

**Updated Agenda  
Town of Damariscotta, Maine  
Board of Selectmen's Meeting and  
Land Use Advisory Committee Workshop  
August 15, 2018, 5:30 PM  
Damariscotta Town Hall**

- I. Pledge of Allegiance**
- II. Public Hearing – Community Development Block Grant for YMCA Pre-Kindergarten Program**
- III. Workshop with Land Use Advisory Committee**
- IV. Call to Order- Board of Selectmen's Meeting**
- V. Action on Public Hearing Items**
- VI. Minutes**
  - 1. August 1 Meeting
- VII. Financial Reports**
  - 1. Payroll Warrant # 6
  - 2. Accounts Payable Warrant # 7
- VIII. Presentations**
  - 1. Village of Lights- John Roberts
- IX. Citizen Comments and General Correspondence**
- X. Town Manager Items**
  - 1. Planning Board and Board Appeals Training – August 30
  - 2. American Legion “Toll Booth”
  - 3. Timetable for Consideration of Adult-use and Medical Marijuana Ordinances
- XI. Official Action Items**
  - 1. Goals and Workplan for 2018-19
  - 2. FY 2018 Budget Carry-forward Requests
  - 3. Cemetery Deed and Perpetual Care Agreement with Henry and Katherine Lee
- XII. Selectmen's Discussion Items**
- XIII. Adjournment**

## TOWN MANAGER NOTES AUGUST 15, 2018 BOARD OF SELECTMEN'S MEETING

### **Public Hearing – Community Development Block Grant Award to YMCA**

The Central Lincoln County YMCA was recently awarded a \$50,000 Community Development Block Grant (CDBG) for a pre-kindergarten program that will begin with the coming school year. Since the public service grants must have a municipal sponsor, the Town submitted the grant application on behalf of the YMCA. In order to comply with the Federal regulations for these funds, there must be a public hearing prior to the grant funds being accepted by the Board of Selectmen.

Sally Romero from the YMCA will be present at the hearing to respond to any questions on this new program.

**Recommended Action: Hold a public hearing on the Community Development Block Grant that has been awarded to the YMCA for a pre-kindergarten program.**

### **Workshop with the Land Use Advisory Committee**

This workshop is a follow-up to the Board's request that I set up a meeting with the Land Use Advisory Committee to discuss the Committee's next steps in their review land use ordinances and development of recommended amendments to the ordinances. The Board's charge to the Committee is attached.

### **Action on Public Hearing Items:**

#### **Community Development Block Grant Award – Recommended Actions:**

1. **Accept the \$50,000 CDBG Public Service grant on behalf of the Central Lincoln County YMCA for a pre-kindergarten program with the condition that the YMCA agrees to fund the local match and all other expenses not reimbursed by the grant, to front-end the cost of all expenses eligible for reimbursement and to refund any grant funds that might need to be returned to the CDBG Program if the grant conditions are not met or objectives of the program are not achieved.**
2. **Execute the following documents required for a complete grant application: Standards of Conduct, Fair Housing Resolution, Residential Anti-displacement and Relocation Assistance Plan, and Equal Opportunity Policy Statement.** (forms attached)
3. **Appoint individuals to the Grant Citizens Advisory Committee** (recommendations to be provided)

**Presentations:** John Roberts has asked to be on the agenda to review the plans for this year's "Village of Lights" event and display.

### **Town Manager Items:**

1. **Planning Board/Board of Appeals Training-** This training, to be conducted by Attorney Amanda Meader and County Planner Bob Faunce, will cover the historical context of the Town's land use ordinances, key provisions as they relate to development applications and the legal obligations and general expectations of board members. The training will take place in the Town Hall meeting room starting at 5:30 PM on August 30. Three Planning Board members and all of the Board of Appeals members and alternates have indicated that they can attend. Selectmen and citizens are also invited to attend.
2. **American Legion "Toll Booth"-** See attached email.

### **Official Action Items**

1. **2018-19 Goals and Workplan-** The attached document includes the changes that the Selectmen requested at your August 1 workshop.  
**Recommended Action: Make any final edits to the draft and adopt the 2018-19 Goals and Workplan.**

# SECTION 504 SELF EVALUATION AND TRANSITION PLAN

## STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

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TOWN OF Damariscotta, Maine

The following individual is responsible for inquiries regarding this Section 504 Self-Evaluation and Transition Plan:

\_\_\_\_ Matthew J Lutkus \_\_\_\_\_  
(name)

\_\_\_\_ Town Manager \_\_\_\_\_  
(title)

\_\_\_\_ 21 School Street \_\_\_\_ Damariscotta, ME 04543 \_\_\_\_\_  
(address)

\_\_\_\_ 207-563-5168 \_\_\_\_ 207-563-6862 \_\_\_\_ townmanager@damariscottame.com \_\_\_\_  
(telephone) (fax) (e-mail)

The Section 504 Self Evaluation and Transition Plan was adopted by the following authorized individuals on behalf of the municipality:

DATE ADOPTED: \_\_\_\_\_

### AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

# 1. EMPLOYMENT

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1. Are job announcements put into newspapers that have general circulation?

Yes  No

If No, describe how individuals are made aware of employment opportunities:

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2. Do job announcements state that the municipality is an Equal Opportunity Employer?

Yes  No

If No, explain why the "Equal Opportunity Employer" statement is not contained within job announcements:

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3. Has the municipality adopted a Equal Employment Opportunity Policy Statement?

Yes  No

4. Do job applications inquire as to whether an applicant is a disabled person or as to the nature or severity of a disability?

Yes  No

If Yes, explain: \_\_\_\_\_

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5. Describe the accommodations that can be made for the known physical and mental limitations of otherwise qualified disabled persons who are currently employed or applying for employment:

\_\_\_\_\_ Buidling facilities are ADA accessible \_\_\_\_\_

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## 2. PROGRAM ACCESSIBILITY

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1. Are any of the following services or benefits provided to residents directly by the municipality?

Yes  No

(Please mark an "X" for all services provided by the municipality)

Transportation Services  Counseling Services

Health Services  Employment Services

Public Housing  Food Services

General  Social, Recreational, or Athletic  
Services

(a) For those services that are provided, describe accommodations that can be taken to make them accessible and usable for persons with disabilities (e.g. provision of auxiliary aids, relocating programs to accessible facilities, use of alternative materials, home visits, etc.):

Town administrative and public safety services are ADA accessible

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2. Are there any limitations on the number of qualified disabled persons who may participate in or be admitted to the program?

Yes  No

If Yes, list the steps to eliminate the limitations:

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3. Do applications for these services, in any way discriminate against persons with disabilities?

Yes  No

4. Describe the nature of the qualifications that are needed in order to be eligible for each respective program:

No restrictions

**Program**

**Qualifications**

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_

**3. FACILITIES**

**Note:** The definition of "facility" under Section 504 includes all or any portion of buildings, structures, equipment, roads, walks, parking lots or other real or personal property or interest in such property, owned, operated or leased by the municipality)

1. List below all facilities and the programs or operations for which each facility houses.

<b><u>Facility</u></b>	<b><u>Programs or Operations Housed</u></b>
1. Town Hall	All Town administrative services
2. Police Department	Public Safety and Law Enforcement
3. <u>Municipal Parking Lot</u>	
4. _____	
5. _____	
6. _____	
7. _____	

Using the Uniform Federal Accessibility Standards (UFAS), each facility must be reviewed for compliance:

**COMPLIANCE COMPONENT**

**FACILITIES**

	#1	#2	#3	#4	#5	#6	#7
Accessible Route	1	1	1				
Outside Paths and Walks	1	1	1				
Parking	1	1	1				
Curb Ramps	1	1	1				
Ramps	1	1	1				
Entrances/interior Doors	1	1	3				
Elevators	3	3	3				
Lifts	3	3	3				
Toilet Rooms	1	1	3				
Drinking Fountains	3	3	3				
Warning Signals	1	1	3				
Assembly Areas	1	1	3				
Public Telephones	3	3	3				
Other Building Elements and Specialized Facilities							

- Place a "1" in the respective box if item is in compliance with UFAS
- Place a "2" in the respective box if item is not in compliance with UFAS
- Place a "3" in the respective box if item is not available and is not required

\* #1 through #7 above must correspond to the specific facility with that same number identified on the preceding page.

2. For those facilities where a "2" was indicated for the specific component, list below the inaccessible feature that limits accessibility to the programs provided in that facility:

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# FAIR HOUSING SELF ASSESSMENT

## STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

COMMUNITY OF: DAMARISCOTTA

1. To the best of your knowledge has your community been involved in any complaints regarding discrimination the sale or rental of housing on the basis of race, color, religion, sex, national origin, familial status or handicap?

Yes                      No X

2. If yes, give a brief description of the nature of any complaints and resolutions.

Yes                      No

3. Has your community adopted a Fair Housing Program to help local citizens be aware of their rights regarding fair housing under federal and state law, and in filing a complaint if discrimination is suspected?

Yes                      No X

4. What do you perceive as the most potentially serious problem areas regarding discrimination in fair housing in your community?

Problem Area	Very Serious	Serious	Moderate	Not a Problem
Color				X
Familial Status				X
Handicap				X
National Origin				X
Race				X
Religion				X
Sex				X

1. Does your community contain any subsidized housing units?

Yes X                      No

6. As best as can be determined, do relevant public policies/practices regarding zoning and building codes have an adverse impact on the achievement of fair housing choice?

Yes                      No X

7. Are you aware of any practices in the local real estate community as it relates to buying, selling and house rentals that may adversely affect the achievement of fair housing choice in your community?

Yes                      No X

8. Do your community records contain data on the actual number and percentage of persons residing in the community by race, color, religion, sex, national origin, age, handicap and familial status, as well as income characteristics by group?

Yes                      No X

9. Is information available to you that list major local employers by type and the number of people employed within your community by salary and racial group?

Yes                      No X

10. Is there public transportation available in your community?

Yes                      No X

11. Do your community records contain data on the total number of housing units in the community by type, and the number of vacant units?

Yes                      No X

12. Does your community contain any housing for the handicapped such as group homes, independent living complexes, etc.?

Yes X                      No

13. Has your community participated in the CDBG program prior to 1993?

Yes                      No X

14. Has your community been involved with any other state or federal programs that required the reporting of specific fair housing information?

Yes X                      No

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**Signature of Authorized Municipal Official**

**Date**

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# FAIR HOUSING RESOLUTION

## STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

**LET IT BE KNOWN TO ALL PERSONS** of the Town of Damariscotta that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law). It is the policy of the Town of Damariscotta to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin. Therefore, the Town does hereby pass the following Resolution:

**BE IT RESOLVED** that within available resources the Town will assist all persons who feel they have been discriminated against because of race, color, religion, sex, handicap, familial status or national origin to seek equity under federal and state laws by filing a complaint with the Maine Human Rights Commission or the U.S. Department of Housing and Urban Development, Boston Regional Office Compliance Division.

**BE IT FURTHER RESOLVED** that the Town shall publicize this Resolution and through this publicity shall cause owners of real estate, developers and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and any applicable state and local laws or ordinances.

**SAID PROGRAM** will at a minimum include but not be limited to: (1) the printing and publicizing of this policy and other applicable fair housing information through local media and community contacts; (2) distribution of posters, flyers and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

**DATE ADOPTED:** \_\_\_\_\_

### AUTHORIZED SIGNATURES

<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>

Municipal Seal

# ADA/SECTION 504 CERTIFICATION

## STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

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The Town of Damariscotta hereby certifies that it has complied with the following requirements pursuant to Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act and

1. Conducted a Section 504/ADA Transition Plan and Self Evaluation of all municipal facilities;
2. Advises the public, employees and job applicants that it does not discriminate on the basis of handicapped status in admission or access to or treatment or employment in its programs and activities; and
3. Has designated the following person as the contact to coordinate efforts to comply with these requirements.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Authorized Municipal Official)

\_\_\_\_\_  
(Date)

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# **Equal Employment Opportunity Policy Statement**

## **STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

The Selectmen of the Town of Damariscotta declares its intent that the Town will pursue a policy of non-discrimination in personnel practices, including: recruiting, hiring, opportunities for transfer and promotion, conditions or privileges of employment, as well as compensation and benefits. Such practices or procedures shall not favor or penalize any person because of race, creed, color, sex, marital status, national origin, age, physical handicap, where these are not found to be bona fide occupational qualifications.

The Town recognizes its responsibility to enhance the purposes set forth in the Maine Human Rights Act as well as Federal statutes which may apply as a result of its Federal grant activities.

Compliance with EEO requirements may be enhanced through adoption of appropriate personnel policies. Assistance in drafting such policies may be obtained through the Maine Municipal Association or your Community Development Office.

**DATE ADOPTED:** \_\_\_\_\_

### **AUTHORIZED SIGNATURES**

<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>

Municipal Seal

# RESIDENTIAL ANTIDISPLACEMENT & RELOCATION ASSISTANCE PLAN

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## Town of Damariscotta

*(under Section 104(d) of the Housing and Community Development Act of 1974, as amended).*

### I. PURPOSE:

This Plan is established following Section 104(d) of the Housing and Community Development Act of 1974, as amended. Its objective is to insure that persons displaced as a result of CDBG-assisted projects are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of a project designed for the benefit of the public as a whole.

### II. COMPLIANCE MEASURES:

The **Town of Damariscotta** will replace all occupiable and vacant Low - Moderate Income dwelling units demolished OR converted with funds provided under the Housing and Community Development Act of 1974, as amended, in a way as described as follows:

1. The units must be located within the state recipient's jurisdiction and to the extent possible shall be located within the same neighborhood as the units replaced.
2. The units must be sufficient in number and size to house no less than the number of occupants who could have been housed in the units that are demolished or converted.
3. The units must be provided in standard condition.
4. The replacement units must be made available for occupancy during the period beginning one year before an agreement to convert or demolish the units in question is executed and ending three years after the commencement of the demolition or rehabilitation related to the conversion.

The units must remain Low-Moderate Income dwelling units for at least 10 years from the date of initial occupancy. Before the **Town of Damariscotta** enters into an agreement to provide funds that will directly result in the demolition of Low-Moderate Income dwelling units or the conversion of Low-Moderate Income dwelling units, the **Town of Damariscotta** will make public and submit the following information in writing to the State:

- 1) A description of the proposed assisted activity;
- 2) The location on a map and the number of dwelling units by size that will be demolished or converted to a use other than for Low-Moderate Income dwelling units as a direct result of the assisted activity;
- 3) A time schedule for the commencement and completion of the demolition or conversion;
- 4) The source of funding and a time schedule for the provision of replacement dwelling units;
- 5) The basis for concluding that each replacement dwelling unit will remain a Low-Moderate Income dwelling unit for at least 10 years from the date of initial occupancy;

- 6) Information demonstrating that any proposed replacement dwelling units with smaller dwelling units is consistent with the housing needs of Low-Moderate Income households in the jurisdiction.

Consistent with the goals and objectives of activities assisted under the Housing and Community Development Act, the **Town of Damariscotta** will take all possible actions within its power to minimize the displacement of persons from their homes.

**III. ASSISTANCE TO PERSONS DISPLACED:**

The **Town of Damariscotta** shall provide relocation assistance and payments as required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 or the Housing and Community Development Act of 1974, as amended, Section 104(d) for residents displaced as a result of CDBG funded activities. All displaced residents who are eligible for other housing programs will be helped through that agency’s process. In addition, City staff shall provide housing counseling and referral services to assist those displaced to find alternative housing in the neighborhood.

**IV. DEFINITIONS:**

**Displaced Person:** Any person (family, individual, business, nonprofit organization or farm operation) that moves from real property, or moves personal property from real property, permanently and involuntarily, as a direct result of rehabilitation, demolition or acquisition (privately undertaken or public) for HUD-assisted program/project.

**V. AGENCY RESPONSIBILITY:**

The **Town of Damariscotta** Community Development Department shall be responsible for the implementation of this Plan as well as ensuring compliance with applicable Federal and State law and regulations. The **Town of Damariscotta** will identify and designate a Relocation Officer to perform functions concerning this Plan.

Any questions regarding this Plan or Federal and State laws regarding displacement should be addressed to \_\_\_\_\_.

**VI. CERTIFICATIONS:**

The **Town of Damariscotta** hereby certifies that it will uphold the contents of this Plan and the intentions of the compliance measures stated.

**AUTHORIZED SIGNATURES**

<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>

Municipal Seal



# STANDARDS OF CONDUCT

## STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT

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### INTRODUCTION

Elected officials, appointed officials, employees of Community Development Block Grant (CDBG) recipients, and contractors are those responsible for administering Maine's CDBG Program and are also responsible for its integrity. Following sound business practices, prescribed standards of conduct and Department of Housing and Urban Development (HUD) requirements will help protect these grant funds, but also those who administer the program.

### PURPOSE

This notice provides information on specific activities you must avoid and identifies essential HUD requirements that must be met. The requirements will help to prevent fraud and program abuse by alerting essential officials to appropriate standards of conduct.

### AUTHORITIES

Pertinent laws and requirements that you should have copies of are:

- ✓ Housing and Community Development Act of 1974 as amended in 1992.
- ✓ Community Development Block Grant Regulations (24 CFR Part 570).

### PROGRAM REQUIREMENTS & PROHIBITED ACTIVITIES

The following sections reviewed prohibited activities and administrative requirements that must be followed by all CDBG communities.

#### 1. Prohibition against conflicts of interest

CDBG regulations (25 CFR, Part 570.489 (h)) prohibit conflicts of interest. For all CDBG activities: no employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients may:

- a) Obtain personal or financial interest or benefits including money, favors, gratuities, entertainment or anything of value that might be interpreted as conflict of interest.
- b) Obtain a direct or indirect interest in any contract, subcontract or agreement for any CDBG activity. This prohibition extends to contract in which your spouse, minor child, dependent or business associate may have personal or financial interest. This prohibition extends for a period of one year after you leave your position with a CDBG activity or program.
- c) HUD may grant an exception to this conflict of interest provision if it determines that such exception will enhance the effectiveness of the CDBG project. Requests for such exceptions must be made in writing to this office.

#### 2. Procurement and Contracting Requirements

Provisions of 24 CFR Part 85 and Part 36, Administrative Requirements apply to the CDBG Program grantees. These provisions prohibit the following practices in your procurement and contract administration.

##### a) Circumventing competitive bidding requirements by:

- 1) failing to advertise for sealed bids or soliciting proposals and engaging in noncompetitive negotiation;
- 2) failing to use established evaluation criteria in negotiations;

- 3) splitting bids by breaking down contracts into small parts so that purchase order procedures can be used except to meet Minority/Women Business Enterprise goals;
- 4) favoring or providing a competitive advantage to any one firm or individual; identifying the names of those invited to bid; and preparing fictitious bids to simulate competition.

**b) Failing to adhere to contract award requirements by:**

- 1) allowing excessive price charges;
- 2) awarding contract to other than low bidder without adequate justification; and
- 3) accepting a bid that does not contain a price for all items or services included in the bid invitation.

**c) Failing to verify contractual and programmatic compliance by contractors by:**

- 1) authorizing payment for work not completed;
- 2) falsifying inspection reports;
- 3) altering contractor invoices; and
- 4) misusing modification or change orders.

**1. Financial Management and Recording Systems**

You must comply with the following requirements of 24 CFR part 85.20 and 85.42 and CDBG regulations.

- a) Establish internal controls to safeguard cash, inventory and equipment.
- b) Establish a special ledger account for all CDBG monies.
- c) Maintain financial records including:
  - 1) A register of cash receipts and disbursements;
  - 2) record of all non-cash transactions;
  - 3) General ledger to show the status of each CDBG account;
  - 4) A fixed account ledger, and
  - 5) A record of drawdowns, funds received and balance of funds.
- d) Ensure you maintain financial records and maintain for three years from final closeout.
- e) Use income generated from grant activities for other eligible activities.
- f) Use program income before drawing additional grant funds to pay for allowable program expenses.
- g) Not request or draw down more funds than needed.

**4. Cost Allowance**

You must comply with OMB Circular A-87, Cost Principles for State and Local Governments. You may not spend CDBG funds on ineligible activities including:

- a) Expenses required to carry out the regular responsibilities of the general local government.

- b) Partisan political activities (e.g. contributions towards political campaigns, voter registration or candidate forums).

**5. Program Monitoring**

Regulation CFR Part 85.40 states you must monitor the performance of grant supported activities to assure compliance with federal requirements and that performance goals are being achieved. It is suggested you:

- a) Keep records for your on-site visits to sub grantees and contractors.
- b) Place special emphasis on your monitoring of the highest risk sub recipients and contractors.

**DATE ADOPTED:** \_\_\_\_\_

**AUTHORIZED SIGNATURES**

<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>
<b>Name</b>	<b>Date</b>

Municipal Seal

## Rebecca Bartolotta

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**From:** Matt Lutkus  
**Sent:** Wednesday, August 08, 2018 10:33 AM  
**To:** Amy Leshure; Amy Leshure; Louis Abbotoni; Mark Hagar; Robin Mayer; Ronn Orenstein  
**Subject:** FW: Toll Booth

Selectmen, FYI, Matt

Matt Lutkus  
Town Manager  
Town of Damariscotta, ME  
mlutkus@damariscottame.com  
207-563-5168  
FAX 207-563-6862

**From:** Mary Jane McLoon <mjmcloon@gmail.com>  
**Sent:** Tuesday, August 07, 2018 3:07 PM  
**To:** Matt Lutkus <MLutkus@damariscottame.com>  
**Subject:** Toll Booth

Good Afternoon Matt,

I am writing to you and the Selectmen to once again say Thank You for allowing the Toll Booth in front of Wells-Hussey Legion Post last Saturday.

It was once again a success. All went well and traffic seemed to flow very well. We had 12 Veterans help this year.

As in the past this money will be used for our youth projects.

Again we are requesting permission to hold our next Toll Booth the first Saturday in August 2019.

Thank you  
Mary Jane McLoon  
Wells-Hussey American Legion Auxiliary

# Board of Selectmen Charge to Land Use Advisory Committee

1. The Damariscotta Land Use Advisory Committee (LUAC) is charged with implementing the recommendations of the Planning Advisory Committee (PAC), in its memorandum to the Board of Selectmen (BOS) dated November 29, 2017, and approved by the Board of Selectmen on December 6<sup>1</sup>, as follows:

- a. "The Land Use Committee would be charged with providing one or more amendments that clarify the language of the Site Plan Review Ordinance and other Town ordinances, as deemed necessary, to codify this policy:<sup>2</sup> that the term 'waivers' should be replaced by a term such as 'variance' or 'conditional exception' and that any such requests for 'variances' etc. be due to circumstances beyond the control of the applicant."
- b. "To review existing Town ordinances and processes with a view to recommending longer term ordinance improvements that align these with Damariscotta community values, as documented in the Heart and Soul Report."

In meeting its goals, LUAC serves as an advisory capacity to the Board of Selectmen.

2. The LUAC's authority and responsibility is two-fold:

- (A) Short term (item (a) above), in which LUAC shall review current land use ordinances to eliminate inconsistencies, duplication etc.; tighten up language to reduce the possibility of misinterpretation; update definitions, etc. (Included in this portion of its goal, LUAC shall address the issue of waivers/variances.)
- (B) Long term (item (b) above), in which LUAC shall research and draft new ordinances (or update sections of existing ordinances) which implement the goals of the 2016 Comprehensive Plan and Damariscotta's community values.

Both tasks will be carried out, in part, by engaging the citizens of Damariscotta (and, when appropriate, the surrounding community) in review and discussion of each revision to current ordinances or new draft ordinance prior to finalizing for presentation to the Board of Selectmen.

3. The LUAC shall be governed by the attached set of By-laws. Going forward it may augment them in order to provide the structure needed for it to carry out its responsibilities

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<sup>1</sup> A copy of the Memorandum is included as an attachment to this document.

<sup>2</sup> "Granting waivers in cases of extreme hardship or when there is a clear community benefit to waiving legal requirements." (Planning Advisory Committee Recommendation memo dated November 29, 2017, Recommendation no. 1)

- ✓ in Updating current ordinances or drafting new Ordinances and
- ✓ in Engaging the Public.

4. The LUAC shall

- a. provide a status report (draft minutes) to the BOS on a regular basis,
- b. coordinate community outreach with the BOS,
- c. confer as needed with the DRA, PWA, TVA, Chamber of commerce, etc.
- d. prepare well vetted Ordinances for presentation to the public at large.

Attachment

Approved by the Board of Selectmen 1/17/2018

## 1. **Membership and Participation in Meetings:**

The Land Use Committee (LUAC) shall consist of seven (nine) Voting Members, six of whom must be residents (property owners?) of the Town. At least one member shall also be a member of the Board of Appeals. Members of this committee are appointed by the Damariscotta Board of Selectmen (BOS).

Advisory personnel and guests may, if invited to by the chair, participate in discussions, but may not vote.

**Removal from the committee for cause:** Attendance is mandatory. Members missing a meeting will be removed from membership unless excused by the Chair for good and sufficient cause.

## 2. **Officers and Staff:**

Officers shall consist of the following:

Chair – Oversees committee activities in conformance with these By-Laws: elected by the committee.

Vice-Chair – performs the duties of the Chair in the Chair's absence and coordinates community engagement: elected by the committee.

Secretary – records the minutes. A volunteer from the committee.

Town Planner (TP) – staff to the committee (does not vote).

## 3. **Meetings:**

Committee meetings are held on the second and forth Mondays at a time and for a duration decided by the committee. They are conducted by the Chair and follow the LUAC Meeting Agenda Format specified in the Appendix. They are scheduled to coincide with the TP's work schedule.

A proposed agenda for each meeting will be distributed by email with the draft minutes of the previous meeting. The final agenda will be built at the beginning of that meeting by those in attendance: the TP, in consultation with the committee Chair, will announce major or controversial agenda items in his meeting reminder email issued one week prior to the meeting. Any committee member may bring new agenda items (for consideration to be included) at the beginning of that meeting. No vote may be taken on such "new" agenda items at the meeting in which they are introduced.

Minutes are drafted by the Secretary. It is our goal to circulate them to the committee within 24 hours of the meeting adjournment. (Our "drop-dead goal" is 48 hours!) They will be revised and approved at the beginning of the next meeting.

A quorum shall consist of five (six) members. In the event of a tie vote, the motion will be tabled automatically: it may be reconsidered at the next meeting.

#### 4. Committee Reports and Ordinances:

A readily perused format for the minutes will be developed by the Chairman, Secretary and TP. The minutes will also serve as a status report to the BOS.

{Language describing the process for preparing proposed ordinances goes here.}

#### 5. Subcommittees and Task Forces:

Much of the work of the LUAC is done between committee meetings either by a Task Force or a Subcommittee: a Task Force is appointed to address a simple, well-defined task that can be completed in preparation for consideration at the next LUAC meeting; a Subcommittee is appointed to complete more complex projects requiring as much as several months.

- Task Forces are formed by specifying the work scope, personnel, and Chair;
- Subcommittees are formed by specifying the work scope, personnel, Chair, and a ***date certain*** by which the work scope shall be complete.

Non-Committee members may serve on either a Task Force or a Subcommittee, but the Chair must be a LUAC member.



*Appendix*LUAC Agenda Template<sup>1</sup>

1. Call to order
2. Adoption of agenda<sup>2</sup>
3. Approval of previous meeting's minutes<sup>3</sup>
4. Review of task list and calendar<sup>4</sup>
5. Report of the TP
6. Public input of information directly relevant to today's agenda<sup>5</sup>
7. Task force reports
8. Subcommittee reports
9. Action Items<sup>6</sup>
10. Public comment (may be on any topic of concern to the committee)<sup>7</sup>
11. Committee review of meeting:<sup>8</sup>
  - a. "How did we do?"
  - b. "Do we need to change anything?"
  - c. "etc?"
12. Adjournment to a Date/Time certain<sup>9</sup>

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<sup>1</sup> Provides a uniform format for LUAC agendas

<sup>2</sup> Provides an opportunity for committee members to alter the published agenda

<sup>3</sup> Our aim is to distribute to committee members via email draft minutes within 24 hours of the meeting adjournment. Drop dead goal is 48 hours. This discipline maintains momentum.

<sup>4</sup> Reminds us what the overall context of our immediate deliberations is!

<sup>5</sup> Provides for immediately useful public input.

<sup>6</sup> When required votes are taken on pending items.

<sup>7</sup> "Normal" opportunity for non-scheduled public input.

<sup>8</sup> Provides for ongoing governance review.

<sup>9</sup> Maintains momentum and reduces uncertainty around meeting dates and times.

**REQUEST FOR CARRYFORWARD FISCAL YEAR 2018 BUDGET INTO FISCAL YEAR 2019**

<b>Dept</b>	<b>Balance at the year end</b>	<b>Carry forward Requested</b>	<b>Break down of expenditure</b>	<b>Request of carry forward is for:</b>
<b>Admin</b>	\$ 1,351.23	\$ 1,351.23	\$ 1,351.23	Trio Upgrade/Tech Support scheduled for June, executing in Aug
<b>Assessing</b>	\$ 1,259.05	\$ 1,000.00	\$ 1,000.00	Map Revision, project completed, invoice not recieved
<b>Cemetery</b>	\$ 6,159.00	\$ 5,150.00	\$ 3,650.00 \$ 1,000.00 \$ 500.00	Stone & Mason repair were postponed from Spring '18 to August '18. Stone repair from Oct storm FEMA Cemetery software
<b>Municipal Bldg</b>	\$ 5,179.88	\$ 3,500.00	\$ 2,000.00 \$ 1,500.00	Mold repair/storage totes/dehumidifier Carpet cleaning & floor rejuvenate. Planned for May but needed to reschedule to accommodate Town's meeting room schedules
<b>Town Clock</b>	\$ 1,250.00	\$ 1,250.00	\$ 1,250.00	FY18 Stipend for winding/maintenance
<b>Community Serv</b>	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	FY18 Appropriation, invoiced this past week.
<b>Contingency</b>	\$ 3,081.00	\$ 2,500.00	\$ 2,500.00	Snow Dump Permit payable to RiverFalls Trust at Howard & Bowie Atty offices
<b>Adult Ed</b>	\$ 8,106.00	\$ 8,106.00	\$ 8,106.00	FY18 Appropriation, requested 8/10/18
<b>Fire Dept</b>	\$ 6,415.01	\$ 6,069.00	\$ 6,069.00	Property & Casualty Auto bill received at the end of July for August AP payout
<b>Police Dept</b>	\$ 41,420.00	\$ 600.00	\$ 600.00	Police Officer psych report, budgeted for May, company bumped appt to July 11th.
<b>Totals</b>	<b>\$ 76,721.17</b>	<b>\$ 32,026.23</b>	<b>\$ 32,026.23</b>	