

Annual Town Meeting Warrant

June 10 & 12, 2014

TO: Karen Peterson of the Town of Readfield, Maine, in the County of Kennebec.

GREETINGS: In the name of the State of Maine and the Town you are hereby required to notify and warn the inhabitants of the Town of Readfield, qualified by law to vote in Town affairs, of the Meeting described in this Warrant.

TO: The voters of the Town of Readfield, you are hereby notified to meet in Asa Gile Hall, 2nd floor (Town Office) in said Town on Tuesday, June 10, 2014, at 8:00 o'clock AM to act on Article 1 by written ballot and on Articles 2 and 3 by secret ballot. The polling hours will be from 8:00 o'clock AM to 8:00 o'clock PM. The meeting will recess at the completion of the count of the ballots until Thursday, June 12, 2014, at 6:00 o'clock PM. The meeting will reconvene at the Readfield Elementary School Auditorium in said Town on Thursday, June 12, 2014, at 6:00 o'clock PM; then and there to act on Articles 4 through 49 as set out below, to wit:

Article 1. To choose a moderator to preside at said Town Meeting.

Article 2. To elect all necessary Town Officers as required to be elected by secret ballot (M.R.S.A. 30-A, §2528).

Select Board: One 3-year term

RSU #38 Advisory Board: One 3-year term, One 1-year term

RSU #38 Board: Two 3-year terms

Article 3. Shall the Town of Readfield raise and appropriate the sum of \$5,000 annually, beginning this year, to fund Readfield Heritage Days, with the Heritage Days celebration being held every other year, beginning in 2015, and with maximum funding of \$10,000 from tax revenue?

(Note: This question is intended to determine the wishes of the voters in regard to the Heritage Days celebration. The amount of \$5,000 would be raised by taxation in 2014 if the question passes. It would still be necessary for the voters to approve future appropriations on an annual basis.)

Article 4. To see if the Town will vote to hear and discuss any reports of any Boards or Committees or Officers of the Town.

Select Board Recommends: Ought to Pass

Article 5. To see if the Town will vote to allow the Select Board to establish salaries of Town Officers and Employees, not elsewhere established, for the period **July 1, 2014 - June 30, 2015**.

Select Board Recommends: Ought to Pass

Article 6. To see if the Town will vote to fix **September 26, 2014** or thirty days after the taxes are committed, whichever is later, and **February 27, 2015** as the dates on each of which one-half of the property taxes are due and payable, and as the dates from which interest will be charged on any unpaid taxes at a rate of 4% per year. *(Note: Maximum interest allowed is 7% per the State.)*

Select Board Recommends: Ought to Pass

Article 7. Shall the Town authorize the Tax Collector to pay interest at a rate of 0.5% (1/2%) from the date of overpayment, on any taxes paid and later abated pursuant to Title 36 MRSA, § 505.4? *(Note: If a municipality fails to set a rate, it shall pay interest at a rate of 7%.)*

Select Board Recommends: Ought to Pass

Article 8. Shall the Town authorize the Tax Collector to accept payment of taxes not yet committed? *(Note: This article is required by State Law, Title 36 MRSA, § 506, at each Annual Town Meeting, in order to collect any prepayment--such as Tax Club payments--for taxes paid prior to commitment of said taxes.)*

Select Board Recommends: Ought to Pass

Article 9. To see if the Town will vote to authorize the Select Board on behalf of the Town to enter into single- or multi-year contracts, leases, and lease /purchase agreements, not to exceed five years, in the name of the Town if it is deemed to be in the best interest of the Town.

Select Board Recommends: Ought to Pass

Article 10. To see if the Town will vote to accept any gifts, unanticipated donations, or pass-through funds that may be provided by individuals, business associations, charitable groups, or other organizations, which have not been listed in any of the previous or following articles, if the Select Board determines that the gifts, donations, or pass-through funds and their purposes are in the best interest of the Town.

Select Board Recommends: Ought to Pass

Article 11. To see what sum of money the Town will vote to raise and/or appropriate for the **General Government** budget category:

Municipal Administration

Spent 2012-13 \$289,332 Approved 2013-14 \$288,563

Select Board Recommends: \$296,129

Budget Committee Recommends: \$296,629

Insurance

Spent 2012-13 \$22,284 Approved 2013-14 \$21,250

Select Board Recommends: \$21,250

Budget Committee Recommends: \$21,250

Office Equipment

Spent 2012-13 \$3,245 Approved 2013-14 \$4,650

Select Board Recommends: \$3,955

Budget Committee Recommends: \$3,955

Assessing

Spent 2012-13 \$24,931 Approved 2013-14 \$32,800

Select Board Recommends: \$31,975

Budget Committee Recommends: \$31,975

CEO/LPI/BI

Spent 2012-13 \$14,380 Approved 2013-14 \$22,762

Select Board Recommends: \$21,745

Budget Committee Recommends: \$21,745

Town Boundaries

Spent 2012-13 \$0 Approved 2013-14 \$2,500

Select Board Recommends: \$1,000

Budget Committee Recommends: \$1,000

(Note: will include some cost sharing with neighboring towns. This will be a carry forward account)

Municipal Maintenance

Spent 2012-13 \$59,278 Approved 2013-14 \$69,026

Select Board Recommends: \$70,466

Budget Committee Recommends: \$70,466

Grant Writing/Planning Services

Spent 2012-13 \$0 Approved 2013-14 \$2,500

Select Board Recommends: \$2,500

Budget Committee Recommends: \$2,500

(Note: \$2,500 from carry forward account. This is a carry forward account)

Heating Assistance

Spent 2012-13 \$1,509 Approved 2013-14 \$1,500

Select Board Recommends: \$1,500

Budget Committee Recommends: \$1,500

(Note: Donations, this is a carry forward account, no tax dollars.)

Total General Government Category

Spent 2012-13 \$414,959 Approved 2013-14 \$445,551

Select Board Recommends: \$450,520

Budget Committee Recommends: \$450,520

Article 12. To see what sum of money the Town will vote to raise and/or appropriate for the **Boards and Commissions** budget category:

Appeals Board

Spent 2012-13 \$0 Approved 2013-14 \$610

Select Board Recommends: \$607

Budget Committee Recommends: \$607

Conservation Commission

Spent 2012-13 \$759 Approved 2013-14 \$1,593

Select Board Recommends: \$5,760

Budget Committee Recommends: \$5,760

(Note: \$4,695 from carry forward account.)

Planning Board

Spent 2012-13 \$1,589 Approved 2013-14 \$2,799

Select Board Recommends: \$2,773

Budget Committee Recommends: \$2,773

Trails Committee

Spent 2012-13 \$2,068 Approved 2013-14 \$2,095

Select Board Recommends: \$4,985

Budget Committee Recommends: \$4,985

Total Boards and Commissions Category

Spent 2012-13 \$4,416 Approved 2013-14 \$7,097

Select Board Recommends: \$14,125

Budget Committee Recommends: \$14,125

Article 13. To see what sum of money the town will vote to raise and/or appropriate for the *Town Buildings Operations & Maintenance* budget category:

Fire Station

Spent 2012-13 \$8,619 Approved 2013-14 \$8,734

Select Board Recommends: \$10,980

Budget Committee Recommends: \$10,980

Asa Gile Hall (Town Office Building)

Spent 2012-13 \$23,404 Approved 2013-14 \$22,228

Select Board Recommends: \$21,818

Budget Committee Recommends: \$21,818

Library Building

Spent 2012-13 \$3,625 Approved 2013-14 \$8,983

Select Board Recommends: \$16,079

Budget Committee Recommends: \$16,079

(Note: \$11,000 from Library Building Capital carry forward.)

Maintenance Building

Spent 2012-13 \$542 Approved 2013-14 \$1,500

Select Board Recommends: \$1,500

Budget Committee Recommends: \$1,500

Total Town Buildings Operations & Maintenance Category

Spent 2012-13 \$36,190 Approved 2013-14 \$41,445

Select Board Recommends: \$50,377

Budget Committee Recommends: \$50,377

Article 14. To see what sum of money the Town will vote to raise and/or appropriate for the *Community Services* budget category:

Animal Control

Spent 2012-13 \$19,965 Approved 2013-14 \$16,918

Select Board Recommends: \$16,040

Budget Committee Recommends: \$16,040

Kennebec Land Trust

Spent 2012-13 \$0 Approved 2013-14 \$250

Select Board Recommends: \$250

Budget Committee Recommends: \$250

Library Services

Spent 2012-13 \$25,900 Approved 2013-14 \$26,393

Select Board Recommends: \$26,159

Budget Committee Recommends: \$26,159

(Note: This is a carry forward account.)

Readfield TV

Spent 2012-13 \$5,837 Approved 2013-14 \$6,275

Select Board Recommends: \$6,165

Budget Committee Recommends: \$6,165

(Note: All funds for RTV are derived from Franchise Fees from Time Warner.)

Street Lights

Spent 2012-13 \$4,856 Approved 2013-14 \$5,500

Select Board Recommends: \$6,000

Budget Committee Recommends: \$6,000

Maranacook Lake Dam

Spent 2012-13 \$0 Approved 2013-14 \$250

Select Board Recommends: \$250

Budget Committee Recommends: \$250

Total Community Services Category

Spent 2012-13 \$56,558 Approved 2013-14 \$55,586

Select Board Recommends: \$54,864

Budget Committee Recommends: \$ 54,864

Article 15. To see what sum the Town will vote to raise and/or appropriate for the *Recreation, Parks & Activities* budget category with the unexpended balances of the Beach, Recreation and Heritage Days to be carried forward:

Beach

Spent 2012-13 \$13,583 Approved 2013-14 \$11,138

Select Board Recommends: \$9,099

Budget Committee Recommends: \$9,099

(Note: All expenses to be covered by permit fees and carry forward balance – no tax dollars)

Recreation

Spent 2012-13 \$6,821 Approved 2013-14 \$12,042

Select Board Recommends: \$9,922

Budget Committee Recommends: \$9,922

(Note: Estimated revenues, No tax dollars)

Heritage Days

Spent 2012-13 \$9,872 Approved 2013-14 \$11,430

Select Board Recommends: \$0

Budget Committee Recommends: \$0

Readfield Community Park

Spent 2012-13 \$365 Approved 2013-14 \$307

Select Board Recommends: \$306

Budget Committee Recommends: \$306

Total Recreation, Parks & Activities Category

Spent 2012-13 \$30,641 Approved 2012-13 \$34,917

Select Board Recommends: \$19,327

Budget Committee Recommends: \$19,327

Article 16. To see what sum of money the Town will vote to raise and/or appropriate for the following *Protection Department* category, and any unexpended balances to carry forward with the exception of the Ambulance Service, Dispatching and Emergency Operations Plan lines.

Operation of the Fire Department

Spent 2012-13 \$59,664 Approved 2013-14 \$80,065

Select Board Recommends: \$78,815

Budget Committee Recommends: \$78,815

(Note: This line's unexpended balance will carry forward to the Capital Equipment line.)

Fire Department Capital Equipment

Spent 2012-13 \$0 Approved 2013-14 \$8,000

Select Board Recommends: \$5,000

Budget Committee Recommends: \$5,000

Ambulance Service

Spent 2012-13 \$18,186 Approved 2013-14 \$20,250

Select Board Recommends: \$20,600

Budget Committee Recommends: \$20,600

Waterholes

Spent 2012-13 \$0 Approved 2013-14 \$500

Select Board Recommends: \$500

Budget Committee Recommends: \$500

Tower Sights

Spent 2012-13 \$0 Approved 2013-14 \$0

Select Board Recommends: \$1,500

Budget Committee Recommends: \$1,500

Dispatching

Spent 2012-13 \$21,181 Approved 2013-14 \$24,802

Select Board Recommends: \$26,302

Budget Committee Recommends: \$26,302

Annual Physicals

Spent 2012-13 \$0 Approved 2013-14 \$125

Select Board Recommends: \$125

Budget Committee Recommends: \$125

(Note: from carry forward)

Personal Protective Gear Replacement

Spent 2012-13 \$0 Approved 2013-14 \$2,000

Select Board Recommends: \$2,000

Budget Committee Recommends: \$2,000

Emergency Operations Plan

Spent 2012-13 \$0 Approved 2013-14 \$2,500

Select Board Recommends: \$2,500

Budget Committee Recommends: \$2,500

Total Protection Department Category

Spent 2012-13 \$99,031 Approved 2012-13 \$138,242

Select Board Recommends: \$137,342

Budget Committee Recommends: \$137,342

Article 17. To see what sum of money the Town will vote to raise and/or appropriate for the *Cemetery Mowing* budget category with the unexpended balance to carry forward.

Select Board Recommends: \$15,693

Budget Committee Recommends: \$0

Article 18. To see what sum of money the Town will vote to raise and/or appropriate for the *Cemetery Maintenance* budget category with the unexpended balance to carry forward.

Select Board Recommends: \$15,310

Budget Committee Recommends: \$31,003

Article 19. To see what sum of money the Town will vote to raise and/or appropriate for the *Roads & Drainage* budget category with any unexpended balance of Road Reconstruction to be carried forward, and all other unexpended balances to be carried forward for Summer Roads

Summer Road Maintenance

Spent 2012-13 \$479,708 Approved 2013-14 \$89,650

Select Board Recommends: \$290,950

Budget Committee Recommends: \$290,950

(Note: \$38,000 from carry forward)

Road Reconstruction

Spent 2012-13 \$ 0 Approved 2013-14 \$700,000

Select Board Recommends: \$7,500

Budget Committee Recommends: \$7,500

(Note: \$7,500 from carry forward from 2013 Road Bond)

Winter Road Maintenance

Spent 2012-13 \$241,244 Approved 2012-13 \$251,600

Select Board Recommends: \$255,940

Budget Committee Recommends: \$255,940

Vehicles Maintenance

Spent 2012-13 \$12,960 Approved 2013-14 \$11,800

Select Board Recommends: \$10,400

Budget Committee Recommends: \$10,400

Interlocal Work

Spent 2012-13 \$575 Approved 2013-14 \$2,200

Select Board Recommends: \$2,504

Budget Committee Recommends: \$2,504

Total Roads & Drainage Category

Spent 2012-13 \$734,487 Approved 2013-14 \$1,055,250

Select Board Recommends: \$567,294

Budget Committee Recommends: \$567,294

Article 20. To see what sum the Town will vote to transfer from available interest in the Cemetery Perpetual Care Trust Fund to establish a non-lapsing reserve account for mowing equipment.

Spent 2012-13 \$0 Approved 2013-14 \$0
Select Board Recommends: \$4,000
Budget Committee Recommends: \$4,000
(Note: \$4,000 from Perpetual Care Trust Funds)

Article 21. To see what sum the Town will vote to raise and/or appropriate for the *Capital Improvements* budget category with all accounts to be carried forward.

Asa Gile Hall (Town Office)

Spent 2012-13 \$23,027 Approved 2013-14 \$30,000

Select Board Recommends: \$3,500

Budget Committee Recommends: \$3,500

Fairgrounds Athletic Fields

Spent 2012-13 \$864 Approved 2013-14 \$50,000

Select Board Recommends: \$31,160

Budget Committee Recommends: \$31,160

(Note: \$31,160 from carry forward. No tax dollars)

Cemetery

Spent 2012-13 \$0 Approved 2013-14 \$0

Select Board Recommends: \$10,000

Budget Committee Recommends: \$10,000

(Note: \$1,680 from carry forward account)

Transfer Station

Spent 2012-13 \$18,789 Approved 2013-14 \$8,500

Select Board Recommends: \$2,000

Budget Committee Recommends: \$2,000

Maranacook Lake Dam

Spent 2012-13 \$0 Approved 2013-14 \$2,400

Select Board Recommends: \$13,500

Budget Committee Recommends: \$13,500

(Note: \$8,500 from carry forward account.)

Total Capital Improvements Category

Spent 2012-13 \$42,680 Approved 2013-14 \$90,900

Select Board Recommends: \$60,160

Budget Committee Recommends: \$60,160

(Note: The unexpended balances in these accounts are non-lapsing carry forwards.)

Article 22. To see what sum of money the Town will vote to raise and/or appropriate for the *Solid Waste Department* budget category with all accounts to be carried forward.

Transfer Station

Spent 2012-13 \$222,778 Approved 2013-14 \$249,656

Select Board Recommends: \$250,585

Budget Committee Recommends: \$250,585

(Note: Total expenses for the Transfer Station are proposed at \$250,585 and will be reduced by estimated revenues of \$37,600, leaving a net cost of \$212,985. Half of the total net cost will be Readfield's share: \$106,492.50. Wayne pays the other half.)

Backhoe

Spent 2012-13 \$2,530 Approved 2013-14 \$7,600

Select Board Recommends: \$2,600

Budget Committee Recommends: \$2,600

Total Solid Waste Department Category

Spent 2013-14 \$225,308 Approved 2012-13 \$257,256

Select Board Recommends: \$253,185

Budget Committee Recommends: \$253,185

Article 23. To see what sum of money the Town will vote to raise and/or appropriate for the *Regional Assessments* budget category:

Cobbossee Watershed District

Spent 2012-13 \$19,975 Approved 2013-14 \$19,975

Select Board Recommends: \$18,877

Budget Committee Recommends: \$18,877

Kennebec County Tax

Spent 2012-13 \$268,743 Approved 2013-14 \$276,805

Select Board Recommends: \$282,293

Budget Committee Recommends: \$282,293

(Note: includes 3rd of 5 extra payments for fiscal year transition fee.)

Kennebec Valley Council of Governments

Spent 2012-13 \$4,345 Approved 2013-14 \$4,345

Select Board Recommends: \$4,345

Budget Committee Recommends: \$4,345

First Park

Spent 2012-13 \$25,536 Approved 2013-14 \$25,512

Select Board Recommends: \$26,105

Budget Committee Recommends: \$26,105

(Note: Revenues expected at \$9,000)

Total Regional Assessments Category

Spent 2011-12 \$318,599 Approved 2013-14 \$326,637

Select Board Recommends: \$331,620

Budget Committee Recommends: \$331,620

(Note: county tax still an estimate, pending county vote)

Article 24.To see what sum of money the Town will vote to raise and/or appropriate for the *Debt Service* budget category:

Fire Truck Lease 2010

Spent 2012-13 \$34,720 Approved 2013-14 \$34,721

Select Board Recommends: \$34,721

Budget Committee Recommends: \$34,721

Road & Bridge Bond 2013

Spent 2012-13 \$0 Approved 2013-14 \$111,558

Select Board Recommends: \$109,117

Budget Committee Recommends: \$109,117

Road & Bridge Bond 2004

Spent 2012-13 \$ 32,609 Approved 2013-14 \$31,607

Select Board Recommends: \$30,547

Budget Committee Recommends: \$30,547

Road & Bridge Bond 2008

Spent 2012-13 \$193,274 Approved 2013-14 \$186,990

Select Board Recommends: \$180,825

Budget Committee Recommends: \$ 180,825

Total Debt Service Category

Spent 2012-13 \$260,603 Approved 2013-14 \$364,876

Select Board Recommends: \$355,210

Budget Committee Recommends: \$355,210

Article 25.To see if the Town will vote to raise and/or appropriate an amount equal to that paid to the Town by the State (based on snowmobile registrations) for the *Readfield Blizzard Busters Snowmobile Club* to be used for trail creation, maintenance and grooming.

Request by qualified petition: Dollar amount equal to that paid to the Town by the State for snowmobile registrations.

Spent 2012-13 \$1,588 Approved 2013-14 \$1,052

Select Board Recommends: Per letter of request

Budget Committee Recommends: Per letter of request

(Note: \$1,231 collected in snowmobile fees for the year ending 2014)

Article 26.To see if the Town will vote to raise and/or appropriate \$1,441 for the *Central Maine Area Agency on Aging/Cohen Center/Senior Spectrum*:

Request by qualified petition: \$1,441

Spent 2012-13 \$1,441 Approved 2012-13 \$1,441

Select Board Recommends: Per letter of request

Budget Committee Recommends: Per letter of request

Article 27.To see if the Town will vote to raise and/or appropriate \$1,000 for *Kennebec Behavioral Health Agency*:

Request by qualified petition: \$2,500

Spent 2012-13 \$2,500 Approved 2012-13 \$2,500
Select Board Recommends: Per letter of request
Budget Committee Recommends: Per letter of request

Article 28. To see if the Town will vote to raise and/or appropriate \$1,312 for *Family Violence Agency*:
Request by qualified petition: \$1,312
Spent 2012-13 \$0 Approved 2012-13 \$0
Select Board Recommends: Per letter of request
Budget Committee Recommends: Per letter of request

Article 29. To see if the Town will vote to raise and/or appropriate \$2,250 for the Courtesy Boat Inspection Program to the *Maranacook Lake Association for \$1,500*, and the *Torsey Pond Association for \$750* on Maranacook Lake and Torsey Pond.
(Note: The purpose of the CBI program is to prevent the spread of invasive aquatic species, such as milfoil to these two lakes.)
(Request by qualified petition)
Spent 2012-13 \$2,250 Approved 2012-13 \$2,250
Select Board Recommends: Per letter of request
Budget Committee Recommends: Per letter of request

Article 30. To see if the Town will vote to raise and/or appropriate \$909.30 for *Sexual Assault Agency*.
(Request by qualified petition)
Spent 2012-13 \$1,138 Approved 2011-12 \$1,138
Select Board Recommends: Per letter of request
Budget Committee Recommends: Per letter of request

Article 31. To see if the Town will vote to raise and/or appropriate \$231 for *30 Mile River Watershed Association*.
(Request by qualified petition)
Spent 2012-13 \$227 Approved 2013-14 \$231
Select Board Recommends: Per letter of request
Budget Committee Recommends: Per letter of request

Article 32. To see what sum of money the Town will vote to raise and/ or appropriate for the *Readfield Enterprise Fund* budget category with any balance to be carried forward:
Spent 2012-13 \$0 Approved 2013-14 \$125,000
Select Board Recommends: \$5,000
Budget Committee Recommends: \$5,000
(Note: all funds are from loan repayments or other grants and donations – no tax dollars.)

Article 33. To see if the Town will vote to raise and/or appropriate \$5,000 for a *Revaluation*.
Spent 2012-13 \$0 Approved 2013-14 \$5,000
Select Board Recommends: \$5,000
Budget Committee Recommends: \$5,000
(Note: Reserve non-lapsing account)

Article 34. To see what sum of money the Town will vote to raise and/or appropriate for the *General Assistance* budget category:
Spent 2012-13 \$4,346 Approved 2012-13 \$4,205
Select Board Recommends: \$4,705
Budget Committee Recommends: \$4,705

Article 35. To see if the Town will appropriate the following estimated revenues to *reduce the 2014 Tax Commitment*:

	2014 Budget
State Revenue Sharing	\$ 110,000
Interest on Property Taxes	\$ 16,000
Interest on Investments	\$ 2,500
Veterans Exemption	\$ 3,000
Homestead Exemption Reimbursement	\$ 65,000
Tree Growth Reimbursement	\$ 8,000
Bete Reimbursement	\$ 9,000
Boat Excise Taxes	\$ 6,000
Motor Vehicle Excise Taxes	\$400,000
Agent Fees	\$ 8,600
Certified Copy Fees	\$ 1,250

Other Income	\$ 2,000
Heating	\$ 1,500
Plumbing fees	\$ 3,000
Land Use Permit Fees	\$ 2,000
Dog License Fees	\$ 3,500
Library Revenue	\$ 2,075
Cable Television Fees	\$ 24,000
Beach Income	\$ 9,099
Recreation Income	\$ 9,922
Protection	\$ 4,000
Local Roads	\$ 34,000
Interlocal	\$ 2,504
Transfer Station	\$144,092
First Park	\$ 9,500
Snowmobile (State reimbursements)	\$ 1,231
General Assistance (State reimbursements)	\$ 2,100
Total	\$883,873

Select Board Recommends: \$883,873

Budget Committee Recommends: \$883,873

Article 36. To see if the Town will vote to accept in trust from the persons or estates named below, the sums of money opposite their names, said sums to be deposited as part of the **Readfield Cemetery Trust Funds** and the income to be used for the upkeep and maintenance of cemetery lot(s) in the Town of Readfield cemeteries:

(As of 3/20/14) Sweeney, Linda	\$200.00
Barber (donated)	\$200.00
McKinnon/Lawler	\$200.00
Hepfner, Leopold	\$400.00
Mott, Carolyn	\$400.00
Total:	\$1,400.00

Select Board Recommends: Ought to Pass

Article 37. To see if the Town will vote to appropriate from the Unassigned Fund Balance an amount to cover **anticipated overdrafts** in the following accounts: *(expecting Heritage Days \$455, and probably others)*

Spent 2012-13 \$36,664 Approved 2013-14 \$

Select Board Recommends: At Town Meeting

Article 38. To see what sum of money the Town will vote to appropriate from the Unassigned Fund Balance to **reduce the total tax commitment.**

Spent 2012-13 \$250,000 Approved 2013-14 \$0

Select Board Recommends: \$100,000

Budget Committee Recommends: \$100,000

Article 39. To see if the Town will vote to increase the **property tax levy increase limit** of **\$1,252,194** established for Readfield by State law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that exceeds that property tax levy increase limit. **PAPER VOTE BY LAW!**

Select Board Recommends: At Town Meeting

Article 40. To see if the Town will **authorize expenditure of revenues** from Federal, State and local and private sources (including user fees), in those categories for which the revenue was intended (if no use is identified, the funds shall be deposited within the General Fund), in addition to the amounts appropriated previously in these Articles.

Select Board Recommends: Ought to Pass

Article 41. To see if the Town will vote to authorize the Select Board by majority vote present at a regular Select Board meeting, to **increase any line item up to five percent (5%)** by transferring funds from another line balance or miscellaneous income to pay for unexpected expenses. (The authorized budget will not be exceeded due to a positive vote on this article and any increase or decrease in one item will be offset by a corresponding increase or decrease in another line item(s).)

Select Board Recommends: Ought to Pass

Article 42. To see if the Town will vote to authorize the Select Board to expend up to **Fifty Thousand Dollars (\$50,000)** from the **Unassigned Fund Balance** (General Fund) to meet emergencies that may occur during the ensuing fiscal year.

Select Board Recommends: Ought to Pass

Article 43. To see if the Town will vote to *authorize the municipal officers* to retain; sell to the prior owner for taxes, interest and costs; or to sell tax acquired property on such terms as they deem advisable, and in accordance with a written policy regarding tax acquired property adopted by the Municipal Officers.

Select Board Recommends: Ought to Pass

Article 44. To see if the Town will vote to give the *municipal officers* the authority to issue a **Waiver of Automatic Foreclosure** when the municipal officers wish to avoid acquiring property that may be burdensome to the Town and to take court action if needed to foreclose at a later date, if desired. (*Examples of burdensome property are, but not limited to; a run-down dam, dilapidated building, a mobile home on someone else's property and/or a toxic waste site.*)

Select Board Recommends: Ought to Pass

Article 45. To see if the Town will vote to *authorize the municipal officers* to set miscellaneous fees charged for Town services not covered or set by State Statute.

Select Board Recommends: Ought to Pass

Article 46. To see if the Town will accept a 2014 ATV and Trailer from the Readfield Fire Association.

Select Board Recommends: Ought to Pass

Article 47. Shall the following reserve accounts be closed due to their purpose having been accomplished and/or their status having become inactive, with all balances lapsing into the unassigned funds account?

Gardiner Savings Building:	\$3,876
Playground:	\$1,095
PW Capital Building:	\$4,500
Reflections:	\$1,041

Select Board Recommends: Ought to Pass

Budget Committee Recommends: Ought to Pass

Article 48. Shall the Town establish the East Readfield Cemetery Reserve Account for the purpose of holding past and future donations that have been given to the Town for the purpose of creating a "living fence" of plants and shrubs to honor the memory of Audrey Luce?

Select Board Recommends: Ought to Pass

Article 49. To see if the Town will vote to amend the *Land Use Ordinance* of the Town of Readfield, Maine adopted in June 1999 as described in the attached summary.

Select Board Recommends: Ought to Pass

Planning Board Recommends: Ought to Pass

(Note: See Summary attached)

Town Meeting Warrant for June 10 & 12, 2014
Voted to sign the 2014 Annual Town Meeting Warrant on June, 2014.

Date _____ P. Greg Durgin Date 5/5/14
Sue Reay, Chair P. Greg Durgin, Vice Chair

Date 5-5-2014 _____ Date 5-5-2014
Allen Curtis Lawrence Dunn

Date _____
Valarie Pomerleau

4. Setback Variance for Single Family Dwellings

The Board of Appeals may permit a variance from setback requirements for a single-family dwelling which is the primary year-round residence of the applicant or its accessory structure(s) upon finding that strict application of this Ordinance to the applicant's property would create undue hardship, defined for purposes of this subsection only as follows:

- a. The need for the variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;
- b. The granting of a variance will not alter the essential character of the locality;
- c. The hardship is not the result of action taken by the applicant or a prior owner;
- d. The granting of the variance will not substantially reduce or impair the use of abutting property; and
- e. The granting of the variance is based upon demonstrated need, not convenience, and no other feasible alternative is available.

The Board of Appeals may not grant a setback variance for a single family dwelling under this subsection if the result would be to exceed the lot coverage ratio allowed in the district. Minimum setback from a waterbody or wetland may not be reduced under this subsection. Minimum front, side, and rear setbacks may be reduced by more than 20% under this subsection only if the applicant has obtained the written consent of any affected abutting landowner.

5. Appeal Procedure

The following applies to all forms of appeal to the Board of Appeals:

a. Time Limit

An administrative or variance appeal shall be filed within 45 days of the date of the written decision being appealed.

b. Submittals

Such appeal shall be made by filing with the Board of Appeals a written notice which includes:

- (1) A concise written statement indicating what relief is requested and why it should be granted.
- (2) A sketch drawn to scale showing lot lines, location of existing buildings and structures, and other physical features of the lot pertinent to the relief requested.

c. Record of Case

Upon being notified of an appeal, the Code Enforcement Officer shall transmit to the Board of Appeals copies of all of the papers constituting the record of the decision being appealed.

d. Public Hearing

The Board of Appeals shall hold a public hearing on the appeal within 30 days of its receipt of a complete appeal request. The Board of Appeals shall publish a notice of the date, time, place and purpose of the public hearing in a newspaper of general circulation in the Town, at least 10 days prior to the public hearing. The Board shall also notify by first-class mail all property abutters to the site at least 10 days prior to the public hearing and a Certificate of Mailing shall be obtained from the postal clerk at the time of mailing. The Certificate of Mailing shall be retained as a part of the official records of the appeal.

e. Decision by Board of Appeals

- (1) Quorum. A majority of the full Board of Appeals shall constitute a Quorum for the purpose of deciding an appeal.
- (2) Majority Vote. The concurring vote of at least 4 members of the Board of Appeals shall be necessary to make a decision.
- (3) Burden of Proof. The person filing the appeal shall have the burden of proof.
- (4) Time Frame: Written Decision.
 - (a) The Board of Appeals shall decide each appeal within 10 days after the close of the hearing, shall issue a dated written decision on each appeal, and shall send a copy of the decision to the applicant, Code Enforcement Officer and the Planning Board within 7 days thereafter. For decisions regarding development in shoreland districts, the Board of Appeals shall send such written decisions to the Department of Environmental Protection within 7 days of the

runoff control features, such as berms, swales, terraces and wooded areas shall be retained in order to reduce runoff and encourage infiltration of stormwater on the site being developed. Stormwater shall not be channeled to discharge directly into any waterbody or tributary stream, or abutting properties.

Stormwater runoff control systems shall be maintained as necessary to ensure proper functioning.

B. Stormwater Standards for Land Uses that Require Site Review

The following standards shall apply to all land uses that require site review:

1. A stormwater control plan shall be developed that meets the requirements of the Maine Department of Environmental Protection Regulations, Chapter 500, *Stormwater Management* and Chapter 502, *Direct Watersheds of Lakes Most at Risk from New Development, and Urban Impaired Streams*, effective December 27, 2006 (Maranacook Lake and Carlton Pond are identified as Most at Risk Lakes in Chapter 502). In meeting these requirements, the plan shall utilize best management practices equivalent to those described in the Stormwater Management for Maine; Best Management Practices, published by the Maine Department of Environmental Protection, January 2006, as revised from time to time.

SECTION 11. EROSION CONTROL

All activities which involve filling, grading, excavation, well drilling, timber harvesting or other similar activities which result in unstabilized soil conditions shall be conducted so as to prevent soil erosion from entering waterbodies, wetlands and adjacent properties.

Pursuant to 38 MRS Section 439-B, any excavation contractor that engages in an activity that disturbs, or displaces more than one cubic yard of soil within any Shoreland District must ensure that a person certified by the Maine Department of Environmental Protection in erosion and sedimentation control practices, is on-site. The certified contractor must be on-site each day earthmoving activities occur and for a sufficient duration to ensure the proper implementation of erosion and sedimentation control practices until the site is permanently stabilized.

An erosion control plan may be required by the Code Enforcement Officer in conjunction with any permit. All temporary and permanent erosion control measures shall be designed, installed and maintained in accordance with the most applicable recent revision of:

- Maine Erosion and Sediment Control BMPS published by the Bureau of Land and Water Quality, Maine Department of Environmental Protection, March 2003. *Note: This publication may be viewed online at:*
<http://www.maine.gov/dep/blwq/docstand/escbmps/index.htm>.
- State of Maine, Strategy for Managing Nonpoint Source Pollution From Agricultural Sources and Best Management System Guidelines, Developed by: NPS Agricultural Task Force, October 1991.
- Erosion & Sediment Control Handbook for Maine Timber Harvesting Operations: Best Management Practices, published by the Forest Information Center, SHS #22, June 1991.
- Best Management Practices for Erosion & Sediment Control, published by the Maine Department of Transportation, September 1997.
- Camp Road Maintenance Manual, A Guide for Landowners, published by the Kennebec County Soil and Water District, June 2000.

Final grading and the installation of permanent erosion control measures must be substantially

1. All solid waste storage areas shall be shielded from public view, and shall comply with Section 25 of this Article to the extent that section is applicable.
2. All manufacturing and processing shall be conducted within an enclosed area of a structure. When outside processing or other activities are unavoidable due to the nature of the operation, it shall be concealed from public view by a natural or constructed screen. The screen shall be a minimum height of eight (8) feet and shall be adequate to block the outside activity completely from public view. The screen may consist of a fence, vegetative buffer, berm, or combination thereof. The screen shall be designed to block the outside activity from view throughout the year.

Public view shall mean the view from the property line from the abutting property and from any point across the road parallel to the frontage of the commercial, industrial or institutional site.

SECTION 17. PARKING AREAS

1. Parking areas subject to site review shall meet the setback requirements to the greatest extent practical for structures for the district in which such areas are located.
2. Parking areas shall be adequately sized for the proposed use and shall be designed to prevent stormwater runoff from flowing directly into a water body, and where feasible, to retain all runoff on site.
3. In determining the appropriate size of proposed parking facilities, the following shall apply:
 - a. Typical parking space: Approximately 10 feet wide and 20 feet long, except that parking spaces for a vehicle and boat trailer shall be at least 10 feet wide by 40 feet long.
 - b. Internal travel aisles: Approximately 20 feet wide.

SECTION 18. TRAFFIC ACCESS

A. Purpose

The purpose of the traffic access standards shall be to control the design and placement of driveways and intersections in order to maintain road safety and traffic carrying capacity of the road. The standards shall be designed to allow traffic to enter and exit driveways safely and efficiently so that the roadway can serve its primary function of providing long distance access.

B. Applicability

The Standards contained in this section shall apply to all development that requires site review.

C. Sight Distance

Driveways and other required accesses shall be located to achieve the required sight distance measured in each direction along the arterial while maintaining adequate distances from adjacent driveways and intersections.

1. Measurements

- a. The sight distance shall be based on the posted speed limit.
- b. Measurements shall be from the driver's seat of a vehicle that is 10 feet behind

B. Construction or Movement of Material

No movement of soil, sand, vegetation or other material, or construction activity, within 75 feet of the normal high water mark of a water body, stream tributary stream or the upland edge of a wetland, shall be conducted without first obtaining all permits required under State and Federal laws, including but not limited to, the Natural Resources Protection Act, Title 38 M.R.S.A., Section 480-A through 480-Y.

C. General Provisions

1. Land below the normal high-water line of a water body or upland edge of a wetland and land beneath roads serving more than 2 lots shall not be included in calculating minimum lot area.
2. Lots located on opposite sides of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of land on both sides thereof after September 22, 1971.
3. The minimum width of any lot within 100 feet, horizontal distance, of the normal high-water line of a water body or upland edge of a wetland shall be equal to or greater than the shore frontage requirement for a lot with the proposed use.
4. If more than one residential dwelling unit, principal governmental, institutional, commercial or industrial structure or use, or combination thereof, is constructed or established on a single parcel, all dimensional requirements shall be met for each additional unit, principal structure, or use.
5. Notwithstanding the setback requirements, stairways or similar structures may be allowed with a permit, to provide shoreline access in areas of steep slopes or unstable soils provided; that the structure is limited to a maximum of 4 feet in width; the structure does not extend below or over the normal high-water line of a waterbody or upland edge of a wetland and that the applicant demonstrates that no reasonable access alternative exists on the property.
6. A footpath, or a recreational trail for winter use during frozen ground conditions only, not to exceed 6 feet in width as measured between tree trunks and/or shrub stems is permitted within 100 feet, horizontal distance, inland from the normal high-water line of a great pond and 75 feet, horizontal distance from any stream or the upland edge of a wetland, and provided that a clear line of sight to the resource through the natural buffer strip is not created.

D. Clearing or Removal of Vegetation for Activities other than Timber Harvesting

1. Within Resource Protection District abutting a great pond, there shall be no cutting, clearing or removal of vegetation within the strip of land extending 75 feet, horizontal distance, inland from the normal high-water line, except to remove safety hazards or as permitted in Article 8, section 19.C.6 above. Elsewhere in the Resource Protection District, the cutting, clearing or removal of vegetation shall be limited to that which shall be necessary for uses expressly authorized in the District.
2. Except in areas as described in subsection 1 above, and except to allow for the development of permitted uses, within a strip of land extending 100 feet, horizontal distance, inland from the normal high-water line of a great pond and 75 feet, horizontal distance from any other water body, tributary stream, or the upland edge of a wetland, a natural buffer strip of vegetation shall be preserved as follows:

a natural buffer strip of vegetation shall be preserved as follows:

- a. There shall be no cleared opening greater than 250 square feet in the forest canopy (or other existing woody vegetation if a forested canopy is not present) as measured from the outer limits of the tree or shrub crown. ~~However, a footpath not to exceed 6 feet in width as measured between tree trunks and/or shrub stems shall be permitted provided that a cleared line of sight to the water through the natural buffer strip is not created.~~
- b. Selective cutting, clearing, or removal of trees within the natural buffer strip shall be permitted provided that a well distributed stand of trees and other natural vegetation is maintained. For the purposes of this section a "well-distributed stand of trees adjacent to a great pond or stream flowing to a great pond, shall be defined as maintaining a rating score 24 or more in each 25-foot by 50 foot rectangular (1250 square feet) area as determined by the following rating system:

<u>Diameter of Tree at 4 ½ feet Above Ground Level (inches)</u>	<u>Points</u>
2-<4 inches	1
4-<8 inches	2
8-<12 inches	4
12 inches or greater	8

Adjacent to other waterbodies, tributary streams, and wetlands, a "well-distributed stand of trees" is defined as maintaining a minimum rating score of 16 per 25-foot by 50-foot rectangular area.

NOTE: As an example, adjacent to a great pond, if a 25-foot x 50-foot plot contains four (4) trees between 2 and 4 inches in diameter, two trees between 4 and 8 inches in diameter, three trees between 8 and 12 inches in diameter, and two trees over 12 inches in diameter, the rating score is:

$$(4 \times 1) + (2 \times 2) + (3 \times 4) + (2 \times 8) = 36 \text{ points}$$

Thus the 25-foot by 50-foot plot contains trees worth 36 points. Trees totaling 12 points (36-24=12) may be removed from the plot provided that no cleared openings are created.

The following shall govern in applying this point system:

- (i) The 25-foot by 50-foot rectangular plots must be established where the landowner or lessee proposes clearing within the required buffer;
- (ii) Each successive plot must be adjacent to, but not overlap a previous plot;
- (iii) Any plot not containing the required points must have no vegetation removed except as otherwise allowed by this Ordinance;
- (iv) Any plot containing the required points may have vegetation removed down to the minimum points required or as otherwise allowed by this Ordinance;
- (v) Where conditions permit, no more than 50% of the points on any 25-foot by 50-foot rectangular area may consist of trees greater than 12 inches in diameter.

For the purposes of this section "other natural vegetation" is defined as retaining existing vegetation under three (3) feet in height and other ground cover and retaining at least five (5) saplings less than two (2) inches in diameter at four and one half (4 ½) feet above ground level for each 25-foot by 50-foot rectangle area. If five saplings do not exist, no woody stems less than two (2) inches in diameter can be removed until 5 saplings have been recruited into the plot.

Notwithstanding the above provisions, no more than 40% of the total volume of trees 4 inches or more in diameter, measured at 4 ½ feet above ground level may be cut, cleared or removed in any 10-year period.

- c. In order to protect water quality and wildlife habitat, existing vegetation under 3 feet in height and other ground cover, including leaf litter and the forest duff layer, shall not be cut, covered, cleared or removed, except to provide for a footpath or other permitted uses as described in Section 19 (D) paragraphs (2) and (2) (a) above.
 - d. Pruning of tree branches on the bottom one-third (1/3) of the tree is permitted.
 - e. In order to maintain a buffer strip of vegetation, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings, these openings shall be replanted with native tree species 6-ft. to 8-ft. in height unless new tree growth is present. This section does not apply to those portions of public recreational facilities adjacent to public swimming areas as long as cleared areas, are limited to the minimum area necessary.
3. At distances greater than one hundred feet, horizontal distance, from a great pond and 75 feet, horizontal distance, from the normal high-water line of any other waterbody, tributary stream, or the upland edge of a wetland, there shall be permitted on any lot, in any 10 year-period, selective cutting of not more than 40% of the volume of trees 4 inches or more in diameter, measured 4 ½ feet above ground level. Tree removal in conjunction with the development of permitted uses shall be included in the 40% calculation. For the purposes of these standards volume may be considered to be equivalent to basal area. In no event shall cleared openings for any purpose, including but not limited to, principal and accessory structures, driveways, lawns and sewage disposal areas, exceed in the aggregate, 25% of the lot area within the shoreland zone or 10,000 square feet, whichever is greater, including land previously cleared.
 4. Legally existing nonconforming cleared openings may be maintained, but shall not be enlarged, except as permitted by this Ordinance.
 5. Fields and other cleared openings which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of Section 19 (D).

E. Docks, Marinas, Piers, Wharfs, Bridges and Other Water-Dependent Structures and Uses Extending Over or Beyond the Normal High-Water Line of a Water Body or Within a Wetland

1. Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.
2. The location shall not interfere with developed beach areas.
3. The facility shall be located so as to minimize adverse effects on fisheries.
4. The facility shall be no larger in dimension than necessary to carry on the activity and

Net Residential Density: The number of dwelling units per net residential acre.

Non-Conforming: A building, structure, lot, use of land, or portion thereof, legally existing at the effective date of adoption or amendment of this Ordinance which thereafter fails to conform to all applicable provisions of this Ordinance, but which is allowed to remain solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect. Any change of use, increase in the size, or any further deviation from the dimensional standards creating the non-conformity shall constitute an increase in non-conformity. (See definition for "Increase in non-conformity of a structure.")

Non-Town Way: A way constructed at a standard less than the general town way standards and shall not be laid out by the municipal officers.

Normal High Water Line: That line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominately terrestrial land. Areas contiguous with rivers and great ponds that support non-forested wetland vegetation and hydric soils and that are at the same or lower elevation as the water level of the river or great pond during the period of normal high-water are considered part of the river or great pond.

Normal Repair and Maintenance of a Structure: Construction work intended to prevent the ordinary and predictable deterioration of an existing structure or to maintain it in its established functional state. This may also include capital repairs intended to extend the normal economic life or to increase the functionality of the structure but only insofar as repairs do not include any new construction, increase in the footprint of the structure; new, enlarged or replacement of a foundation; relocation, structural alteration or substantial demolition to a structure; or result in Reconstruction (as defined Article 11) or the change of Use (as defined Article 11) of the structure.

Nuisance: A nuisance includes, but is not limited to the use of any property defined as a nuisance in Title 17 MRSA, section 2802 or for any other type of conduct or in any manner as to cause or permit a condition to exist which results in injury or damage or interferes with the reasonable private use and enjoyment of the property of another, different from that sustained by the general public. A nuisance may be either such a use as is unreasonable because of its very nature or a use which, though reasonable in and of itself, becomes unreasonable because of the negligent manner in which it is exercised with respect to the legal rights of others.

Nursing Home: A privately operated establishment where maintenance and personal or nursing care are provided for persons who are unable to care for themselves.

Official Submittal Date: The date upon which the Board issues a receipt indicating a complete application has been submitted.

Open Space Uses: Non-intensive uses of land not requiring structures, such as hunting, fishing, hiking, motorized vehicular traffic, forest management activities, fire prevention activities, wildlife management practices, soil and water conservation practices, mineral exploration, surveying and resources analysis and harvesting of wild crops.

Outside Corner Lot: A lot situated on the exterior angle created by a loop in a road or by the intersection of two roads.

Parks and Recreation: Non-commercially operated recreation facilities open to the general public including, but not limited to, playgrounds, parks, monuments, green strips, open space, mini-parks,

Agriculture or the U.S. Fish and Wildlife Service or Park Service of the Department of Interior;

iii. The Town; or

A nonprofit, tax-exempt nature conservation organization qualifying under Section 501(C)(3) of the Internal Revenue Code.

Rear Lot: A lot which has no frontage or insufficient frontage on a public or privately owned road in the land use district in which it is located. A rear lot does not include legally-existing non-conforming lots of record with some, but insufficient frontage on a public or privately owned road.

Rear Lot, Access: The permanent easement for a right-of-way, or the fee simple ownership of frontage not conforming to the requirements of the district in which it is located, and which is at least 30 feet in width, described by metes and bounds, or by a plan, and recorded in the Kennebec County Registry of Deeds, and held by deed or other legal instrument by the owner of the rear lot, as required for the development of rear lots under Article 8, Section 5.

Reclamation: The rehabilitation of the area of land affected by mining, including but not limited to, the stabilization of slopes and creation of safety benches, the planting of forests, the seeding of grasses and legumes for grazing purposes, the planting of crops for harvest and the enhancement of wildlife and aquatic habitat and aquatic resources.

✓ **Reconstruction:** The replacement, repair to, restoration or improvement of a structure, the cost of which equals or exceeds 50 percent of the fair market value of the structure before the start of construction of the improvement.

Recreational Vehicle: A vehicle or an attachment to a vehicle designed to be towed, and designed for temporary sleeping or living quarters for one or more persons, and which may include a pick-up camper, travel trailer, tent trailer, or motor home. In order to be considered as a vehicle and not as a structure, the unit must remain with its tires on the ground, must be registered with the State Division of Motor Vehicles, and must be currently inspected where required to be inspected in the state in which it is registered.

Recycling Operation: A privately owned facility for the recycling of heavy goods and bulk metal.

Redemption: The redemption of goods such as bottles and cans as a recycling activity.

Residual Basal Area: The average of the basal area of trees remaining on a harvested site.

Residual Stand: A stand of trees remaining in the forest following timber harvesting and related activities.

Re-subdivision: The division of an existing subdivision or any change in the plan for an approved subdivision which affects the lot line, including land transactions by the applicant not indicated on the approved plan.

Retail Business: A business establishment engaged in the sale, rental, or lease of goods or services to the ultimate consumer for direct use or consumption and not for resale.

Right-of-way: A strip of land acquired by deed, reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied by a road, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary or storm sewer and other similar uses.

Road: Any route for vehicle access other than a driveway.

ARTICLE 10 ROAD STANDARDS

SECTION 1. PURPOSE

- A. To establish minimum specifications for the lay-out and construction of Town roads.
- B. To establish minimum specifications for the lay-out and construction of private roads.
- ~~B C.~~ To set establish a procedure for acceptance of an existing private way road to become a Town road.
- ~~C.~~ To set a minimum standard for roads in shoreland zone and subdivisions.
- D. To institute a procedure for the joint review by the Road Committee and the Planning Board for the lay-out and construction of all new or expanding roads.

SECTION 2. APPLICABILITY

This article applies to ~~municipal~~ all roads as defined in Article 11, and road right-of-ways, proposed to be laid out and constructed, expanded, or extended by within the Town of Readfield or to be including those roads to be created by constructed for dedication and acceptance by the Town of Readfield in accordance with Title 23, M.R.S.A. Section 3025.

SECTION 3. LIMITATIONS

- A. The Town shall accept roads only by a vote of the legislative body.
- B. Nothing in this article shall be construed as prior commitment by the Town to accept any road, irrespective of its condition or of any work performed or money expended in anticipation of acceptance by the Town.
- ~~C.~~ Roads that have been laid out and partially constructed, or roads used for private travel, prior to the passage of this Ordinance shall comply with all the requirements of this article before dedication to the Town, with the exception of a design by a registered professional engineer.
- ~~DC.~~ Any road proposed road construction subject to the provisions of this Article, to be built by including roads for acceptance by the Town or to be built and dedicated to the Town as a public way, or as a private road as part of a subdivision, on or after the date of acceptance of this Ordinance shall be designed by a registered licensed professional engineer. The design must be consistent with the design standards set forth in this Article and Appendix "A" and any applicable standards pursuant to Article 6, section 3 (Site Review) and Article 8, sections 19.F (Roads and Driveways within the Shoreland Districts). For development proposals requiring Site Plan review by the Planning Board, all road-related design plans must be reviewed and approved by the Road Committee prior to final project approval by the Planning Board, and All road development must be built to design standards set forth in this Article constructed as approved.
- D. The re-construction of public roads shall meet the design standards and construction specifications of this Article to the greatest practical extent as determined by the Road Committee, which may include written recommendations from a licensed design engineer, legal counsel, or other professional representing the Committee.

SECTION 3.A. DEDICATION ACCEPTANCE OF PRIVATE ROADS

Existing private roads of record, including those considered legally abandoned or discontinued, and constructed prior to the effective date of the Article may be offered for acceptance by the Town subject to the recommendations of the Road Committee and acceptance of those recommendations by the Select Board. The Road Committee will base their recommendations on whether the road has been sited and constructed or upgraded to meet the requirements of this Article to the greatest practical extent. In determining the greatest practical extent, the Road Committee must consider the following:

- The degree to which the road meets the Road Construction Standards in Appendix "A";
- The stormwater drainage characteristics of the road and their direct impact on any private or public property or resources, including waterbodies;
- The existing condition of the road, and expected future maintenance to the proposed right-of-way beyond the traveled way;

Prior to making a recommendation for acceptance by the Town, the Select Board following shall hold a public hearing and will consider, in addition to the Road Committee's recommendations:

- The amount of use or anticipated future use of the road;
- The degree to which the property owners benefited by the road support the proposed acceptance;
- The taxable valuation of properties benefited by the road to off-set future maintenance costs of the road;
- Any legal advice the Town's attorney may provide regarding legal ownership of the road, liabilities, or other issues as the Road Commissioner may request.

SECTION 4. ADMINISTRATION

A. Applicants shall file a plan with any request to construct, expand or offer for acceptance by the town any road plan with the Town showing the following:

1. The name(s) of the developers or grantors of the road;
2. The scale of the plan;
3. The ~~direction~~ magnetic north and ~~date of~~ magnetic bearing.
4. The starting and ending points of the road with relation to monuments.
5. The right-of-way (R-O-W)-lines in relation to monuments.
6. A legal description describing by metes and bounds the ~~D~~ dimensions, both linear and angular, necessary for locating boundaries, and necessary for locating ~~subdivision~~, lots, easements, and ~~building lots~~ other descriptive features.
7. All lots abutting the R-O-W having an ownership interest in the existing or proposed R-O-W, and their current owners of record, including mailing address, source of deed, and the Assessor's map and lot number of each parcel.
8. All natural water ways and water courses within the R-O-W of the said road and the least distance between the R-O-W and any other waterbody.
9. Location and specifications for all culverts and drainageways.
10. Construction specifications to include all applicable design and construction methods and materials, with cross-sectional drawings for new construction or as-built profile for an existing road.
11. Evidence that all land required for the right-of-way of specified width can be deeded to the Town free of any legal encumbrance.
12. Any application fee that may be required;
13. The ~~registered~~ licensed professional engineer's seal who prepared the plan.

~~B. Shall have specifications for proposed work, and shall be provided with submittal of plans and shall include, but shall not be limited to, construction methods and materials.~~

~~B. With the plan, applicant(s) shall submit a written application for acceptance on form(s) provided by the Town, together with application fee, if any. Applications shall include, but not necessarily be limited to, the following information:~~

- ~~1. The names of the owner(s) of the land containing the road to be accepted.~~
- ~~2. The name or names of the developer(s) of the road, if any.~~
- ~~3. Evidence that all land required for the right of way of specified width can be deeded to the Town free of any legal encumbrance.~~

~~D.B. Upon notice to the Select Board, of Selectmen of an the owner(s) or applicant to construct and/or dedicate a road, a may petition for acceptance of said road shall be presented to the Board of Selectmen after completion of the following:~~

~~The Board of Selectmen shall proceed to examine the application, review with the owner, or applicant, the proposed project to allow for the establishment of the following steps:~~

- ~~1. Site Plan Review and approval by the Planning Board of the any proposed subdivision road by the Planning Board;~~
- ~~2. Establishment of minimum standards by the Road Committee for the a new road(s) or a determination by the Road Committee that an existing road meets these minimum standards to the greatest practical extent by review with the Planning Board;~~
- ~~3. Development of plans and specifications~~
- ~~4. Notice by the Board of Selectmen to the Planning Board of approval of design plans if part of a subdivision;~~
- ~~5. Approval of the proposed project subject to construction of the road;~~
- ~~6. Establishment of inspections by Code Enforcement Officer;~~
- ~~7. Inspection by the Road Commissioner;~~
- ~~8. Records of the inspections;~~
- ~~9. Preparation of the notice and layout by the Board of Select Board men filed with the Town Clerk;~~
- ~~10. Notice of public hearing (copy filed with Town Clerk);~~
- ~~11. The public hearing record filed with the Town Clerk;~~
- ~~12. Article in Town Warrant to accept road as a Town way;~~
- ~~13. Notice of decision filed with the Town Clerk and a copy to owner or applicant.~~

~~C. Upon the submission of a proposed If an applicant subdivision to the Planning Board which proposes to have construct a new private road constructed as part of a subdivision or the other development project, and if the applicant proposes does not want to have said road never be eligible for accepted acceptance as a Town Road, the applicant shall so stipulate in said application and shall have a note on the plan when to be recorded at Registry of Deeds, thereupon the road may be constructed to Private Road Standards. The Planning Board shall determine the requirements of said roadway and review the standards of designs as set forth in this article for roads designed at a standard less than a Town road for acceptance.~~

SECTION 5. CONSTRUCTION SPECIFICATIONS

A. General Specifications: The following specifications shall apply to all new roads construction:

1. The ~~graded excavated~~ areas between ditches shall be cleared of all debris including large rocks, trees, stumps, roots, bushes, and other organic perishable material, including trees and large rocks.
2. All **developed areas** of the **road** section shall be located within the R-O-W road right-of-way and in no case shall the edge of the shoulder be less than 8 feet from either side boundary edge of the right-of-way.
3. ~~Provision shall be made for the disposal of surface water through ditches, culverts, or other means~~ All construction activity involving soil disturbance shall conforming with Maine Department of Transportation Best Management Practices for Erosion & Sediment Control (September 1997 February 2008).
4. An applicant must demonstrate that provisions for stormwater from the road(s) complies with Maine Department of Environmental Protection standards adopted pursuant to the Maine Stormwater Management Law or Site Location of Development Law.
5. Culverts within a road right-of-way shall be ~~of coated steel~~ constructed of High-Density Polyethylene or recognized equivalents accepted by the Maine Department of Transportation (MDOT). Roadway culverts shall not be less than 18 inches in diameter for road crossing, and 15 inches in diameter for driveways, recreational trails, skid trails, or other uses requiring entrance from the roadway. Catch Culverts, and stormwater basins and ponds shall not be less than 30" X 30" be designed with principal spillways to control flows from a 24-hour storm of a 25-year frequency and may be required to be designed by a licensed professional engineer registered in the State of Maine. All culverts must be sized to handle maximum stormwater runoff for a 50 year storm, but no less than the minimums.
6. ~~Specifications for~~ Any proposed **bridge** construction shall be ~~reviewed~~ designed by a registered licensed professional engineer with regard to suitability and safety for the intended application. The ~~registered licensed~~ professional engineer's written recommendations or comments shall be submitted with the application design.
7. The design standard for turnarounds shall be of the ~~background~~ "T" Turnaround type as depicted in Appendix A-1.
8. No trees, shrubs, ~~or decorative fill, fences, or other structures~~ shall be installed or placed within a public right-of-way without prior written Town approval from the Road Commissioner.

B. Specifications for **Roads**: Any traveled way which meets the **building density** as defined in the definition of a **road** shall meet ~~the following requirements, and the dimensional requirements~~ for roads as specified in the **Road** Constructions Standards table of details in Appendix A. All gravel and bituminous material shall meet current M.D.O.T. specifications.

1. ~~The paved section shall accommodate two travel lanes and the hot bituminous material shall be in accordance with current M.D.O.T. specifications for base or binder course, and for finish course. (see Appendix A).~~
2. ~~Graded shoulders shall extend to each side of the paved section, except that no shoulder shall be required when concrete, stone, or asphalt curbing is used. A graded shoulder shall be a minimum of 4 feet if a box section is incorporated. Underdrain installed in the box section type of construction shall be under the 4 foot shoulder area, and shall be a minimum of 4.5 feet in depth.~~

~~Common Borrow—A granular material which contains aggregate not to exceed 6 inches in diameter (material to meet current MDOT specification).~~

~~Base Gravel—Gravel which contains aggregate not to exceed 4 inches in diameter (material to meet current MDOT specifications).~~

~~Surface Gravel—Gravel which contains aggregate not to exceed 1-1/2" diameter (material to meet current MDOT specifications).~~

~~Hot Bituminous—~~

- a.) ~~Base Course: (material to meet current MDOT specifications).~~
- b.) ~~Surface Course: (material to meet current MDOT specifications).~~

SECTION 6. EASEMENTS

Whenever it is required to create or alter an existing water course in **constructing a road**, a drainage easement shall be secured from the property owner(s) affected. Wherever the toe of slopes for ditches, shoulders, grading, and other purposes required by this Ordinance cannot be adhered to within the required **R-O-W right-of-way** limits, and grading or **excavation** is necessary beyond these limits, slope easements shall be secured from abutting property owners. Said drainage and slope easements shall be secured by the Town, or by the applicant without cost to the Town.

SECTION 7. DRIVEWAY ENTRANCES

~~Driveway culverts shall be installed in accordance with specifications of this ordinance by property owner or developer. Such culverts shall be maintained by the Town following the acceptance of the road. Driveway culvert lengths shall be a minimum of 20 feet long, and shall extend at least 6 inches beyond the base of a 2 to 1 slope on either side of the driveway. A driveway entrance (culvert) permit is required from the Road Commissioner prior to driveway construction which shall specify the specific size, diameter and installation details required for each entrance and to describe how stormwater from the driveway will be managed in respect to the requirements of Article 8, Section 10.A.~~

The construction of any new driveway entrance onto a Town or privately-owned road requires a permit issued by the Road Commissioner or his/her designee and must comply with the Town of Readfield Driveway Entrance Siting and Culvert Installation Policy, adopted April 12, 2004.

SECTION 8. UTILITIES

Longitudinal runs of water mains and sanitary lines shall be located and separated as prescribed by applicable State standards. Public utility poles shall be placed 20 feet from the road centerline or behind the flow line of

the road ditches and as approved on Town roads by the Select Board.

SECTION 9. INSPECTION DURING CONSTRUCTION

Roads approved for construction shall not be considered for acceptance by the Town unless they must conform to the following inspection process:

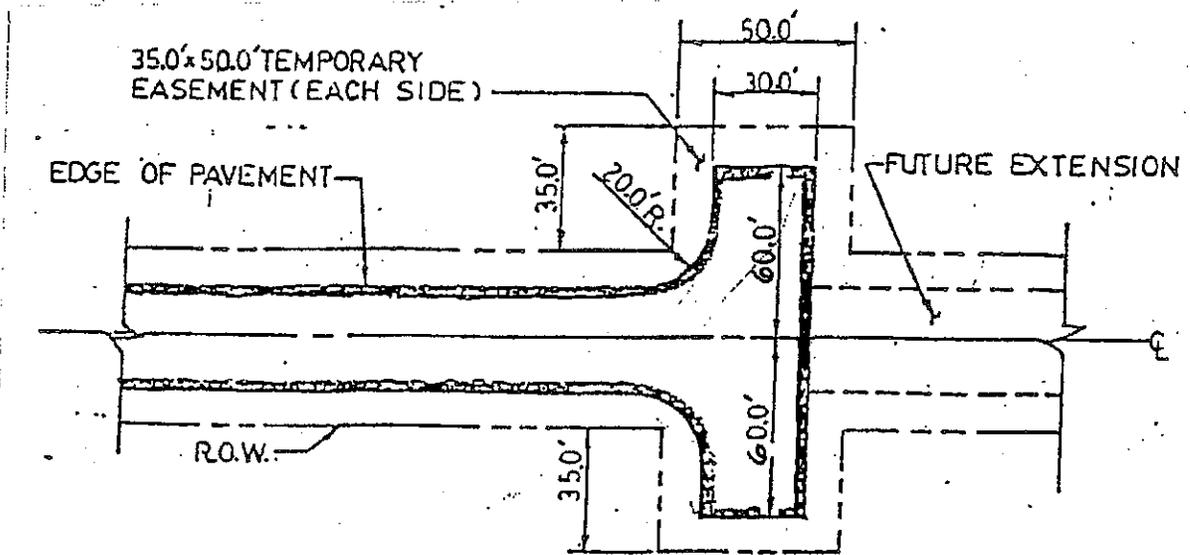
- A. The All roads shall be inspected by the **Road** Commissioner or an licensed professional engineer appointed by the Town Select Board at the expense of the **applicant** at the following intervals:
1. At the point that the area to be **constructed** has been grubbed.
 2. At the point **subgrade** has been reached, and prior to the delivery of subbase gravel. This inspection may be waived by the **road** inspector if grubbed surface and **subgrade** are the same.
 3. At the completion of grading the sub-base or base gravel.
 4. Upon completion of **graded** or paved surface.
- B. Scheduling of inspections shall be the responsibility of the developer or builder and require a 24-hour notification.
- ~~C. Inspection(s) shall be performed by a **road** inspector(s) within 48 hours of notification. Inspector(s) shall be appointed by the Board of Selectmen.~~
- C. Reports of inspection required in sub-section A shall be provided within 7 days of the completed inspection to all concerned parties.

Appendix A Road Construction Standards

	Commercial/Industrial Institutional	General Town Road	Private Road
Right-of-way width	66 feet	60 feet	50 feet
Travel way width	22 feet	20 feet	14 feet
Shoulder width ⁵	4 feet	2 feet	2 feet
Gravel base depth ¹	20 inches	16 inches	16 inches
Surface gravel depth	4 inches	4 inches	4 inches
Bituminous pavement ² (Inches of binder/surface)	3/1	2/1	<u>2/1</u>
Roadway crown (paved) (unpaved)	¼ inch per foot	¼ inch per foot ¾ inch per foot	¼ inch per foot ¾ inch per foot
Maximum grade	10%	12%	12%
Minimum grade	0.5 %	0.5%	0.5%
Minimum angle of street intersection	80 degrees	60 degrees	60 degrees
Minimum radius	300 feet	250 feet	150 feet
Minimum tangent	100 feet	25 feet	0
Minimum back slope	2/1	2/1	2/1
Minimum fill slope	4/1	3/1	2/1
Radius at intersection	40 feet	25 feet	20 feet
Sight distance	As per Driveway Entrance Siting Policy	As per Driveway Entrance Siting Policy	As per Driveway Entrance Siting Policy
Sidewalk width	4 feet (if required)	N/A	N/A
Culverts ^{3,4}	18 inches minimum	15 inches minimum	15 inches minimum
Shoulder grade	1-1 ½ inches per foot	1-1 ½ inches per foot	1-1 ½ inches per foot
Ditch elevation	36 inches	30 inches	24 inches
Parking on roadside	If required	N/A	N/A

1. Geo-textile fabric is required for Private Roads (except by waiver) and may be required for General Town Roads at the discretion of the Road Commissioner or the Town's design engineer.
2. Bituminous pavement is not required but when used, must comply with the above construction standards.
3. Culverts must be constructed of High-Density Polyethylene meeting at least AASHTO M294, Type S standards.
4. Actual culvert size to be determined by the Road Commissioner or design engineer based on watershed drainage characteristics.
5. No shoulder is required when concrete, stone, or asphalt curbing is used.

Appendix A-1 Road Construction Standards



MINIMUM DIMENSIONS "T" TURNAROUND