue
\$	135,810	Taxation/State Reimb. For Homestead
\$	253,410	Property Tax Exemption
		Total

ARTICLE 8 – To see what sum the Town will spend for **Public Works, Recycling Program and Transfer Station Management** under the following accounts and to see what sum the Town will vote to raise and appropriate for same.

2001-2002
Selectmen's Recommendation

Public Works	669,261
Recycling Program	168,384
Transfer Station Man.	168,385
TOTAL:	1,006,030

Selectmen's Recommendation: (Allocated Below)

\$	58,385	SW/F User Fees
\$	110,000	Bags/Sticker Sales
\$	139,735	Taxation/State Reimb. For Homestead
		Property Tax Exemption
\$	84,000	Highway Block Grant
\$	317,515	State Revenue Sharing
\$	171,605	Reallocations / SRS
\$	14,990	Reallocations / Block Grant
\$	9,300	Boat Excise
\$	100,500	Estimated Revenue
\$1,006,030		Total

ARTICLE 9 – To see what sum the Town will vote to spend for **Grant** purposes under the following accounts and to see what sum the Town will vote to receive and appropriate for same.

2001-2002
Selectmen's Recommendation

Grant Projects
Breakdown:

COPS/Universal Hiring Grant	27,000
COPS/Small Community Grant	0
Community Policing	0
Bullet Proof Vest Partnership	2,000
Fire Act Grant – Rescue Pumpper	300,000
Fire Act Grant – 2 Thermal	
Imagine Cameras	25,000
Weed & Seed	2,000
School Resource Officer	45,000
Public Safety	0
Law Enforcement	0
T-2000 Bike Path	0
Certified Local Gov. Grant	10,000
General Planning Grant	10,000
Economic Dev. Grant	50,000
Ice Storm Recovery	25,000
FEMA T404 Grant	25,000

Leader Program	10,000
Safety Enhancement	5,000
Century Project	10,000
History Grant	10,000
Roadside Erosion Control	10,000
Gateway Grant	5,000
Community Projects	10,000

TOTAL: 581,000

Selectmen's Recommendation: (Allocated Below)

All grant funds received will be placed in General Ledger Accounts with expenditures made from the General Ledger, to not exceed receipts.

ARTICLE 10 – Shall the Town vote to raise the local funds required as a match to the Comprehensive Plan Review Grant, to appropriate the grant and required local matching funds for the development of an update to the Town's 1992 Comprehensive Plan, to authorize the Selectmen to contract with the State Planning Office for the grant, and to authorize the Selectmen to contract, as necessary, for materials and services needed to achieve the purposes of the grant.

Estimated amount of Grant: \$ 10,000
Estimated amount of Match: \$ 3,300 (in the 2001-2002 budget)

Selectmen's Recommendation:	Approval	Passed
Finance Committee Recommendation:	Approval	Passed

ARTICLE 11 – To see what sum the Town will vote to spend for **Economic Development** and to see what sum the Town will vote to raise and appropriate for same.

	2001-2002	
	Selectmen's Budget	
Economic Devel.	91,065	
Enterprise Fund	0	
TOTAL:	91,065	

Selectmen's Recommendation: (Allocated Below)
\$ 91,065 Taxation / State Reimb. For Homestead
Property Tax Exemption

ARTICLE 12 – To see what sum the Town will vote to spend for **Library Services** and to see what sum the Town will vote to raise and appropriate for same.

	2001-2002	
	Selectmen's Budget	
Library Services		
Annual Appropriation	130,923 (amended)	
Past Stipend	0	
Total	130,923 (amended)	

Selectmen's Recommendation: (Allocated Below)
\$ 130,923 (amended) Taxation/State Reimb. For Homestead
Property Tax Exemption

ARTICLE 13 – To see what sum the Town will contribute to each of the following **Community Welfare and Service Organizations I & II** to supplement their respective incomes and to see what sum the Town will vote to raise and appropriate for same.

	2001-2002	
	Selectmen's Budget	
Coastal Economic Development	2,449	
Bath-Brunns. Child Care	1,500	
Coastal Transportation	1,000	
Jessie Albert Dental	1,800	
Independence Association	5,760	
C.H.A.N.S.	4,000	
Shoreline Mental Health	0	
C.M.A.A.A. (Senior Spec)	2,000	
Evergreen Senior Citizens	800	
Hospice	0	
Family Crisis Shelter	750	
Brunswick Area Respite	2,000	
Bath-Brunns. Child Abuse	781	
Big Brother/Big Sister	2,300	

MidCoast Sexual Assault Center	1,000
Merrymeeters	1,200
WCBB-TV	750
Pejepscot Historical Society	500
55 Plus Center	3,615
Grandstand Restoration	500
TOTALS:	32,705

Selectmen's Recommendation: (Allocated Below)
 \$32,705 Taxation/State Reimb. For Homestead
 Property Tax Exemption

ARTICLE 14-To see what sum the Town will vote to spend for **Tax Increment Financing Payments and Abatements** under Maine Revised Statutes Title 36 and to see what sum the Town will vote to raise and appropriate for same.

	2001-2002	
	Selectmen's Budget	
Tax Increment Financing		
(TIF) Payments	\$ 270,000	
Abatements	\$ 100,000	
TOTAL:	\$ 370,000	

Selectmen's Recommendation: (Allocated Below)
 \$ 270,000 Taxation
 \$ 100,000 Taxation/State Reimb. For Homestead
 \$ 370,000 Property Tax Exemption
 Total

ARTICLE 15 - To appropriate the 2001-2002 **Excise Tax** to the following accounts.

ARTICLE 6
 ARTICLE 8

Selectmen's Recommendation: Approval Passed

ARTICLE 16 - To see if the Town will authorize the Municipal Officers to enter into a contract with Pine Tree Waste for a period of not more than five (5) years for the purpose of disposing of household waste on such terms as the Municipal Officers deem to be in the Town's best interest provided that the total contract price does not exceed \$61.75 per ton and to designate the Town Manager to execute the contract and to see if the Town will authorize the Municipal Officers to enter into a contract with Pine Tree Waste for a period of not more than five (5) years for the purpose of hauling of waste on such terms as the Municipal Officers deem to be in the Town's best interest provided that the total contract price does not exceed \$163.19 per round trip and to designate the Town Manager to execute the contract.

Selectmen's Recommendation: Approval Passed

ARTICLE 17 - Do you favor increasing the borrowing capacity of the Topsnam Sewer District from One Million Dollars (\$1,000,000.00) to Two Million Dollars (\$2,000,000.00) as set forth in LD 1322 and approve the issuance of Notes or Bonds by the Topsnam Sewer District in an aggregate not to exceed Two Million Dollars (\$2,000,000.00) pursuant to the Private and Special Laws establishing the Topsnam Sewer District?

Selectmen's Recommendation: Approval **Passed Over**

ARTICLE 18 - Shall the Town accept the conditional gift of land, being Lot T-1 as shown on the Plan of Subdivision-Amendment 1 of Highland Green, State Route 196 and Tedford Road, Topsnam, Maine from Central Topsnam Associates, all as presented to this Town Meeting?

Selectmen's Recommendation: Approval Passed

ARTICLE 19 - Shall the Town accept the conditional enforcement rights set forth in the proposed Conservation Easement from Central Topsnam Associates, LLC to Brunswick Topsnam Land Trust regarding Lot E-1 and Lot E-2 as shown on the Plan of Subdivision-Highland Green, all as presented to this Town Meeting?

Selectmen's Recommendation: Approval Passed

ARTICLE 20 - Shall the Town of Topsnam (the "Town"), acting pursuant to the provisions of Title 30-A Chapter 207 of the Maine Revised Statutes, designate amended boundaries for the Bypass North Municipal Development and Tax Increment Financing District and adopt the Second Amendment to the Bypass North Municipal Development and Tax Increment Financing District Development Program (the "Second Amendment") to the District as presented to this Town Meeting, a copy of which is incorporated herein and made a part of the minutes of this Town Meeting, such designation and adoption to be pursuant to the following terms and provisions:

- b. The total area of the District does not exceed two percent (2%) of the total acreage of the Town. The total area of all development districts within the Town (including the District) does not exceed five percent (5%) of the total acreage of the Town; and
- c. The aggregate value of equalized taxable property of the District as of April 1, 2001 does not exceed five percent (5%) of the total value of equalized taxable property within the Town as of April 1, 2001; and
- d. The aggregate value of indebtedness financed by the proceeds from tax increment financing within Sagadahoc County, including the proposed District, does not exceed \$50 million; and
- e. The Town expects that the real and personal property improvements within the District will be completed within five (5) years of the designation of the District by the Department of Economic and Community Development; and
- f. The designation of the District and pursuit of the Development Program will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 2. Pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby designates the Coastal Metal Fab Municipal Development and Tax Increment Financing District as more particularly described and set forth in the Development Program for the District presented to this Town Meeting in the form attached hereto and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5254, the percentage of captured assessed value to be retained in accordance with the Development Program is to be established as set forth in the Development Program for the District.

Section 4. The Town Manager is authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5253(1)(F).

Section 5. The Board of Selectmen or the duly-appointed representative, be and hereby are authorized and empowered, at their discretion, from time to time, to make such revisions to the Development Program for the District as the Board of Selectmen, or their duly-appointed representative, deem reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the Department of Economic and Community Development, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

Section 6. The foregoing designation of the District and the adoption of the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the designation of the District and the adoption of the Development Program by the Department of Economic and Community Development, without requirements of further action by the Town, the Board of Selectmen, or any other party.

Section 7. The Board of Selectmen, or their duly-appointed representative, be and hereby are, authorized to enter into a Credit Enhancement Agreement contemplated by the Development Program, in the name of and on behalf of the Town; such agreement(s) to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the said Board of Selectmen may approve.

Selectmen's Recommendation:	Approval	Passed
Finance Committee Recommendation:	Approval	Passed

ARTICLE 23 – Shall an ordinance entitled “An ordinance to amend the Town of Topsham Code, Chapter 175 Site Plan Review, to amend subsection 175-4, Applicability” be enacted?

An ordinance to amend the Town of Topsham Code, Chapter 175 Site Plan Review, to amend subsection 175-4, Applicability.

To amend subsection 175-4, Applicability to read as follows:

This chapter shall apply to all development for new construction, alterations or substantial enlargement or change of use to commercial, retail, industrial, institutional building(s) and structure(s), multiple-family dwellings consisting of three or more attached dwelling units and their accessory uses and structures, and changes to development previously approved under this chapter. This chapter shall also apply to those land uses requiring site plan review under Chapter 225, Zoning, Article VI, of the Code.

Planning Board Recommendation:	Approval	Passed
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ARTICLE 24 – Shall an ordinance entitled “An ordinance to amend the Town of Topsham Code, Chapter 175 Site Plan Review, to amend subsection 175-6.A and 175-6.B, Procedures for Site Plan Review” be enacted?

An ordinance to amend the Town of Topsham Code, Chapter 175 Site Plan Review, to amend subsection 175-6.A and 175-6.B, Procedures for Site Plan Review.

To delete in its entirety subsection 175-6.A(1) and replace with the following:

- (1) Sketch plan required. Before submitting a formal application for approval, the applicant or his agent shall appear before the Planning Board to discuss the proposed development. A sketch plan shall be delivered to the Planning Office 21 days prior to

a scheduled Planning Board meeting. The sketch plan shall serve as the basis for informal review by the Planning Board. The applicant shall make arrangements for the Planning Board to inspect the site.

To delete in its entirety subsection 175-6.B(1) and replace with the following:

(1) Submission; notice of completeness. The original and 18 copies of the formal application and applicable plan shall be delivered to the Planning Office 21 days prior to a scheduled Planning Board meeting for filing with the Planning Board for review at a regular monthly meeting of the Board. Within 30 days of the review of the formal application, the applicant shall be notified, in writing, either that the application is a complete application or, if the application is not complete, the specific additional material needed to make a complete application. After the Planning Board has determined that a complete application has been filed, the Planning Office shall notify the applicant, in writing, and the Planning Board shall begin its review of the proposed development.

Planning Board Recommendation: Approval Passed

ARTICLE 25 – Shall an ordinance entitled “An ordinance to amend the Town of Topsham Code, Chapter 191 Subdivision of Land, to amend subsection 191-5 Preliminary Plan and 191-10 Final Plan” be enacted?

An ordinance to amend the Town of Topsham Code, Chapter 191 Subdivision of Land, to amend subsection 191-5 Preliminary Plan and 191-10 Final Plan.

To delete only the first paragraph of 191-5. Preliminary Plan in its entirety and replace with the following:

The subdiviver shall submit the original and 18 prints of the preliminary plan to the Planning Board, each on one or more sheets, with a scale of not more than 100 feet to the inch. The sheet size is to be 24 by 36 inches maximum. Such submission shall be 21 days prior to a scheduled Planning Board meeting.

To delete only the first paragraph of 191-10. Final Plan in its entirety and replace with the following:

The developer shall submit the original and 18 complete sets (prints) of development plans for review 21 days prior to a scheduled Planning Board meeting. All must be of the same scale and size as the preliminary plan and contain the following information:

Planning Board Recommendation: Approval Passed

ARTICLE 26 – Shall an ordinance entitled “An ordinance to amend the Town of Topsham Code, Chapter 225 Zoning Ordinance, to amend 225-60.3.C Transmission towers.” be enacted?

An ordinance to amend the Town of Topsham Code, Chapter 225 Zoning Ordinance, to amend 225 60.3C(1) Transmission towers.

To delete in its entirety subsection 225-60.3C(1) Transmission towers and replace with the following:

(1) Maximum height as measured from the top of the tower or attached apparatus down to the average finished grade of the ground at the base of the tower.

District	Regulation
R-1	75 feet single user, 125 feet collocated
R-2	100 feet single user, 150 feet collocated
R-3	100 feet single user, 150 feet collocated
Commercial Corridor	Integration into existing structures only
Rural Commercial	75 feet single user, 125 feet collocated
Mixed - Use Limited	75 feet single user, 125 feet collocated
Mixed - Use Commercial	Integration into existing structures only
Lower Village	Integration into existing structures only
Middle Village	Integration into existing structures only
Upper Village	Integration into existing structures only
Industrial	100 feet single user, 150 feet collocated

Planning Board Recommendation: Approval Passed

ARTICLE 27 – Shall an ordinance entitled “An ordinance to amend the Town of Topsham Code, Chapter 225 Zoning Ordinance, to amend 225-14.B. Nonconforming use.” be enacted?

An ordinance to amend the Town of Topsham Code, Chapter 225 Zoning Ordinance, to amend 225-14. B. Nonconforming use.

To delete in its entirety subsection 225-14.B. (3) Change of use & replace with the following:

(3) Change of use. A nonconforming use may be changed to another nonconforming use only when the Board of Appeals determines, pursuant to the procedures of Article X of this chapter, that the impact of the new use on adjacent properties and the Town is less adverse than the former use and that the existing use was legally established, was made nonconforming by the adoption or amendment of Chapter 225 and is not a home occupation. In making this determination, the Board shall consider traffic, hours of operation, amount and location of parking, lighting, noise, odors, vibrations, dust, smoke air discharges, rate of surface water runoff and the potential for erosion. Once the Board of Appeals has changed the use as described above, the former nonconforming use shall be considered abandoned.

Planning Board Recommendation:

Approval

Passed

ARTICLE 28 – Shall an ordinance entitled “An ordinance to amend the Town of Topsham Code, Chapter 225 Zoning Ordinance, to amend 225-17.A Dimensional requirements.” be enacted?

An ordinance to amend the Town of Topsham Code, Chapter 225 Zoning Ordinance, to amend 225-17.A Dimensional requirements.

To delete in its entirety subsection 225-17.A. & replace with the following:

A. Except for lots and buildings located in a planned commercial development, lots and buildings in all zones shall comply with the following requirements. Additional requirements may be imposed by other provisions of this chapter. The dimensional requirements for lots and buildings in a planned commercial development shall comply with the standards established by § 225-60.4E.

Requirements	R-1	R-2	R-3	CC	RCU	MUL	MUC	LV	MV	UV	I
Minimum lot size (square feet)	20,000	30,000	1.5 acres	20,000	30,000	30,000 ¹	20,000	7,500	15,000	20,000	40,000
Minimum lot width (feet)	100	125	150	100	200	200 ¹	100	50	100	100	200
Minimum front yard setback (feet)	25	50	75	25	80 ⁴	20	25	5 ²	25	25	100
Minimum side yard setback (feet)	15	25	35	15 ³	30 ⁴	20 ¹	15 ⁴	10	15	15	25
Minimum rear yard setback (feet)	25	25	50	25 ³	30 ⁴	20 ¹	25 ³	25 ³	25	25	40
Maximum building height (feet)	35	35	35	35	35	35 ¹	45	45	35	45	50
Maximum structure height (feet)	75 ⁵	75 ⁵	150 ⁵	75 ⁵	100 ⁵	75 ^{1,5}	100 ⁵	75 ⁵	75 ⁵	75 ⁵	150 ⁵
Minimum landscape (open space ratio)	0.2	0.2	0.6	0.2	0.3	0.3 ¹	0.2	0.1	0.2	0.2	0.1
Floor area ratio	0.4	0.2	0.1	0.5	0.4	0.4 ¹	0.5	0.4	0.4	0.3	1

NOTES:

- A. The front setback may be reduced to the average of the front setbacks of existing structures on adjacent properties.
- 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 750 square feet of living space in detached units and 500 square feet in attached units.
- E. No building may be erected on any lot which does not abut a public way or a private way, or a private right-of-way at least 50 feet in width at all points, which said right-of-way leads to a public way, or private right-of-way which was in effect prior to the enactment of this chapter as long as a road may be built to town specifications within the private right-of-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 (§ 225-14, Part D below) located within a commercial zone.

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 the 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.

Planning Board Recommendation: Approval Passed

ARTICLE 29 – To see if the Town will vote to approve the Municipal Officers’ Order of Discontinuance of a portion of Lover’s Lane dated 04/19/2001 and filed with the Town Clerk and to raise and appropriate the sum of \$0 to pay damages as stated in the Order and to see if the Town will vote to accept as a Town way Lover’s Lane as revised and laid out by the Selectmen as shown on the Cornerstone Professional Land Surveying, Inc. survey dated 10/07/2000 and to see if the Town will authorize the Selectmen to sign the Quitclaim deeds to the abutters conveying any interest the Town has in the discontinuance.

Selectmen’s Recommendation: Approval Passed See Handout

ARTICLE 30 – To see if the Town will vote to discontinue as a Town Way and as a public easement, including an easement for public utilities, a portion of “Park Drive” set forth in Exhibit A and to see if the Town will vote to accept as a Town Way, a portion of “Park Drive” as laid out by the Selectmen of the Town of Topsnam as set forth in Exhibit B and to see if the Town will authorize the Selectmen to sign a Quitclaim deed to the abutters, TOP, L.L.C., conveying any remaining interest in the discontinued portion of Park Drive to TOP, L.L.C.

Selectmen’s Recommendation: Approval Passed See Handout

ARTICLE 31 – To see if the Town will vote to accept as Town Ways “Eric Drive” and “Alora Drive” as particularly described as follows:

Planning Board Recommendation: Approval Passed (Subject to Outside Inspections) See Handout (Exhibit A)

ARTICLE 32 – To see if the Town will vote to accept a conveyance to the Town of Topsnam as a recreation area the property located in the Cathance Hills Subdivision and more particularly described as follows:

Planning Board Recommendation: Approval Passed (Subject to Outside Inspections) See Handout (Exhibit B)

ARTICLE 33 – To see if the Town will vote to accept as a Town Way “Canam Drive” as particularly described as follows:

Planning Board Recommendation: Approval Passed (Subject to Outside Inspections) See Handout (Exhibit C)

ARTICLE 34 – To see if the Town will vote to accept as a Town Way “Danielle Drive” as particularly described as follows:

Planning Board Recommendation: Approval Passed (Subject to Outside Inspections) See Handout (Exhibit D)

ARTICLE 35 – To see if the Town will vote to accept as a Town Way “Mae Lane” as particularly described as follows:

Planning Board Recommendation: Approval Passed (Subject to Outside Inspections) See Handout (Exhibit E)

ARTICLE 36 – To see if the Town will vote to accept as a Town Way “Moe Lane” as particularly described as follows:

Planning Board Recommendation: Approval Passed (Subject to Outside Inspections) See Handout (Exhibit F)

ARTICLE 37 – Shall an ordinance entitled “An ordinance to amend the Town of Topsnam Code, Chapter 118 Article 1 Entertainment Ordinance” be enacted? See Handout

Selectmen’s Recommendation: Approval Defeated

ARTICLE 38 – Shall an ordinance entitled “An ordinance to amend the Town of Topsnam Code, Chapter 161, Article 2 Facilities to govern the Town of Topsnam Parks and Recreation Facilities” be enacted?

Selectmen’s Recommendation: Approval Passed See Handout

ARTICLE 39 – Shall an ordinance entitled “An ordinance to amend the Town of Topsnam Code, Chapter 179 Solid Waste Ordinance, to amend 179-7. Administration” be enacted?

Selectmen’s Recommendation: Approval Passed See Handout

ARTICLE 40 – To see if the Town will vote to approve the formation of the Midcoast Council for Business Development and Planning and to participate in this regional council of governments under the terms and conditions approved by the Board of Selectmen on 04/05/2001? See Handout

Selectmen's Recommendation: Approval Passed

ARTICLE 41 – To see if the Town will vote to hold the 2002 Annual Town Meeting on the same day in November as the State Elections to conduct the election of Municipal Officers and to hold the 2002 Special Town Meeting on the third Wednesday in May to conduct non-election business.

Selectmen's Recommendation: Approval Passed

ARTICLE 42 – To see if the Town will allow the Tax Collector to accept the prepayment of taxes and to see if the Town will fix the rate of interest to be paid on said taxes.

Selectmen's Recommendation: Approval, 0.0% Passed

ARTICLE 43 – To see if the Town will fix dates when taxes are due and payable and to see if the Town will fix a rate of interest to be charged on taxes after said date.

Selectmen's Recommendation: Tuesday October 16, 2001 11.50% Passed
Tuesday April 16, 2002 11.50%
"or the maximum amount determined by the State Treasurer"

ARTICLE 44 – To see if the Town will establish a maximum interest rate to be paid on abated taxes.

Selectmen's Recommendation: 6.75% Passed
"or the maximum rate established by the State Treasurer for delinquent taxes reduced by 4%"

ARTICLE 45 – To see if the Town will authorize the Selectmen to dispose of town-owned personal property with value of \$5,000 or less under such terms, as they deem advisable.

Selectmen's Recommendation: Approval Passed

ARTICLE 46 – To see if the Town will authorize the Selectmen to accept gifts on behalf of the Town with a value of \$5,000 or less under such terms they deem advisable.

Selectmen's Recommendation: Approval Passed

ARTICLE 47 – To see if the Town will authorize the Selectmen to convey by deeds of quit-claim title and interest of the Town of Topsham in and to any real estate acquired by the Town by virtue of the Revised Statutes of the State of Maine, at any sale for taxes, to such persons for such considerations as the Selectmen may in each case determine.

Selectmen's Recommendation: Approval Passed

ARTICLE 48 – To see if the Town will vote to authorize the Selectmen if they so elect to become a member of the Maine Municipal Association Property and Casualty Risk Pool, including but not limited to, the execution of any contract required for such membership and appropriate funds under the General Government category for "Insurance" for the payment of any required fee or charges. The authority granted shall continue until revoked.

Selectmen's Recommendation: Approval Passed

GIVEN UNDER OUR HANDS THIS 3rd DAY OF MAY, 2001

Roger Caouette, Chair; Ronald Riendeau, Vice Chair;
Peter Gore, Edith Cross, James Hoover
BOARD OF SELECTMEN
ATTEST: Ruth A. Lyons, Town Clerk of Topsham