



**Town of Damariscotta, Maine
Public Hearing / Board of Assessors / Select Board
Meeting**

October 18, 2023

Town Office, 21 School St

5:30 PM

Join Virtually

Meeting: <https://us02web.zoom.us/j/83072624998> | Meeting ID: 830 7262 4998

AGENDA

- I. Pledge of Allegiance**
- II. Call Board of Assessors Meeting to Order**
 - 1. Minutes**
 - i. September 6, 2023 Board of Assessors Meeting
 - 2. Official Action Items**
 - i. Property Tax Abatements
 - 3. Report of Assessor's Agent**
 - 4. Board of Assessors Discussion**
 - 5. Adjournment**
- III. Call Select Board Meeting to Order**
 - 1. Minutes**
 - i. September 6, 2023, September 14, September 16, and September 20 Select Board Minutes
 - 2. Financial Reports**
 - i. Payroll Warrants # _____
 - ii. Accounts Payable Warrants # _____
 - 3. Citizen Comments and General Correspondence**
 - i. 250th Anniv. of US Planning Commission
 - 4. Town Manager's Report**
 - 5. Official Action Items**
 - i. Provider Agency Policy Review: Second Review, Possible Action
 - ii. Property Tax Abatements, Possible Action
 - 6. Select Board's Discussion Items**
 - i. Bicycle Safety and Accessibility Resolution
 - 7. Adjournment**



Town of Damariscotta, Maine
Public Hearing / Board of Assessors / Select Board Meeting
September 6, 2023
Town Office, 21 School St

5:30 PM

Join Virtually

Meeting: <https://us02web.zoom.us/j/83072624998> | Meeting ID: 830 7262 4998

Members: Daryl Fraser, Chairperson; ,Tom Andrews, Daniel Hunter; Andrea Keushguerian, Josh Pinkham

Members Absent: None

Others Present: Constance Mullin, Andrew Mullin, Eleanor Kinney, Christina Belknap; Zeke Cunningham, Gayle Webber, Rob Duplessy, Assessor; Elizabeth Waltztoni, Lincoln County News; Haven Simmons, LCTV

AGENDA

I. Pledge of Allegiance at 5:30 p.m.

II. Call Public Hearing to Order

Application for an On-Premises License: Lincoln County Community Theater & Orchestra
Kristina Belknap was present to answer any questions. No comments from the Board or public.

III. Call Board of Assessors Meeting to Order

1. Minutes

i. July 19, 2023 Board of Assessors Minutes

On motion (Pinkam /Anderson) to approve the minutes of 7/19/23. Vote: 3-0-2
(abstaining Hunter, Keushguerian)

2. Official Action Items

i. Abatements

The Assessor's Agent has made a recommendation to grant an abatement for RE 307 citing that 3.1 acres of the parcel had been sold in 2018 and continued to be assessed including this most recent tax year. This is within the 185 days of commitment and within the Assessor's purview to grant the abatement.

On motion (Pinkham/Anderson) to approve the abatement as presented. Vote: 5-0-0

ii. Supplementals

See the notes from the Assessor's Agent. Most of these are to correct accounts. They summarized the errors that they encountered. The LD 290 corrections do not impact the overall commitment or tax bills this year, but will increase the amount reimbursed to the town from the state. RE accounts include 874, 42, 642, 1007, 741, 414, 324, and 1045.

On motion (Pinkham/Anderson) to approve the supplemental taxes as presented.

Vote: 5-0-0

3. Report of Assessor's Agent: Josh Pinkham asked when we would get the reimbursements.

This is effective for 2024. Current tax year will not be reimbursed until after January 1, 2024.

4. Board of Assessors Discussion:

On motion (Pinkham/Anderson) to approve all supplemental taxes and abatements as presented **Vote: 5-0-0**

5. Adjournment:

On motion (Pinkham/Keushguerian) to adjourn at 5:37 p.m. **Vote: 5-0-0**

IV. Call Select Board Meeting to Order

1. Minutes

August 16, 2023 Select Board Minutes

On motion (Fraser/Pinkham) to approve the minutes. Addition to minutes: The following presented at the Lincoln Theater on Aquaculture: Smokey McKeen, Brenden Parsons, and Sara Gladu. Chip Auger did not speak to the topic, he was there for a license.

Vote: 5-0-0

2. Financial Reports

i. Payroll Warrant(s) #8, 9, and 10

On motion (Pinkham/Keushguerian) to approve Payroll Warrants #8, 9, and 10.

Vote: 5-0-0

ii. Accounts Payable Warrant(s) #11

On motion (Fraser/Anderson) to approve Accounts Payable Warrant #11.

Vote: 5-0-0

3. Citizen Comments and General Correspondence

4. Town Manager's Report

i. Capital Project Updates

Hodgdon St – to be completed by November 15, 2023 (change from 11/2/23)
Parking Lot – waiting to hear from our engineer on the revised bid specifications. We will work with them on a tentative timeline and better plan for potential impacts to businesses. Once we map out the timeline we can plan a meeting for stakeholders to share the process moving forward and find ways to mitigate concerns the best we can. The engineer is developing the timeline.

Josh Pinkham said that concerning the timeline we should set the end date and let the timeline be set according to that. Removal of the permanent wall and sidewalk with construction to start in the spring, ending 2025.

Church St/Hodgdon St - we are continuing to work with Coastal Rivers Land Trust to submit a grant application to the US DOT. *This needs to be submitted by the end of the month.* In an effort to strengthen the grant request and create a connection to and between essential services, expanding recreational opportunities, and providing for a multi-use crossing on Rt 1. *An environmental passage under Rt. 1 is a possibility.* Andy thinks we can make the best case by partnering with CRCT. The match requirements would be

20% with no minimum project award. Both the town and CRCT either have the estimated match or are committed to raising it.

ii. Working with Maine Power Options to understand the eclectic rate lock. Some of our accounts ran out last year and some are due to run out which would put all accounts on the standard offer from CMP. Working with MPO would likely offer the town a lower rate. *It was asked if all accounts are on MPO now.*

5. Official Action Items

i. Applications for an On-Premise License:

1. Lincoln Theater (New)

Kristina Belnap, representing the Lincoln Theater, was present to answer questions. Dan Hunter asked about the classification of the application. Application is for a non-profit organization; Lincoln Theater is a corporation non-profit. Ms. Belnap said they had this license, last renewed in 2015, for beer and wine only.

On motion (Hunter / Pinkham) to approve the On-Premise License for Lincoln Theater. Vote 5- 0-0

2. Damariscotta River House (Renewal)

On motion (Pinkham/Hunter) to approve the On-Premise License Renewal for Damariscotta River House. Vote: 5-0-0

3. CLC YMCA @ Lincoln Theater (One-day)

On motion(Pinkham/Anderson) to approve the one-day On-Premise License for CLC YMCA @ Lincoln Theater. Vote: 5-0-0

ii. Entertainment License: Lincoln County Community Theater & Orchestra

On motion (Pinkham/Fraser) to approve the Entertainment License for Lincoln County Community Theater and Orchestra. Vote: 5-0-0

iii. Call Special Board Meeting to Discuss AOS 93 Restructuring Plan – Sept 14, 2023

This meeting has been requested by AOS 93 Superintendent Johnston to share their current understandings of a restructuring proposal and to gather the board's feedback and questions. The other six town boards have been called to meet that same day. Given that the invite was made to the full board, this would require you to call a public meeting and post immediately to comply with the public notice requirements.

If the full board cannot attend the meeting, you can alternatively delegate two members to attend the meeting on the board's behalf and report back to the board. Another option would be to request the Superintendent or the town's elected school representatives come to a regularly scheduled meeting.

On motion (Fraser/Keushguerian) to call a Special Board Meeting for September 14th at 6 PM at the Coastal River's Conservation Trust's DMB Education Hall on the Round Top Farm campus.

Vote: 0-0-0

iv. Property Tax Abatement: FY 2023 and FY 2022, 346 Bristol Rd

The Assessor's Agent was presented with an abatement request for the property at 346 Bristol Rd. The property owner had sold 3.1 acres of land in 2018 and the land values for the account were never adjusted to reflect the sale. The agent has calculated the assessed value to be \$3,100 less for each of the two tax years. This is a decision of the Select Board as it is beyond the 185 days and can be considered an Illegality, Error or Irregularity as the acreage was double taxed.

On motion Fraser/Keushguerian() to approve the Property Tax Abatements as an Error for Tax Years 2022 and 2023 for RE Account 307.

Vote: 5-0-0

6. Select Board's Discussion Items

i. Provider Agency Policy Updates – 1st Draft

No official action needed. Andy can use the recommendations presented if the board is agreeable to them. He would anticipate approval at an October meeting so we can notify provider agencies prior to the November election day where most provide a table for signatures.

ii. Upcoming Meetings

The Town Manager will be at a conference October 1-4 in Austin, TX and unable to get back into town before the meeting. It is recommended the board cancel the meeting and plan to have one on the 18th or you meet back-to-back weeks (11th and 18th) to approve the warrants.

On motion (Fraser/Anderson) to have both meetings - October 11th and the 18th.

Vote: 5-0-0

iii. Belvedere Rd/Egypt Rd – Material Estimate

Andy has provided the Board with the engineer's estimate for material usage for Egypt Rd. This estimate is assuming an average depth based on observations and a two foot width identified in the bid specifications/details. They will be able to send someone out in the field to verify the depth of asphalt along the project area and have estimated 3 days of work at approximately \$4,500. If you would like to proceed with this approach, please indicate. **Andy** added that "Stationing the road" is an estimate. If it needs 3' instead of 2' they need to communicate that to the Board/Engineers. **Daryl** said that we need accurate accounting. Due diligence is required on the Board's part. Gartley and Gorsky will do this after fact. It re-emphasises the need for a "clerk of the works". **Tom Anderson** said we have the option to estimate loads, but 2 days notice is not much time.

iv. Tom Anderson commended Andy as a Rotary Spear. Following his presentation, he was voted in as an honorary member of the Rotary. There is no conflict of interest.

v. Daniel Hunter would like to review work plans monthly. Andy responded that the first draft of the parking ordinance is coming due.

vi. **Andrea Keushguerian** said that she and Dan are on the Comprehensive Plan Committee, particularly dealing with housing plans. The October meeting will be a regional planning meeting with Newcastle and Damariscotta. **Andy** asked if the Board wanted a joint meeting with them just on housing. Tom Anderson suggested meeting with GSB district also (?after initial meeting}

vii. **Josh Pinkham** emphasized the need to “keep an eye” on the Hodgdon Street project.

viii. **Daryl Fraser** said it has been very busy in town. There is a need to keep the momentum going.

7.Adjournment

On motion (Pinkham/Anderson) to adjourn the meeting at 6:50 p.m.

Respectfully submitted,

Lynda L. Letteney
Recording Secretary

We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Select Board meeting on 9-6-202

Daryl Fraser, Chairperson

Dan Hunter

Tom Anderson

Andrea Keushguerian

Joshua Pinkham

Town of Damariscotta, Select Board meeting minutes of 9-6-23, signed this date: _____



Town of Damariscotta, Maine

Select Board Meeting

September 14, 2023

3 Round Top Ln, Damariscotta, ME 04543

6:00 PM

In Attendance: Daryl Fraser, Tom Anderson, Andrea K, Daniel Hunter

Absent: Josh Pinkham

The meeting was recorded by AOS 93.

- I. Pledge of Allegiance
- II. Meeting called to order by Fraser
- III. Presentation by AOS 93 Superintendent, Lynsey Johnston, supported by Peter Nielen, Business Manager. Many talking points were referenced to the information presented in the spring Strategic Vision: 2025 document. Staff and school board members have been soliciting information over the last few months and will continue to do so.

Johnston highlighted several key goals of this process,

- Improve educational efficiency
- Lower budget impacts
- Increase administrative efficiency - this could be achieved in a few ways, but noted specifically the alternate organizational structures. The current system has a lot of redundancy for administrative staff. There are seven towns within the AOS and that requires at least a dozen reports to the state multiple times per year, not to mention the grant opportunities that can support the students and staff means the grants are written multiple times so each school is eligible.
 - Restructuring could include solutions like separate districts, shared district costs, and/or independent schools.

Johnston explained that the current phase of this planning effort is still in the data gathering. They are identifying what it is that people would like to keep/continue and what can be improved. They have begun to ask select boards about what they hear, think, and feel about the proposal.

Hunter asked a clarifying question about who comprises the AOS. Johnston and Nielsen explained that there are about six left today, down from the 15 that existed when the state created the structure years ago. Of the remaining six, a couple are considering restructuring themselves, including Mount Desert Island and Boothbay.

Anderson asked why the previous AOSs disbanded. Many did it for the same reasons AOS 93 is highlighting today. Those towns/districts felt they could create better opportunities for equal access/attention from the administration. In some cases, towns chose to shift to neighboring districts where others worked together to create the alternate structure together.

AOS are believed to be a catchall and flawed in ways. The state modified other school unit organizations. AOS is not a fiscal agent which is why costs are passed through GSB or town budgets. The administration is seeking the right solution for the seven towns currently in the AOS.

Hunter asked if there was financial modeling. Neilsen shared that they have run some financial models and saw the biggest savings in avoiding future building improvements. Many of the schools in the AOS are at 40+ years old and either are or will need to undergo major renovations. Savings at the central office would be minimal as they run relatively lean now. Neilsen also noted that the restructuring can help manage the needs and costs of the aging facilities as well as improve the opportunities for state funding as larger districts fare better than the smaller ones.

Anderson asked about how towns would settle disagreements and how a restructured governance would look. There are numerous models out there to consider. Many find success in a weighted voting system that could take into consideration equal representation and a representation of population.

Another question raised was about the desired class size? Johnston explained that it really depends on a district's desire and grade level matters. Typically, K-2 aims for class sizes of 16 or less whereas 3-5 can fall between 20-25.

Folks also raised questions about how savings realized would be recognized under the various restructuring options. It was noted that the Central Lincoln County School System costs the towns nearly \$40M in annual operating costs. Fairness is a major consideration in any potential solution. MDI puts fairness for all towns at the heart of their decision-making. The school boards are supportive of exploring all options at this point. Per pupil costs range between \$16-35,000 with wages, transportation costs, and special ed costs typically being the largest cost centers.

Bristol and S Bristol have had discussions about creating a two-town district, but have not done so at this point.

Fraser asked for a better understanding of the governance. Johnston stated that it could be an equal representation from towns with a weighted vote dependent upon student population as of Oct 1 each year.

Anderson asked if there would be a benefit in tackling the transportation cost reductions now while the rest of the restructuring options are fleshed out. Various solutions could yield significant cost savings, though the numbers were not readily available.

Building improvements typically include safety measures and major systems. There was a point made about the town's budget processes, though it seemed unclear as to what the challenge may be exactly related to building improvements. Facilities are encouraged to conduct a thorough review for capital needs, though it was suggested not all the schools complete them.

Johnston asked for help from the Select Board members in spreading the word. This includes notice of the survey currently available. As of last week, the survey link was sent to all parents using the email notification system. Paper surveys and links on websites and social media are appreciated. This will help find those that would not otherwise get notice through the school. Other forums will be hosted, likely one in each community.

Hunter asked about voting on the solutions. GSB towns would vote on the same solutions, but the exact vote will depend on whether they continue with their 3-town model. Other towns would vote as individual towns.

Dorr asked about what charter towns can/must do as the extra step may be necessary depending on the derived solution.

All points will go through the school board. Johnston shared that it is expected that solutions will be identified by the end of the year with a ballot initiative in November '24.

Motion to adjourn (Hunter/Anderson). Vote: 4/0/0

Respectfully submitted,

Andrew Dorr
Town Manager

We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Select Board meeting on 9-14-2023.

Daryl Fraser, Chairperson

Andrea Keushguerian

Dan Hunter

Joshua Pinkham

Tom Anderson

Town of Damariscotta, Select Board meeting minutes of 9-14-23, signed this date: _____



Town of Damariscotta, Maine

Select Board Meeting

September 16, 2023

21 School St, Damariscotta, Maine 04543

9:00 AM

In Attendance: Daryl Fraser, Tom Anderson, Andrea K, Daniel Hunter

Absent: Josh Pinkham

- I. Pledge of Allegiance
- II. Meeting called to order by Fraser
- III. Cemetery Tour

This cemetery tour is hosted by the Cemetery Trustees to provide history and updates on the town-owned cemeteries. The meeting will start at the Town Office and will move to various town cemeteries from there.

Patti provided some background information and cited a book by Christine Houston Dodge. Patti explained that there is a database that houses the collection of information regarding those buried in our cemeteries. Andy asked if there was a long-term plan for management and maintenance of the database as he thought Microsoft was not supporting Access any longer. Patti did not think that was the case and was going to look into it.

A map was provided to those in attendance, the same map that is available on the Town website. It includes the town-owned sites as well as all private sites. Patti shared that the administrative capacity is approximately 2-3 hours per week, though some are more than others. There was also clarification about maintenance of veteran grave sites and it was noted that the town is obligated by state law to maintain veteran grave sites.

Knowlton-Russ Cemetery - this cemetery was formally Nobleboro's and when the town was formed the cemetery itself was never realized. This led to the need for significant improvements and the crews removed many trees which required the temporary removal of grave markers and stones. Since logged, the burial area is much easier to tend to and the stones are less vulnerable from tree damage. Inmates from Two Bridges had helped with this effort.

Dan asked who assists with the work of the cemeteries today and it was noted that there are two other cemetery trustees that were unable to attend today, but in addition to them, there is also help from the Historical Society, Town staff, contractors, and volunteers. Dan asked which cemeteries are accepting plot sales and Patti said it was limited to Bethlehem and Hillside.

Bethlehem Cemetery - Patti pointed out the stones that had been repaired recently and explained the work Joe F does. He spent multiple days in Damariscotta this year at two cemeteries.

Tom asked about maintenance and the stone condition for those compared to similar vintage and it was shared that their condition largely depended on the type of stone used. Treating and caring for the stones can be complex so it is important to know what you are doing or you can really ruin a stone.

Financially, the town has a Cemetery Trust and all lot sale proceeds go to the trust fund in an effort to build the balance high enough to work off the interest.

Dan asked who is responsible for repairing the stones and it really depends. The trustees do their best to find family members to help, but if they are dangerous and pose a risk to people or the stone itself, the town may do what it needs to so the risk is removed.

Chapman-McAllister Cemetery - This cemetery is off of Back Meadow Rd and has really only had active maintenance for 2-3 years as the access is tricky. There is no legally defined access that has been found by the Trustees and is something that may need to be considered. Major tree removal (~10 large pine) is going to be required in the future.

Walpole Cemetery - The Trustees helped the town acquire a legal easement that allows for traffic to enter a private driveway and exit onto Stonewyck Ln. This was an improvement from pulling off the side of the road on Bristol Rd as there is no shoulder and traffic is approaching too fast.

A ground penetrating radar was used a few years ago to determine if there were remains under the NE section. Due to the uncertainty of burials in this area, no lots are being sold. There are a few trees of concern along the fence line leading to Bristol Rd that will most certainly damage stones or the granite arch/stairs. These should be examined and potentially removed. One grave receives a British Flag as the individual buried here passed prior to 1776.

IV. Motion to adjourn (Fraser/Anderson). Vote: 4/0/0

Respectfully submitted,

Andrew Dorr
Town Manager

We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Select Board meeting on 9-16-2023.

Daryl Fraser, Chairperson

Tom Anderson

Dan Hunter

Andrea Keushguerian

Joshua Pinkham

Town of Damariscotta, Select Board meeting minutes of 9-16-23, signed this date: _____



Town of Damariscotta, Maine
Public Hearing / Board of Assessors / Select Board
Meeting

September 20, 2023
Town Office, 21 School St

5:00 PM

Join Virtually

Meeting: <https://us02web.zoom.us/j/83072624998> | Meeting ID: 830 7262 4998

Members: Daryl Fraser, Chairperson; Tom Andrews, Daniel Hunter; Andrea Keushguerian, Josh Pinkham

Members Absent: None

Others Present: Anton Lahnston; Police Chief Warlick; Elizabeth Waltztoni, *Lincoln County News*; and Haven Simmons, LCTV

AGENDA

I. The Pledge of Allegiance was led by Chairperson Fraser at 5:30 p.m.

II. Upon not having any current applicants for the position of health officer, **Chairperson Daryl Fraser** agreed to accept the nomination as interim until a suitable candidate is found, **Consensus vote: 3-0-1 (Fraser abstaining.)**

III. Call Public Hearing to Order

i. General Assistance Ordinance Updates

Andy passed out a spreadsheet showing maximum allowances. We pay up front; the state reimburses the Town. They provide financial assistance for housing, but do not supply housing. Seeing no one on Zoom, **Daryl** closed the public session at 5:34.

On motion Keushguerian/Andrews to adopt the ordinance and appendices as presented **Vote: 4-0-0**

On motion (Hunter/Keushguerian) to close the public hearing at 5:34 p.m. **Vote: 4-0-0**

IV. Call to Order of Select Board Meeting

V. Minutes

i. September 6, 2023 Select Board Minutes were **tabled until next meeting.**

Correction noted by Tom Andrews: On *number IX page 13* of the package: After "Lincoln Theater was a packed house change to : "aquaculturists Smokey McKenn and Brendan Parsons, and Sarah Gladu of Coastal Rivers spoke. There was also a DMR aquaculture licensing meeting at the Town Hall where Jeff Auger spoke on behalf of the licensee, Dodge Point Oyster Company." Eliminate sentence currently mentioning Jeff Auger.

ii. September 14, 2023 Special Board meeting- **tabled**

VI. Financial Reports

On motion (Anderson/Keushguerian) to approve payroll warrant #13 **Vote: 4-0-0**

On motion (Fraser/Keushguerian) to approve accounts payable warrant #14 **Vote: 4-0-0**

VII. Citizen Comments and General Correspondence - None

VIII. Town Manager's Report

i. Newcastle/Damariscotta Joint Select Board meeting

Andy met with Newcastle interim Town Manager, Kevin Sutherland, to discuss what a two-town housing committee would look like. Given that Damariscotta is in the final stages of its comprehensive plan and Newcastle is completing its state review process, they recommend delaying the committee approach and allow the two select boards to discuss next steps together, Proposal: Have two Boards meet **October 30, 2023**, for a presentation by LCRPC (Lincoln County Regional Planning Committee) and have a discussion about possible next steps.

ii. Capital Project Updates

Egypt Road/Belvedere Road - Continuing to work with engineer on the review of change orders for this contract. Andrew H, plans to have a recommendation to provide to the contractor within two weeks. Andy may have the town's attorney review the document before it goes to Hagar Enterprises Inc.

Parking Lot/EDA Project - Amendment #4 from Wright-Pierce (WP) is for finalizing the revised project scope as requested and approved by EDA. Timeline would allow for advertising this project before the end of the year. allowing for it going out to bid in December. Estimate completion would be 8 months (?Jan-August). Recommend reviewing and perhaps negotiating scope/cost of Amendment #4 before approving. Andy has requested that WP begin the final design process while terms of the amendment are finalized. George Parker and Andy have talked regarding the document itself, schedule, and how this scope of work differs from previous contracts.

Grant Funding - Due date for US DOT Grant is September 28th. Andy is working with CRCT to complete this by the due date. Letters of support were sent to 19 community groups/businesses that would benefit from this grant. Final cost estimates still have to be done.

iii. Road Inventory

Andy presented the road surface inventory to the Public Works Committee this past week. We will be able to better visualize upcoming road work. This will be incorporated into the Capital Improvement Plan, which will be presented to the Select Board and Budget Committee at the beginning of the budget process. This work has not yet been engineered. We still need an inventory with specifics. DOT will offer a program on this.

iv. Local Health Officer

This position is still unfilled. Daryl Fraser has volunteered to take it on as an interim if no candidate is found by the next meeting.

v. Public Works

The crew has been cutting brush from the right-of-way along Back Meadow Rd. and addressing other issues as they arise. They are available Saturday as a response to storm damage. For next two weeks they are readying the Town for Pumpkinfest which includes cleaning the curbs along Main Street; removing some granite benches; placing additional trash cans; removing kayak rack; etc. Trash cans and outhouse will be removed from Biscay Beach. Andy is still looking for someone to construct the restroom addition at the garage. Septic system needs to be in place before winter so it is ready to accept internal plumbing.

vi. Island Institute- Phil Auger will be presenting in Bremen on September 25th with a 2 hour tour of aquaculture enterprises locally.

vii. Pedestrian Light - The pedestrian activated light at Miles Street and Bristol Road needs repair.

VIII. Official Action Items

i. Donations: Trunk-or-Accept -Treat

Chief Warlick received a donation to support the annual Truck-or-Treat event which provides a safe, fun Halloween experience for the community youth. This is held at Great Salt Bay school. He has received a \$1000 grant as well.

On motion(Fraser/Anderson) to accept the LCVT donation as a Police Department revenue to support the Truck-or-Treat event.

Vote: 4-0-0

ii. **Accreditation** - Police Department has been notified that they will be the first small town force to be accredited; award should come in November.

iii. **Historic Preservation Review Commission Appointments** - **Mike Martone** is trying to breathe new life into the committee. Bruce Rockwood and Emily Davey were nominated to fill the vacancies.
On motion (Fraser/Keushguerian) to appoint Bruce Rockwood and Emily Davey to the Historical Preservation Committee. **Vote: 4-0-0**

iv. **Applications for an On-Premise License: Lobster Haul**
On motion (Keushguerian/Hunter) to approve the On-Premise License for the Lobster Haul. **Vote: 4-0-0**

v. **General Assistance Ordinance:** This is an annual update with increased program maximums. These are set by the State; but it is likely that there will still be a gap in funding for many people, which is where other State and community programs can assist.

On motion (Fraser/Anderson) to approve the ordinance revision as presented. **Vote: 4-0-0**

vi. **Downtown Flood Protection Improvements Amendment:** Amendment is still being reviewed by George Parker and Andy Dorr. The revised scope of work approved by EDA does warrant additional time and cost. Wright Pierce has requested a signed amendment before proceeding with final designs/bid specs/permitting application.

On motion (Fraser/Anderson) to authorize the Town Manager to negotiate and sign the Amendment, not to exceed the cost as presented. **Vote: 4-0-0**

IX. Select Board's Discussion Items

PSAC - Bicycle Safety and Accessibility Resolution - **Anton Lahnston** gave an overview of the resolution and the extensive committee work.. It was decided to leave discussion until the 10/18/23 meeting as there was a lot to digest in the resolution. **Andy** said in researching the topic, Heart & Soul addressed this 10 years ago; Comp Plan had it previously and addressed it favorably. The committee is in the process of developing a checklist. Engineers are considering bicycle lanes; the goal is to increase awareness of bicycle accessibility. **Andrea** said the Comp Plan is addressing this. **Tom Anderson** suggested looking at each new program with this checklist as a guide. **Tom** also added that the increase in CLC allotment will be about \$20,000 as Edgecomb may not utilize CLC next year.

X. Adjournment

On motion (Fraser/Hunter) to adjourn the meeting at 5:41p.m. **Vote: 4-0-0**

Respectfully submitted,

Lynda L. Letteney
Recording Secretary

We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Select Board meeting on September 20, 2023.

Minutes of 9-20-23 (cont'd)

Daryl Fraser, Chairperson

Tom Anderson

Dan Hunter

Andrea Keushguerian

Joshua Pinkham

Town of Damariscotta, Select Board meeting minutes of September 20, 2023, signed this date: _____



Town of
Damariscotta

Andrew Dorr <adorr@damariscottame.com>

250th Anniversary of the U.S. Planning Commission – Call for Volunteers

Kate Dufour <kdufour@memun.org>
Reply-To: Kate Dufour <kdufour@memun.org>
To: adorr@damariscottame.com

Tue, Oct 10, 2023 at 11:19 AM



60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428
(f) 207-624-0129

To: Key Municipal Officials
Municipal Clerks

From: Kate Dufour, Director, Advocacy & Communications

Date: Tuesday, October 10, 2023

Re: 250th Anniversary of the U.S. Planning Commission –
Call for Volunteers

Governor Mills is requesting names of municipal officials interested in serving on the Commission to Commemorate the 250th Anniversary of the Founding of the United States.

The 15-member commission is directed to coordinate the celebratory and commemorative educational programs, historical events, and activities that will occur throughout Maine in 2026. Members will be expected to meet no more than five times annually until December 31, 2026, when all terms will expire. For more information on the commission and its responsibilities, please review the [enacting legislation](#).

If you or a municipal employee, elected official or volunteer in your community is interested in serving on the commission, please respond to this email by **Wednesday, October 18 at 5 p.m.**

In your response, please include the name of the nominee and contact information, including mailing address, email address and phone numbers. To

assist the governor in making this appointment, please also include a paragraph describing your nominee's interest in serving on the commission.

If you have any questions, please do not hesitate to contact me at kdufour@memun.org or 1-800-452-8786.

Thank you.

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Town of Damariscotta
21 School Street
Damariscotta, Maine 04543
(P) 207-563-5168 (F) 207-563-6862

Andrew Dorr
Town Manager

Town Manager's Report

October 14, 2023

1. Q1 Goals Review

We are on track with various deliverables that were highlighted for this year's work plan. Items that are on track or complete include:

- Updates to the Provider Agency Policy, pending approval
- Completion of Road Inventory, sidewalks still to be completed
- Join Maine Climate Resiliency Partnership, in-progress - see attached schedule from CRCT/LCRPC
- Waterfront Project: construction docs revised, in-progress
- Waterfront Project: Stakeholder engagement, tentative meeting Oct 23/24, small group to inform RFP, larger outreach later in the fall as plans are more complete.

Items that are behind or not yet started include:

- Drafting the Capital Improvement Plan, in-progress, about a month behind
- TIF Amendments, in progress, but about a month behind
- Traffic/Parking Ordinance Updates
- Energy Storage Regulations, no progress
- LCRPC Housing Report Presentation, delayed, scheduled for Oct 30
- Creation of Housing Advisory Group, delayed until after LCRPC presentation, pending board approval

2. PSAC - Bicycle Resolution

The group worked hard to get community feedback on bicycle infrastructure over the last few years which include surveys, meetings, and this draft resolution, to name a few. Bicycle improvements have been identified in various plans adopted by the Town in previous efforts, such as Heart and Soul, Comprehensive Plan, and the Bike and Pedestrian Plan.

PSAC acknowledges a lot of effort has been made on making connections around town via sidewalk, but is hoping the Select Board and Town can prioritize bicycle infrastructure in future road improvements.

3. Upcoming Meetings/Events

October 17, 6 PM @ Skidompha Library - Comprehensive Plan Workshop: What Makes a Thriving Village?

October 18, 530 PM @ Town Office - Select Board/Board of Assessors Mtg

October 25, 6 PM @ Town Office - Comprehensive Plan Workshop: Housing Issues and Opportunities

October 30, 6 PM @ Newcastle Fire Station - Joint Select Board Meeting - Housing workshop

November 1, 530 PM @ Town Office - Select Board Mtg

November 9, 6 PM @ CRCT, Main St - Comprehensive Plan Workshop: Active Living (Bicycle and Pedestrian Infrastructure & Recreation)

November 13, 6 PM @ Town Office - Planning Board Mtg

November 15, 530 PM @ Town Office - Select Board Mtg/Budget Committee (tent)



Town of Damariscotta
21 School Street
Damariscotta, Maine 04543
(P) 207-563-5168 (F) 207-563-6862

Andrew Dorr
Town Manager

MEMO

October 13, 2023

To: Damariscotta Select Board
From: Andrew Dorr, Town Manager

Re: Provider Agency Policy

The Budget Committee met on October 11th to discuss the Provider Agency Policy as well as other items. Bruce Rockwood provided some thoughts on the proposed revisions and had concerns about requiring all provider agencies to get a petition. Please see his full comments on the attached page.

Much of the discussion was about the limited resources of some of the agencies and that requiring them to get the petition with 10% of the number of voters that appeared for the last Gubernatorial election was too challenging and unnecessary. The committee felt that there should be a mechanism for agencies to submit like department requests. The committee felt strongly that there should be a requirement of the agencies to share the information identified in the policy as drafted and know that it cannot be required if a petition is submitted with the statutorily required signatures.

There was also concern that it was getting too late into the year and too close to the election to change the policy now as many agencies/organizations appear on election day. We assured the Committee that we can get the word out to our regular agencies should they want to make that effort on election day.

No official action or recommendation was provided, though the conflict in requiring a one-size-fits-all solution that required the petitions was acknowledged. The committee generally would like to see the Board come up with a different solution or one that presents the option of submitting without signature and preserve the ability for groups to drop a petition as allowed under state statute.

Next Step:

Approve the policy that was reviewed by the Board on September 20, 2023 or provide guidance for a redraft taking into consideration some of the Budget Committee's comments/concerns.

Memo:

To: Budget Committee

From: Andrew Dorr, Town Manager

Date: September 29, 2023

Re: Provider Agency Budgetary Policy

Following the FY 24 Budget planning cycle, I have some observations regarding the Provider Agency Budgetary Policy (Policy) that I believe the Board should consider addressing. From what we can tell, the Policy was last revised in 2008. In 2010, a Board of Selectmen vote to “cut provider agencies and no longer include them voluntarily from the annual town warrant without a petition.” This motion was approved 4/0/0, but does not appear to have officially revised the Policy.

When provider agencies ask us what they must do to request funding, staff review the policy and we do find some conflicting steps, such as:

- A.3. “The Board of Selectmen, on an annual basis, **will set a cap on the amount of money dedicated** to provider agency funding...”
- B.2. “A petition will be required for any funding request if the request is a new request... **must be signed by at least 10%** of the number of registered voters that voted during the last gubernatorial election.”
- B. 3. **Requirements for Requests for Funding**
- B. 4. “Any agency that fails to comply with this policy shall not be considered for funding for the **next fiscal year.**”
- 2010 Board Vote. “**No longer include them voluntarily** from the annual town warrant without a petition.”

From what I observed, the general rule that applied last year was that agencies must submit a petition with at least 10% of the number of registered voters that voted during the last gubernatorial election, they were required to provide supporting documents outlined in B. 3, but the board did not set a cap on the amount of money dedicated. Further, there were two agencies, the Skidompha Library and Lincoln County TV (LCTV), that were not required to submit a petition. This is a problem in that we are not following the Policy that is currently in place and I believe it would be best to sort this out before the end of October so that it is clear to agencies if and how they should proceed with funding requests.

Towns that entertain funding provider agencies through their annual budget process have a range of practice and it is important to find and implement one that works for this town. Below is a table showing the funded requests over the last five fiscal years, the annual increase, and a percentage these requests represent out of the total budget.

Table 1: Provider Agency Funding Requests

	FY 24	FY 23	FY 22	FY 21	FY 20
New Hope Midcoast	\$ 1,589.00	\$ 1,325.00	\$ 1,325.00	\$ 1,155.00	\$ 1,212.00
Damariscotta Historical Society	\$ 7,500.00	\$ 7,500.00			
Healthy Kids	\$ 2,200.00	\$ 2,200.00	\$ 2,200.00	\$ 2,200.00	\$ 2,200.00
Spectrum Generations	\$ 4,820.00	\$ 4,820.00	\$ 2,662.00	\$ 3,127.47	\$ 2,990.00
Coastal Kids Preschool	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 1,500.00
Hearty Roots	\$ 5,000.00				
Midcoast Maine Community Action			\$ 1,320.00	\$ 1,320.00	\$ 1,320.00
Coasatal Rivers Conservation Trust				\$ 2,000.00	\$ 1,000.00
Skidompha Library	\$ 33,815.00	\$ 33,813.00	\$ 33,813.00	\$ 33,813.02	\$ 33,813.00
LCTV	\$ 19,000.00	\$ 17,500.00	\$ 11,966.00	\$ 6,966.00	\$ 6,966.00
Total	\$ 75,924.00	\$ 69,158.00	\$ 55,286.00	\$ 52,581.49	\$ 51,001.00
% Total Operating Expense	2.4%	2.4%	2.5%	2.5%	2.6%
Annual Agency Funding Increase	9.8%	25.1%	5.1%	3.1%	
Annual Total Budget Increase	7.6%	31.4%	5.2%	8.7%	

Annual Provider Agency funding has increased 48.9% over the last five years, an average of 9.8% per year. This trend is very similar to the Town’s overall budget needs which has increased 12.3% on average and 61.5% in total over the same period. This analysis does not include Central Lincoln County Ambulance Service as that is part of a interlocal agreement that the town committed to and represents our contracted share of service costs. The only agency that we have a similar arrangement with is LCTV, though that is a fee for service for providing IT support to broadcast some of our public meetings. The amount shown in Table 1 represents an amount above and beyond the charges associated with IT support. Many of the agencies listed provide some form of social services that we may otherwise be supporting through our GA program, so in some ways the organization(s) may lessen the taxpayer impact by lowering the GA expenses.

In researching legal implications of the conflicts and looking for solutions, MMA Legal Services was pleased to see the Town does have a policy, though some recommendations for some revisions included clarifying whether subsequent annual requests require a petition. In addition, the policy must note that petitions fulfilling the state requirements must be placed on a warrant regardless of whether the supporting information is provided,

Based on my observations, comments from Provider Agencies, staff, and the public, and MMA Legal Services, I present the following options for a revised policy.

Select Board Proposed Revision:

1. Require all Provider Agencies submit a petition annually

Pros:

- This continues to require the agencies demonstrate public support prior to placing on the town warrant.

Cons:

- The board has no way to require documents accompany the petition. Once submitted and certified to have at least 10% of the required signatures it must be placed on a warrant.
- There is no way for the budget process to consider the financial implications to taxpayers as it exists for the municipal expenses.

Recommendation:

- Provide feedback on the proposed changes.

Town of Damariscotta
Provider Agency Budgetary Policy

Deleted: PROVIDER

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I. Title

This Policy shall be known as and may be cited as the "Town of Damariscotta Provider Agency Budgetary Policy".

II. Purpose

The purpose of this Policy is to assure compliance by all social service, community service and other non-profit agencies that request funding from the Town of Damariscotta with the Town's budgetary procedures, policies, and requirements, and to gather as much information as necessary for the Select Board and Budget Committee to make an informed decision about funding requests from provider agencies.

III. Definitions

Provider Agency – an agency that provides a service to the Damariscotta community. An agency may provide social services or other various community services and includes any non-profit.

IV. Provider Agency Funding Request Procedures

Provider Agencies seeking funding must submit a petition. Once the petition is certified by the Town Clerk, the Select Board will call a public hearing prior to finalizing the Annual Town Meeting warrant. Following the public hearing, the board will include the request on the Annual Town Meeting warrant. Annual Town Meeting is typically two-day event scheduled to begin on election day in June of each year

Deleted: budgetary cap and voting

Deleted: procedures

a. Submission of Requests for Funding

All provider agencies must submit a funding request to the Town in order to be considered for funding at the annual town meeting. This funding request shall be submitted to the Town Clerk by the Third Friday in March. The submission must include the following:

- A statement or cover letter describing what their entity has done in the past to benefit the town or the public and what they expect they will be able to do in the future with the requested appropriation.
- A petition meeting the requirements included herein.
- Contact person and information for the purpose of communicating any concerns, questions, or necessary follow-up.

Deleted: The Board of Selectmen, on an annual basis, will set a cap on the amount of money dedicated to provider agency funding. The Board of Selectmen and Budget Committee will allocate money to each provider agency within the budgeted dollar amount. The total of all provider agency requests will be voted on by secret ballot at Town Meeting.

Note: While the submission requirements are the same for all agencies the Board retains the right to put certain provider agencies on separate warrant articles.

Deleted: Scope

This policy applies to all social and community service agencies and other non-profit agencies and organizations that may request funding from the Town. These agencies and organizations are also known as "provider agencies".

b. Petitions Required

i. A petition will be required, pursuant to 30-A MRS §2522, for any funding request. The petition must be:

1. signed by at least 10% of the number of registered voters that voted during the last gubernatorial election.
2. notarized before being submitted to the Town Clerk's Office. The Town Clerk will certify said petition to the Board of Selectmen and to the agency submitting the petition within 5 days of receipt.

c. Public Hearing

i. The Select Board will call a Public Hearing prior to approving the Annual Town Meeting

warrant. The requesting agency should submit and/or present the following:

1. A description of the Provider Agency and the types of services available to Damariscotta residents.
2. A document detailing the number of Damariscotta residents assisted during the most recent fiscal year and the value of those services.
3. The amount of the donation requested and the time period to which the donation would be applied.
4. An expense and revenue report for the most recent fiscal year detailing revenue by funding source, expenditures by expense category (i.e. personnel, programs/services, building/property maintenance, etc.), and documentation of any reserve accounts.

d. Town Warrant

- i. Provider Agency requests that have been submitted by the third Friday in March and have met the requirements of this policy will be included on the Annual Town Meeting Warrant.
- ii. Petitions received after the third Friday in March will be included on the following year's Annual Town Meeting Warrant.

V. Failure to Comply

Any agency that fails to comply with this policy shall not be included on a town warrant.

VI. Amendments and Changes

All proposed amendments to, and changes in, this policy will be at the discretion of the Damariscotta Select Board.

Deleted: Board of Selectmen

VII. Validity and Severability

Where the provisions of this Policy conflict with this or any other ordinance or policy, the stricter standard shall apply, and should any section or provision of this Policy be declared invalid, such invalidity shall not void or make invalid any other section of this Policy.

VIII. Effective Date

This Policy shall become effective upon its enactment by the Damariscotta Select Board.

Deleted: Board of Selectmen

Adopted: _____, 20 _____

Certified renewed:
Date: _____, 20 _____

Clerks initials: _____

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¶
¶ Submission of Requests for Funding.¶

¶ All provider agencies, social service agencies, community service agencies, and other non-profit agencies or organizations must submit a funding request to the Town in order to be considered for funding at the annual town meeting. This funding request shall be submitted to the Town Manager at such time as determined by the Town Manager in conjunction with the normal budget schedule.¶

¶
¶ Petitions Required.¶

¶ A petition will be required for any funding request if the request is a new request, meaning that is has not been funded during the current fiscal year, or if the request is seeking an increase in the amount of funding from the previous year's request.¶

¶ The petition must be signed by at least 10% of the number of registered voters that voted during the last gubernatorial election. The petition must be notarized before being submitted to the Town Clerk's Office. The Town Clerk will certify said petition to the Board of Selectmen and to the agency submitting the petition.¶

¶
¶ Requirements for Requests for Funding.¶

¶ The requesting agency must submit a letter of request for funding specifying the amount of the donation requested and the time period to which the donation would be applied.¶

¶ The requesting agency must submit expense and revenue reports for the most recent fiscal year detailing funding sources and expenditures for salaries, fringe benefits, documentation of any reserve accounts, etc. (i.e., you must submit a complete budget.)¶

¶ The requesting agency must submit a document detailing the number of Damariscotta residents assisted during ... [1]

Deleted: <#> 2nd day of January A.D., 2008.¶

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¶
¶ Attest to All:¶

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¶ _____¶
¶ Town Manager¶

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¶ BOARD OF SELECTMEN DAMARISCOTTA, M... [2]

Page 5: [1] Deleted Andrew Dorr 9/8/2023 7:10:00 AM



Page 5: [2] Deleted Andrew Dorr 9/8/2023 7:13:00 AM



October 5, 2023. To: Andrew Dorr, Town Manager, Damariscotta

RE: My Comments on Proposed Provider Agency rules.

In the document package sent to the Town Budget Committee for review at our first meeting this fall, there was a proposal to amend our policies with respect to provider agencies. I took it as a request for comment, and I apologize if by sending my concerns to the committee to set us up for the discussion I inadvertently engaged in a discussion best held in a previously scheduled public meeting. I have no objection to sharing that email with anyone in the public as an addendum to our committee minutes. But to simplify matters I have typed up that email in this memo and ask that you add it to the documents being shared for our budget committee meeting Wednesday, October 11, 2023 at Noon.

I think it would be a mistake to make a one size fits all policy revision without further public review, which means I don't think it makes sense to have the BOS adopt a new policy at this time for the next Fiscal Year.

More specifically, I think the Skidompha Library and LCCTV both serve vital community interests and that, at a minimum, their on-going baseline budget requests, which are always reasonable, should be automatically included in the proposed new budgets as line items. I think putting them to a petition requirement would be an unnecessary burden. The library charges fees for non-residents, but provides an important service for young people and retirees in town. And LCCTV provides community access to our deliberations.

With respect to other providers, the petition problem is that many of them (particularly those providing services to children and families) are stressed for support for their actual programs, with some additional federal support having just expired. Typically in the past volunteers solicited signatures on tables outside the polls on election day, and with covid causing in person voting to drop off, and mail in voting increasing even post-covid, that inexpensive way of getting signatures has become problematic. My suggestion would be a minimum number of signatures, say 20-25, not based on any per cent of voters at the last election, plus a cover letter from the chair or CEO or head of the program, as the most we might require for new or smaller programs.

I will add that traditionally at the open town meeting, these requests come last and not everyone stays till the end, while having the budget committee and BOS

review proposals as part of the normal budget process and putting them on the Warrant, enables them to be included in the paper ballot.

I'd like the Budget Committee to adopt recommendations to the BOS and Town Manager along these lines. Thanks.

Bruce L. Rockwood

CHAPTER 11 – Abatement and Appeal

Taxpayers may challenge their property tax assessments through the abatement process. An “abatement” is the process required by State law to correct an assessed property value that is excessive or void due to an error or illegality in the assessment. State law also authorizes several other types of abatements that are not related to the assessed value. Local abatement decisions may be appealed to local, county and State boards and to the courts. The rules and procedures that govern the abatement and appeals processes are discussed in this chapter.

Types of Abatement Requests

It is important to categorize an abatement request properly at the outset in order to know who has authority to grant it and under what conditions. The following are the various types of abatement requests that can be filed under Maine law.

Overvaluation (“Error in Valuation”)

Overvaluation is the most common basis for a request for abatement of property taxes. If a taxpayer believes that the assessed value of his or her property is too high, the taxpayer’s only remedy is to submit a written application for abatement to the assessors, stating the grounds for the abatement. 36 M.R.S. § 841(1). The assessors also may grant such an abatement on their own initiative. The municipal officers (selectboard or council) have no legal authority to grant an abatement based on a claim of overvaluation.

- **Deadlines.** An application for abatement based on overvaluation must be filed by the taxpayer within 185 days of the commitment of the tax. Assessors may grant an abatement for overvaluation on their own initiative, but it must be done within one year of the commitment date. If an abatement application claiming overvaluation is not initiated by the taxpayer within the 185-day deadline, and if the assessors do not grant such an abatement on their own initiative within one year of the commitment, that value must stand for that tax year, even if everyone agrees later that it was too high. These deadlines are critical, since they are jurisdictional and may not be waived by the assessors or by an appeal body. *Inhabitants of Town of Monmouth v. County Commissioners of County of Kennebec*, CV-90-573 (Me. Super. Ct., Kenn. Cty., Aug. 23, 1991); *Salvation Army v. City of Lewiston*, CV-93-393 (Me. Super. Ct., Andro. Cty., June 27, 1994).
- **Scope of overvaluation remedy.** An abatement based on “overvaluation” is the proper (and only) remedy if a person believes that the assessed value of his or her property is too high, or where questions exist regarding the just value of the property

based on the amount of acreage assessed, the actual description and conditions of the property on April 1st, and the assessment techniques used. *Berry v. Daigle*, 322 A.2d 320 (Me. 1974); *Depositors Trust Co. v. City of Belfast*, 295 A.2d 28 (Me. 1972); *Goldstein v. Town of Georgetown*, 1998 ME 261, 721 A.2d 180. An abatement based on “overvaluation” also is the proper remedy if a person who is properly assessed for certain property in one town also is assessed for certain other property alleged to be taxable in that town but which in fact is: (1) taxable in an adjoining town; (2) exempt from taxation; or (3) not owned by him. *Berry v. Daigle*, 322 A.2d 320 (Me. 1974); *Depositors Trust Co. v. City of Belfast*, 295 A.2d 28 (Me. 1972); *City of Lewiston v. All Maine Fair Assoc.*, 138 Me. 39 (1941); *Portland Terminal Co. v. City of Portland*, 129 Me. 264 (1930); *City of Rockland v. Rockland Water Co.*, 82 Me. 188 (1889); *Inhabitants of Town of Georgetown v. Reid*, 132 Me. 414 (1934); *City of Bath v. Whitmore*, 79 Me. 182 (1887); *Gilpatrick v. Inhabitants of Saco*, 57 Me. 277 (1869); *contra*, *Holbrook Island Sanctuary v. Inhabitants of Town of Brooksville*, 161 Me. 476 (1965). In addition, an abatement for overvaluation is the proper remedy to correct a misclassification of property. *Goldstein v. Town of Georgetown*, 1998 ME 261, 721 A.2d 180 (erroneous assessment of property as waterfront property when it actually was separated from water by a strip of land was a valuation error, not “illegality, error or irregularity in assessment”). However, where an assessment is wholly void, as, for example, where a person is not legally liable to be taxed for any of the property assessed to that person but nevertheless is assessed for it, an application for abatement based on overvaluation is not appropriate. *City of Rockland v. Rockland Water Co.*, *supra*; *Herriman v. Stowers*, 43 Me. 497 (1857); *Talbot v. Inhabitants of Wesley*, 116 Me. 208, 100 A. 937 (1917). The proper abatement request for a void assessment is based on “illegality, error, or irregularity” in the assessment. (See the discussion below). Where an entire assessment is alleged to be void (such as where a supplemental assessment was made, but it could not be shown that the subject property was actually omitted) or the taxing authority is challenged, the proper remedy is a declaratory judgment action filed in Superior Court, not an abatement appeal. *S.D. Warren v. Town of Standish*, 1998 ME 66, 708 A.2d 1019 (Me. 1998), quoting *Berry v. Daigle*, *supra*. Where a taxpayer’s claim is that the property is totally exempt, the Maine Supreme Court has held that the taxpayer has the option of requesting a tax abatement under 36 M.R.S. § 841(1) or seeking a declaratory judgment in court. *Credit Counseling Centers, Inc. v. City of South Portland*, 2003 ME 2, 814 A.2d 458.

For a discussion of declaratory judgment actions in court as an alternative to a tax abatement in the case of exempt property, see “Declaratory Judgment Action-Exemption Claims” appearing at the end of this chapter.

Illegality, Error, or Irregularity

Title 36 M.R.S. § 841(1) authorizes the assessors or the municipal officers to grant an abatement when there is an “illegality, error or irregularity in the assessment.” The statutes envision a tax assessment that is wholly void, not just imperfect. This type of abatement is less common than an abatement to correct an overvaluation.

- **Deadline.** The municipal officers (selectboard or councilors) on their own initiative or on written application may abate a tax where necessary to correct an illegality, error or irregularity in the assessment any time after one year but within three years from the commitment of the tax. The assessors may grant an abatement on these grounds within one year from the date of commitment, which is the same deadline for assessors outlined above for an error in valuation. As noted above, these deadlines may not be waived. A taxpayer who misses the one year deadline for filing an abatement request with the assessors may file an abatement request with the municipal officers after one year and within three years of the commitment date.
- **Scope of illegality, error or irregularity abatement.** The words “illegality,” “error,” and “irregularity” are interchangeable. For purposes of this type of abatement, “error” refers to an error in assessment other than an overvaluation. As was noted above, an abatement granted due to an “illegality, error or irregularity” envisions a tax assessment that is wholly void, not just imperfect. A real estate assessment is not void simply because it is not accompanied by any description of the property being assessed or is accompanied by a defective description; it is an assessment which cannot provide a legal basis upon which a tax collector can use a tax lien or tax deed as a method for collecting the tax which is due. *City of Rockland v. Farnsworth*, 111 Me. 315 (1913). The tax in such a case must be collected through court action. On the other hand, if a person does not own any land in a town but is taxed for a parcel anyway, that tax is illegal and void. The same is true where all of the property is taxable in another town, or where all of it is exempt. *Credit Counseling Centers, Inc. v. City of South Portland*, 2003 ME 2, 814 A.2d 458; *Town of East Millinocket v. Town of Medway*, 486 A.2d 739 (Me. 1985); *Berry v. Daigle, supra*; *Depositors Trust Co. v. City of Belfast, supra*. An abatement based on “illegality, error or irregularity” is also justified if a taxpayer is assessed for property that was also assessed to another taxpayer. *Town of Eddington, et al. v. Emera Maine*, 2017 ME 225, 174 A.3d 321.

A tax also probably would be void if there is a significant error in the name of the person or business being assessed. For example, if the property were owned by Joe Smith who used it for a business that he owned called “The Handy Man, Inc.” and the property was assessed to “The Handy Man, Inc.” rather than to “Joe Smith,” the assessment probably would be void. Or, if property were assessed to “Joleen

A. Jones” when the taxpayer’s real name was “Joellen A. Jones” or “Joleen S. Jones,” then the error in the spelling of the name or the use of the wrong middle initial probably would make the assessment void. Likewise, if the real property of a deceased person was assessed to “The Estate of Helen Hunt” rather than to the heirs, or devisees or personal representative (depending on which was legally correct in that situation), the assessment probably would be void. See Chapters 7, 8 and 9 for additional discussion of this issue.

In addition to the examples provided above, other “illegalities,” “errors” or “irregularities” might include: (1) an assessment in which an amount not legally raised at town meeting was included (36 M.R.S. § 503); (2) an assessment based on a tax rate in which too much overlay was included (36 M.R.S. § 710); (3) an assessment based on a clerical error in preparing the tax rate and commitment which results in too much tax being assessed against individual properties [*Eastport Water Co. v. Inhabitants of City of Eastport*, 288 A.2d 718 (Me. 1972)]; (4) an assessment that is too high because too little State revenue sharing was deducted from the commitment; or (5) an assessment that is based on an unconstitutional assessment methodology that does not value all property in the same class in a like manner (*City of Biddeford v. Adams*, 1999 ME 49, 727 A.2d 346; *Angell Family 2012 Prouts Neck Trust v. Town of Scarborough*, 2016 ME 152, 149 A.3d 271, *Petrin v. Town of Scarborough*, 2016 ME 136, 147 A.3d 842; *Terfloth v. Town of Scarborough*, 2014 ME 57, 90 A.3d 1131). An assessment that is based on an unconstitutional assessment methodology could include where adjustments are made in value only for those properties which were recently sold. This is in contrast to using the wrong assessment methodology or classification for a single piece of property [e.g., solely using the replacement cost less depreciation approach where the income approach more closely determines a property’s just value (*South Portland Associates v. City of South Portland*, 550 A.2d 363 (Me. 1989))] or where property was valued as “waterfront property” but was separated from the water by land of another (*Goldstein v. Town of Georgetown*, 1998 ME 261, 721 A.2d 180).

Poverty Abatement

Taxpayers who, because of hardship or poverty, are unable to pay some or all of their property taxes may seek a “hardship or poverty” abatement under 36 M.R.S. § 841(2). Section 841(2) permits the municipal officers (selectboard or council—not the assessors) “on their own knowledge or on written application” to “make such abatements as they believe reasonable on the real and personal taxes on the primary residence of any person who, by reason of hardship or poverty, is in their judgment unable to contribute to the public charges.” “Primary residence” is defined in the statute as the home, appurtenant structures necessary to support the home, and acreage sufficient to satisfy the minimum lot size as required by the municipality’s land use or building permit ordinance or state law.

TOWN OF DAMARISCOTTA
Office of Selectmen, Assessors, Town Clerk, Tax Collector and Treasurer

WE HEREBY CERTIFY, that the accounts listed contain a list of estates, real and personal, to be abated for the fiscal year 2024 (July 1, 2023 to June 30, 2024) located within the Town of Damariscotta, under title 36, MRSA sec 841.

Reference Code:

Ref #	Account	Taxpayer	Abatement Amount	Reason
2024-6	926 PP	Clicklease, LLC	\$76.69	Account duplicated and assed 2 times in 2023, original acct is 916PP
2024-7	581 PP	Artful Heirlooms	\$4.70	Business closed in 2022, not notified until bill was received.
2024-8	914 PP	Nestle USA, INC	\$4.70	Assets removed 2022 - didn't receive declaration. Assessed in error.
2024-9	86 RE	Benner Realty Trust	\$278.57	Shed over-assessed. Priced as 1,200 sq ft when it was actually 120 sq ft. Difference in value of 17,800.
2024-10	1278 RE	The Pines MH Park	\$205.02	Mobile Home Moved prior to 4/1/2023
2024-11	217 RE	Cote Theriault	\$561.84	Lot assessed using Commercial Land schedule, adjacent lots assessed using residential land schedule.

IN WITNESS THEREOF, we have set our hands this day: _____/2023

SIGNED:

PRINTED:

Assessors of Damariscotta

231018 Abatement Certification 2024-6 Thru 2024-11

Tax Collector:	Initials: _____	Date: _____
Computer Adjustments:	Initials: _____	Date: _____
Assessor Adjustments	Initials: _____	Date: _____
Letter to Taxpayer:	Initials: _____	Date: _____



TOWN OF DAMARISCOTTA
ASSESSOR'S OFFICE
21 School Street
Damariscotta, ME 04543
Phone: (207) 563-5168

NOTICE OF PROPERTY TAX ASSESSMENT REVIEW

October 18, 2023

Clicklease, LLC
1182 West 2400 S
West Valley City, UT 84119

PROPERTY REVIEWED: Personal Property Account #926

CURRENT ASSESSED VALUE:
Personal Property Assessed \$4,900.00

FINDINGS: After review of the assessments, the following adjustment has been made:

Adjusted Assessed Value:
Personal Property Assessed \$0.00

Remarks: Abatement in the amount of \$76.69 has been granted.

Abatement Calculation ($\$4,900 - \$0 = \$4,900.00 \times 0.01565$ (ty24 mil rate) = \$76.69 tax abatement)

Reason:
Personal Property Declaration mis-identified as new account when an account #916 already existed. Double assessed in error.

The Tax Collector, will process this abatement in the coming days. If you have any questions regarding how the abatement will be credited, please contact the town office.

Ed Hodgins, CMA
Assessor Agent
Town Of Damariscotta



TOWN OF DAMARISCOTTA
ASSESSOR'S OFFICE
21 School Street
Damariscotta, ME 04543
Phone: (207) 563-5168

NOTICE OF PROPERTY TAX ASSESSMENT REVIEW

October 18, 2023

Artful Heirlooms
c/o Ruth C. Monsell
74 Beloin Road
Camden, ME 04843

PROPERTY REVIEWED: Personal Property Account # **581**

CURRENT ASSESSED VALUE:
Personal Property Assessed \$300.00

FINDINGS: After review of the assessments, the following adjustment has been made:

Adjusted Assessed Value:
Personal Property Assessed \$0.00

Remarks:

Abatement in the amount of \$4.70 has been granted.

Abatement Calculation ($\$300 - \$0 = \$300 \times 0.01565$ (ty24 mil rate) = \$4.70 tax abatement)

Reason:

Business closed in 2022, no declaration received for 2023 stating closed.

The Tax Collector, will process this abatement in the coming days. If you have any questions regarding how the abatement will be credited, please contact the town office.

Ed Hodgins, CMA
Assessor Agent
Town Of Damariscotta



TOWN OF DAMARISCOTTA
ASSESSOR'S OFFICE
21 School Street
Damariscotta, ME 04543
Phone: (207) 563-5168

NOTICE OF PROPERTY TAX ASSESSMENT REVIEW

October 18, 2023

Nestle USA, Inc
C/O Ryan LLC
PO Box 4900 Dept 170
Scottsdale, AZ 85261-4900

PROPERTY REVIEWED: Personal Property Account # **914**

CURRENT ASSESSED VALUE:
Personal Property Assessed \$300.00

FINDINGS: After review of the assessments, the following adjustment has been made:

Adjusted Assessed Value:
Personal Property Assessed \$0.00

Remarks:

2023 (TY24) Abatement in the amount of \$4.70 has been granted.
Abatement Calculation ($\$300 - \$0 = \$300 \times 0.01565$ (ty24 mil rate) = \$4.70 tax abatement)

2022 (TY23) Abatement in the amount of \$4.99 has been granted.
Abatement Calculation ($\$300 - \$0 = \$300 \times 0.01665$ (ty23 mil rate) = \$4.99 tax abatement)

Reason:

Assets were removed from Damariscotta in 2022. Did not receive declaration. Abate for assessment in error for tax years 2023 and 2024.

The Tax Collector, will process this abatement in the coming days. If you have any questions regarding how the abatement will be credited, please contact the town office.

Ed Hodgins, CMA
Assessor Agent
Town Of Damariscotta



TOWN OF DAMARISCOTTA
ASSESSOR'S OFFICE
21 School Street
Damariscotta, ME 04543
Phone: (207) 563-5168

NOTICE OF PROPERTY TAX ASSESSMENT REVIEW

October 18, 2023

Ashlee A Benner Trustee
Kyle M Benner Trustee
Benner Realty Trust
217 Lessner Road
Damariscotta, ME 04543

PROPERTY REVIEWED: Map 002 Lot 009-001 Account # 86

CURRENT ASSESSED VALUE:

Land	Buildings	Exemptions	Total
\$52,300	\$236,500	\$25,000	\$263,800

FINDINGS: After review of the assessments, the following adjustment has been made:

Adjusted Assessed Value:

Land	Buildings	Exemptions	Total
\$52,300	\$218,700	\$25,000	\$246,000

Remarks:

Abatement in the amount of \$278.57 has been granted.

Abatement Calculation ($\$263,800 - \$246,000 = \$17,800 \times 0.01565$ (ty24 mil rate) = \$278.57 tax abatement)

Reason:

Shed over-assessed. Priced as 1,200 sq ft when it was actually 120 sq ft. Difference in value of 17,800.

The Tax Collector, will process this abatement in the coming days. If you have any questions regarding how the abatement will be credited, please contact the town office.

Ed Hodgins, CMA
Assessor Agent
Town Of Damariscotta



TOWN OF DAMARISCOTTA
ASSESSOR'S OFFICE
21 School Street
Damariscotta, ME 04543
Phone: (207) 563-5168

NOTICE OF PROPERTY TAX ASSESSMENT REVIEW

October 18, 2023

The Pines Mobile Home Park
3 Langdon Road
Wiscasset, ME 04578

PROPERTY REVIEWED: Map 004 Lot 074-917 Account # 1278

CURRENT ASSESSED VALUE:

Land	Buildings	Exemptions	Total
\$0	\$13,100	\$0	\$13,100

FINDINGS: After review of the assessments, the following adjustment has been made:

Adjusted Assessed Value:

Land	Buildings	Exemptions	Total
\$0	\$0	\$0	\$0

Remarks:

Abatement in the amount of \$205.02 has been granted.

Abatement Calculation ($\$13,100 - \$0 = \$13,100 \times 0.01565$ (ty24 mil rate) = \$205.02 tax abatement)

Reason:

Mobile Home Moved prior to 4/1/2023.

The Tax Collector, will process this abatement in the coming days. If you have any questions regarding how the abatement will be credited, please contact the town office.

Ed Hodgins, CMA
Assessor Agent
Town Of Damariscotta



TOWN OF DAMARISCOTTA
ASSESSOR'S OFFICE
 21 School Street
 Damariscotta, ME 04543
 Phone: (207) 563-5168

NOTICE OF PROPERTY TAX ASSESSMENT REVIEW

October 18, 2023

Cote Theriault
 PO Box 562
 Damariscotta, ME 04543

PROPERTY REVIEWED: Map 002 Lot 049-002 Account # 217

FINDINGS: After review of the assessments, the following adjustment has been made:

2023 CURRENT ASSESSED VALUE:

Land	Buildings	Exemptions	Total
\$89,400	\$71,100	\$25,000	\$160,500

2023 Adjusted Assessed Value:

Land	Buildings	Exemptions	Total	Difference
\$53,500	\$71,100	\$25,000	\$124,600	\$35,900

2022 CURRENT ASSESSED VALUE:

Land	Buildings	Exemptions	Total
\$74,500	\$59,500	\$22,750	\$134,000

2022 Adjusted Assessed Value:

Land	Buildings	Exemptions	Total	Difference
\$44,900	\$59,500	\$22,750	\$104,400	\$29,600

Remarks:

Abatement for 2023 in the amount of \$561.84 has been granted.
 Abatement for 2022 in the amount of \$492.84 has been granted.

2023 Abatement Calculation $\$35,900 \times 0.01565$ (ty24 mil rate) = \$561.84 tax abatement)
 2023 Abatement Calculation $\$29,600 \times 0.01665$ (ty23 mil rate) = \$492.84 tax abatement)

Reason:

Lot was assessed using Commercial lot values for 2022 and 2023. Adjacent residential lots were assessed using Residential lot values.



TOWN OF DAMARISCOTTA
ASSESSOR'S OFFICE
21 School Street
Damariscotta, ME 04543
Phone: (207) 563-5168

The Tax Collector, will process this abatement in the coming days. If you have any questions regarding how the abatement will be credited, please contact the town office.

Respectfully,

Ed Hodgins, CMA
Assessor Agent
Town Of Damariscotta

TOWN OF DAMARISCOTTA
Office of Selectmen, Assessors, Town Clerk, Tax Collector and Treasurer

WE HEREBY CERTIFY, that the accounts listed contain a list of estates, real and personal, to be abated for the fiscal year 2023 (July 1, 2022 to June 30, 2023) located within the Town of Damariscotta, under title 36, MRSA sec 841.

Reference Code:

Ref #	Account	Taxpayer	Abatement Amount	Reason
2023-10	914 PP	Nestle USA, INC	\$4.99	Assets removed 2022 - didn't receive declaration. Assessed in error.
2023-11	217	Therriault, Cote A	\$492.84	Lot assessed as Commercial, not like adjacent lots (Rural).

IN WITNESS THEREOF, we have set our hands this day: _____/2023

SIGNED:

PRINTED:

Assessors of Damariscotta

Tax Collector:

Initials: _____

Date: _____

Computer Adjustments:

Initials: _____

Date: _____

Assessor Adjustments

Initials: _____

Date: _____

Letter to Taxpayer:

Initials: _____

Date: _____

--- DRAFT ---

Resolution for Bicycle Safety and Accessibility

The Public Safety and Accessibility Collaborative (PSAC) requests that the Damariscotta Selectboard consider the biking population—along with improvements for pedestrians—when decisions are made whereby safety and access may be improved in all areas of Damariscotta as well as the general ease and enjoyment of biking.

TOWN OF DAMARISCOTTA RESOLUTION

WHEREAS, the Damariscotta/Newcastle Sidewalk and Bicycle Plan of 2008 stated that the Selectboard, Town Manager and Planning Board be **committed to improving the quality and maintenance of pedestrian and bicycle facilities** in Damariscotta and to especially ensuring that biking accessibility and facilities are considered when new developments, changes and improvements are proposed in the community, and to consistently respect the need for improved access to biking, and

WHEREAS, the 2010 Damariscotta Heart & Soul final report, following an extensive survey and many community meetings, crafted a values-based vision for the Town in which one of the community's six core values is an **accessible community** where we have easy access to goods and services, to local government and information, and

WHEREAS, the comprehensive plan of 2014 includes a request to **build pedestrian and bicycle pathways** into an interconnected, local transportation system and further, to implement the 2008 Master Pedestrian and Bicycle Plan, the Heart & Soul Plan and 2014 Midcoast Rt 1 Corridor Management Plans concerning sidewalks, pathways and bicycle facilities, and

WHEREAS, the Newcastle-Damariscotta Bicycle-Pedestrian Plan of 2015 urged strategies to **ensure safe routes between neighborhoods and along routes with significant bicycle and pedestrian usage** as well as urging the Selectboard, Planning Board, citizens and the business community to continuously identify areas of critical need because improved pedestrian and bicycle facilities are important for Newcastle and Damariscotta's future, and

WHEREAS, the MDOT Complete Streets Policy of June 2019 (although not adopted by Damariscotta) is intended to ensure safe and efficient access to Maine's street and highway system — including pedestrians and bicyclists, and the needs of **all users of all abilities**, using all transportation modes, and MDOT Shoulder enhancements on State Highway Corridor Priority (HCP) Level 3 and 4 roads are a particular focus of the MDOT Long-Range Transportation Plan, specifically the Active Transportation Plan.

WHEREAS, the PSAC Bike Rider Survey of 2021—a grassroots effort to identify the current priorities for cyclists—once again established the need to foster greater attention on cyclists and recommended a short list of priorities to **improve bicycle safety and accessibility** in Damariscotta and the surrounding area,

--- DRAFT ---

Resolution for Bicycle Safety and Accessibility

NOW, THEREFORE BE IT RESOLVED THAT WE THE SELECTBOARD OF THE TOWN OF DAMARISCOTTA WILL CONSIDER THE FOLLOWING SAFE CYCLING PRIORITIES, ALONG WITH IMPROVEMENTS FOR PEDESTRIANS, WHEN PLANNING FOR AND/OR MODIFYING EXISTING ROADWAYS, TRANSPORTATION AND RECREATION INFRASTRUCTURE, INCLUDING, BUT NOT LIMITED TO, PRIORITIES IDENTIFIED IN THE PSAC SURVEY:

1. Incorporate engineering and funding to install paved shoulders on the following priority roadways in order to make cycling safer and more enjoyable: Bristol Road (HCP Level 3), Business Route 1 north of McDonald's (mostly HCP Level 2), and Biscay Road (HCP Level 4) to Egypt Road, School Street to High Street/Piper Mill Road.
2. Set aside funds in a Capital Improvement Fund to construct shoulder improvements when MDOT is repaving or reconstructing to improve our roadways.
3. Support community/PSAC efforts in establishing and implementing a Bike Rack Initiative—an effort to consistently install the same model of bike racks at strategic locations in Damariscotta—via funding considerations, use of town property, and installation support.
4. Develop plans and supporting actions to construct a family/all ages route, or routes, for cycling through and around town. Examples of formalized, safe and enjoyable on-road and off-road cycling to consider include: enhancement to roadways, bike pathways, multi-use paths and trails, and emerging off-road development.
5. Use a specific checklist to ensure that bicycle safety and accessibility is being considered in roadway, transportation, and recreation planning. See attached example.

Town of Damariscotta

Bicycle/Pedestrian Safety and Accessibility Checklist

This checklist is intended to assist the Town in achieving the vision for the Bicycle Safety and Accessibility Resolution. The checklist is modeled after a Complete Streets Policy Checklist and though not all sections are in alignment with the Resolution, they are items that are worth noting should the town aspire to adopt a Complete Street Policy in the future.

This checklist should be referred to when planning for and/or modifying existing roadways, transportation, and recreation infrastructure. The checklist will help identify any of the deficiencies and opportunities that may be possible at the onset of a project.

Project Name: _____ **Date:** _____

Project Location / Limits: _____

Project Description: _____

Instructions: For each box checked, please provide a brief description for how the item is addressed, not addressed, or not applicable and include supporting documentation.

Street Classification (identify street or streets within the project area)

Principal arterial Minor arterial Mixed use collector Mixed use local
 Residential collector Residential local Special use street

EXISTING CONDITIONS

Item to Be Addressed/ Checklist Consideration	YES	NO	N/A	Required Description
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Existing Bicycle & Pedestrian Operations

Do bicycle and pedestrian accommodations exist? (see page 2 for examples)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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Existing Transit Operations

Do transit facilities exist within the study area, including bus and train stops/stations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
--	--------------------------	--------------------------	--------------------------	--

Is the project area on a transit route?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
---	--------------------------	--------------------------	--------------------------	--

Are there bicycle racks, shelters, or parking for transit riders available?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
---	--------------------------	--------------------------	--------------------------	--

Existing Access and Mobility

Do connective opportunities exist with schools, hospitals, senior care, community centers, or persons with disabilities within project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
--	--------------------------	--------------------------	--------------------------	--

Are there gaps inhibiting continuous access between schools, hospitals, senior care, or community centers or persons with disabilities within project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
---	--------------------------	--------------------------	--------------------------	--

Project Area Context

Are there prominent landmarks, recreation, shopping, employment center, cultural centers or other key destinations that offer opportunities to connect this site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
---	--------------------------	--------------------------	--------------------------	--

Please list and/or describe planning or policy documents addressing bicyclist, pedestrian, transit, or truck/ freight use for the project area. Examples can include: ...

PROPOSED DESIGN

Item to Be Addressed/ Checklist Consideration	YES	NO	N/A	Required Description
Complete Streets Design				
Bicyclist accommodations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pedestrian accommodations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Access and Mobility accommodations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Transit accommodations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Truck/ freight accommodations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Streetscape elements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Bike Facilities:	
Off-roadway bike accommodations	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Dedicated bike lane	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Shared-use lane	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Shoulder	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Acceptable actuated traffic signal bike detection, including turn lanes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Do signals allow adequate minimum green time for bicyclist to safely cross intersection?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Signage and pavement markings specific to proposed bike facilities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Bicycle safe inlet grates	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Bicycle parking, eg. bike racks, bike lockers	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Transit Facilities:	
Transit shelters	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Bus turnouts	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Standing pads	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Has CDTA been contacted?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Access and Mobility Facilities:	
Adequate sidewalk or paved path	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Acceptable consideration/provision for accessible pedestrian traffic signal features	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Curb ramps, including detectable warning surface	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Acceptable slope and cross-slope for driveway ramps, sidewalks, crossings)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Have conflicts been reduced among pedestrian, bicyclists, and motor vehicles (access management)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Pedestrian Facilities:	
Sidewalks on both sides of the street	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Striped crosswalks	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Geometric modifications to reduce crossing distances such as curb extensions (e.g. bulb-outs)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Acceptable provision for pedestrian traffic signal features (e.g. ped. buttons)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Pedestrian signage for crossing & wayfinding	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Safety islands/medians on roadways with two or more traffic lanes in each direction	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Enhanced supplemental pedestrian treatments at uncontrolled marked crossings	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Connectivity:	
Are there proposed connections to other bike paths, pedestrian facilities, or transit facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Are there proposed connections to any key destinations listed on page 1?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Are there proposed connections to neighborhoods?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Streetscape Elements:	
Are streetscape elements proposed such as landscaping, street trees, planters, buffer strips, etc?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Pedestrian-level lighting	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Public seating or benches	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Design Standards and Guidelines

Design meets guidelines such as described below for bicycle/pedestrian/bus/transit facilities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	Describe
--	------------------------------	-----------------------------	-----------------------------	----------

*American Association of State Highway and Transportation Officials (AASHTO) - *A Policy on Geometric Design of Highway and Streets, Guide for the Development of Bicycle Facilities and AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities*; [Public Right-of-Way Accessibility Guide \(PROWAG\)](#); [Manual on Uniform Traffic Control Devices \(MUTCD\)](#); [Americans with Disabilities Act Accessibility Guidelines \(ADAAG\)](#); National Association of City Transportation Officials (NACTO) - [Urban Bikeway Design Guide](#).

Here is some basic text and photos to begin the process of creating a flyer for the Damariscotta Bike Rack Initiative.

Damariscotta Bike Rack Initiative – Phase 1

Join the Town of Damariscotta and the Public Safety and Accessibility Collaborative (PSAC) as we improve bicycle parking throughout our town and region.

The PSAC is raising funds to purchase and install 5-8 bike racks and are inviting businesses and organizations to donate to the cause.

Everyone benefits when communities are more bicycle friendly and bike racks are part of the solution!

Why the focus on bicycles?

- Cost-effective way to grow business traffic.
- Low-cost transportation option.
- Keeps our air and environment clean and green.
- Improved health and wellness for residents/citizens/community members who cycle.



We are still working on total cost of shipping and handling, cost of installation and who will do the installation.

Priority Locations:

- Town Office
- Corner of Water St and Main St - at Oysterhead Pizza or The First
- Parking area behind Bangor Savings Bank, newly demolished building - especially if they follow-through with idea for a waterfront park.
- Near new restrooms in Waterfront Parking Lot
- Elm St Plaza obscured parking spot (Colby and Gale)
- Coastal Rivers has committed to placing bike racks at Round Top Farm and Great Salt Bay Farm

Bike Rack Recommendations from PSAC

August 2023

Increasing the number of bike racks/improving bicycle parking in Damariscotta is a priority of the PSAC - Public Safety and Accessibility Collaborative.

Why the focus on bicycles?

- Cost-effective way to grow business traffic.
- Low-cost transportation option.
- Keeps our air and environment clean and green.
- Improved health and wellness for community members who cycle.

We have worked diligently to come up with **recommendations** for safe and effective “bike parking” options. A guiding document has been the ***Bicycle Parking Plan*** found in the Heart and Soul Report Addendum. See link below.

PSAC has envisioned a **Bike Rack Initiative** where area towns, businesses and organizations adopt a similar style, or at least COLOR, bike rack.

We recommend Powdercoat Blue.

Below are some visuals of preferred bike racks. High-end bike racks have opportunity to customize with your business logo.



Resources:

The Park Catalog

<https://www.theparkcatalog.com//bike-racks>

Dero

<https://www.dero.com/product-category/commercial-bike-racks/>

Heart and Soul Report Appendix - see page X.49 for **Bicycle Parking Plan**

<https://www.damariscottame.com/sites/g/files/vyhlif4311f/uploads/appendix.pdf>

Objectives	Deliverables	Staff	July		August		September	
			5	19	2	16	6	20
Board Goals	Draft Work Plan	Andy, Mike			Review Goals	Approve Workplan		
Budget Process	Provider Agency Policy	Andy, Budget Committee, SB						
	Select Board							
	Budget Committee							
Capital Improvement Plan	Draft CIP	Andy, Cheryl						
	Road/Sidewalk Inventory	Andy			Install software	25% complete	75% complete	100% complete
	Culvert Inventory	Andy, Intern						
TIF Amendment		Mike, Andy						Draft TIF Amendment
Climate Resiliency	Join Maine Climate Resiliency Partnership	LCRPC/CRC T						
	Grant Applications	Mike, LCRPC						
	Hold community conversation	LCRPC/CRC T						
Ordinance Revisions	Land Use	Mike, PB						
	Shoreland Zone	Mike, CEO, PB						
	Site Plan	Mike, PB						
	Traffic/Parking	Andy, Jason, Payson					1st Draft	
	Harbor	Harbor Committee						
	Shellfish	Shellfish Committee						
	Business Licensing	Andy, Becky, Mike						
	Energy Storage	John, Andy, Newcastle						1st Draft
PILOT	Andy, Assessor							

Objectives	Deliverables	Staff	October		November		December	
			4	18	1	15	6	20
Board Goals	Draft Work Plan	Andy, Mike						
Budget Process	Provider Agency Policy	Andy, Budget Committee, SB	1st Draft Provider Agency Policy	2nd Draft Provider Agency Policy	Approve Provider Agency Policy			
	Select Board					Budget Committee/SB Joint Mtg		
	Budget Committee					Budget Committee/SB Joint Mtg		
Capital Improvement Plan	Draft CIP	Andy, Cheryl		1st Draft CIP	2nd Draft CIP	Approve CIP		
	Road/Sidewalk Inventory	Andy						
	Culvert Inventory	Andy, Intern						
TIF Amendment		Mike, Andy		Public Hearing	Draft TIF Amendment			
Climate Resiliency	Join Maine Climate Resiliency Partnership	LCRPC/CRC T						
	Grant Applications	Mike, LCRPC						
	Hold community conversation	LCRPC/CRC T						
Ordinance Revisions	Land Use	Mike, PB						<i>PB Public Hearing</i>
	Shoreland Zone	Mike, CEO, PB						<i>PB Public Hearing</i>
	Site Plan	Mike, PB						<i>PB Public Hearing</i>
	Traffic/Parking	Andy, Jason, Payson	2nd Draft	Board Approval	Implement			
	Harbor	Harbor Committee			1st Draft			
	Shellfish	Shellfish Committee			1st Draft			
	Business Licensing	Andy, Becky, Mike				1st Draft		
	Energy Storage	John, Andy, Newcastle		2nd Draft			Public Hearing	
	PILOT	Andy, Assessor				1st Draft		2nd Draft

			January		February			March				
<i>Objectives</i>	<i>Deliverables</i>	<i>Staff</i>	3	17	7	14	21	28	6	13	20	28
Board Goals	Draft Work Plan	Andy, Mike										
Budget Process	Provider Agency Policy	Andy, Budget Committee, SB									Draft Warrant	
	Select Board				Budget Books Available	Joint Budget Presentation - 1 Workshop??	SB Budget Review 1	SB Budget Review 2				
	Budget Committee		Provider Agency Requests		Budget Books Available	Joint Budget Presentation - 1 Workshop??		BC Review	BC Review	BC Final Recommendation		
Capital Improvement Plan	Draft CIP	Andy, Cheryl										
	Road/Sidewalk Inventory	Andy										
	Culvert Inventory	Andy, Intern										
TIF Amendment		Mike, Andy										
Climate Resiliency	Join Maine Climate Resiliency Partnership	LCRPC/CRC T										
	Grant Applications	Mike, LCRPC										
	Hold community conversation	LCRPC/CRC T	Tentative Community Conversation									
Ordinance Revisions	Land Use	Mike, PB				Public Hearing						
	Shoreland Zone	Mike, CEO, PB				Public Hearing						
	Site Plan	Mike, PB				Public Hearing						
	Traffic/Parking	Andy, Jason, Payson										
	Harbor	Harbor Committee		2nd Draft								
	Shellfish	Shellfish Committee	2nd Draft				Public Hearing					
	Business Licensing	Andy, Becky, Mike			2nd Draft							
	Energy Storage	John, Andy, Newcastle										
PILOT	Andy, Assessor				Public Hearing							

Objectives	Deliverables	Staff	April		May		June		
			3	17	1	15	5	12	19*
Board Goals	Draft Work Plan	Andy, Mike							
Budget Process	Provider Agency Policy	Andy, Budget Committee, SB	Approve Warrant					Annual Town Meeting	
	Select Board								
	Budget Committee								
Capital Improvement Plan	Draft CIP	Andy, Cheryl							
	Road/Sidewalk Inventory	Andy							
	Culvert Inventory	Andy, Intern	Intern Applications (Tent.)					Begin Data Collection (Tent.)	
TIF Amendment		Mike, Andy							
Climate Resiliency	Join Maine Climate Resiliency Partnership	LCRPC/CRC T							
	Grant Applications	Mike, LCRPC							
	Hold community conversation	LCRPC/CRC T							
Ordinance Revisions	Land Use	Mike, PB	Approve Warrant					Annual Town Meeting	
	Shoreland Zone	Mike, CEO, PB	Approve Warrant					Annual Town Meeting	
	Site Plan	Mike, PB	Approve Warrant					Annual Town Meeting	
	Traffic/Parking	Andy, Jason, Payson							
	Harbor	Harbor Committee	Approve Warrant						
	Shellfish	Shellfish Committee	Approve Warrant					Annual Town Meeting	
	Business Licensing	Andy, Becky, Mike	Approve Warrant					Annual Town Meeting	
	Energy Storage	John, Andy, Newcastle						Annual Town Meeting	
PILOT	Andy, Assessor	Approve Warrant							

Objectives	Deliverables	Staff	July		August		September	
			5	19	2	16	6	20
Housing Opportunities	LCRCP Housing Report						Tent. Presentation	
	Create housing advisory group							Discuss goals of group
	Mtg with GSBSD to discuss future build out							
Public Works Org Structure	Draft organizational report	Andy, Public Works Committee						
Waterfront/EDA Project	GSBSD Agreement							
	Revised Bid Docs/RFP							
	Award Contract							
	Stakeholder Engagement	Andy, Mike					Identify Stakeholders/Committee	
Comprehensive Plan	Town Approval	CPC						
Public Safety	Speed Enforcement	Jason						
	Positive community engagement	Jason						
LCWF Non-Compliance								
Communication Strategy	Social Media							
	Newsletter							
	LCTV							

Objectives	Deliverables	Staff	October		November		December	
			4	18	1	15	6	20
Housing Opportunities	LCRCP Housing Report			Joint Workshop 10/30				
	Create housing advisory group			Approve goals/guidance for future committee			Appoint Housing advisory group members	
	Mtg with GSBSD to discuss future build out							
Public Works Org Structure	Draft organizational report	Andy, Public Works Committee						
Waterfront/EDA Project	GSBSD Agreement							
	Revised Bid Docs/RFP		Draft Bid Docs		EDA Review		RFP Advertised	
	Award Contract							
	Stakeholder Engagement	Andy, Mike	Stakeholder Mtg	Stakeholder Mtg (10/23 or 10/24)				
Comprehensive Plan	Town Approval	CPC						
Public Safety	Speed Enforcement	Jason						
	Positive community engagement	Jason						
LCWF Non-Compliance								
Communication Strategy	Social Media Newsletter							
	LCTV							

