



ANNUAL TOWN MEETING

BUSINESS PORTION

APRIL 07,2018

**WARRANT ARTICLES & SUPPORTING
DOCUMENTATION**

THE TOWN MEETING PROCESS

QUORUM: In accordance with the Town Charter, there can be **no less than 100 registered voters** at the Town Meeting **at all times** in order to conduct business. If you believe that we are under the required quorum attendance, a “point of order” motion would be in order and we will count the remaining participants.

VISITORS: All visitors must check in at the Registrar’s table. Visitors cannot vote, but can speak with a 2/3rds vote of registered Poland voters. It is recommended that a motion be made to allow all visitors to speak (they are wearing a visitor’s badge) under a consent agenda – meaning that, all visitors would be allowed to speak if so voted, unless anyone would like to exclude a particular speaker from that authorization.

VOTING: Voice voting will not be permitted; all votes shall be counted based on the **ORANGE VOTER VERIFICATION CARD** voters received at check in. Please make sure that you have checked in with the Registrar and have received your voter’s card. Use this card each time a vote is called and keep it for the entire meeting. At the end of the meeting ***please return*** this card to registration check in.

LAYOUT OF THE ARTICLES: We will begin with the **Legislative Articles** which primarily deal with ordinances and are voted “up or down”. Language changes to the document, its contents or the article as presented, are not permitted.

Then we will move on to the **Municipal Articles**. The format of these articles is known as “**closed ended articles**.” With closed ended articles, the amount stated in the article is the maximum amount that the article can be. Only motions to lower that amount would be in order. In articles that have several departments and have a lump sum stated in the article, voters will only be voting **on the lump sum**, not the individual departmental amounts. If the lump sum is reduced from the recommended amount in the article, it will be up to the Selectmen to decide where the reduction will be applied. The Selectmen’s objective would likely be to try and honor the wishes of voters, if the intent of the reduction was clearly presented.

MAKING A MOTION: When making a motion please make it using **affirmative** language. This helps to clarify that a “yes” vote means yes and a “no” vote means no.

SPEAKING: All individuals wishing to speak should **raise their hand and await recognition by the Moderator**. You should then come up to a microphone, **state your name for the record**, and then ask your question. **All questions must be directed to the moderator.** Floor conversations between individuals are not permitted.

RECONSIDERATION: Is a two-step process:

1. First a vote is taken on whether to reconsider the question.
2. Then a vote is taken on the reconsidered article itself.

REGULATIONS OF RECONSIDERATION:

1. Reconsideration can only be requested by someone who voted on the prevailing side of the article in question.
2. The voter must notify the moderator, **prior** to the vote being taken on how they are going to cast their vote on the article. On a **written ballot**, the voter must show their ballot to the moderator before the votes are counted.
3. If the voter ends up on the prevailing side the request to reconsider the article can be recognized.
4. The request for reconsideration **must** be before the start of the second article following the article to be reconsidered.
5. Example: The voter notified the Moderator and cast their vote on the prevailing side of Article 13. The voter may now request a reconsideration of Article 13 upon the conclusion of Article 13, or during the discussion of Article 14 only. No reconsideration will be recognized upon the beginning of Article 15.

The business portion of the Annual Town Meeting will begin with Legislative Article 3.

March 14, 2018

FY19 Budget Message

To the Citizens of Poland,

The Board of Selectpersons are pleased to submit the FY19 Recommended Budget for the Town of Poland. The budget is the result of a collaborative effort to outline a strategic and financial blueprint designed to meet the needs of our community.

This budget was prepared with the goal of preserving the highest possible services being provided to the residents, visitors, and businesses of the Town while keeping taxation and other charges for services at a minimum.

FY19 Municipal Expenses	\$5,806,287
FY18 Municipal Expenses	\$5,644,215
Increase of	\$162,072 (2.9%)

FY19 County Expenses	\$825,107
FY18 County Expenses	\$780,898
Increase of	\$44,209 (5.6%)

FY19 Total Budget	\$6,631,394
Increase of	\$206,281 (3.1%)

FY19 Revenue	\$1,875,116
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Net to be raised	\$4,756,278
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We plan on transferring \$160,000 from TIF accounts to keep the mil rate at 14.74 – the same as last year using last year's RSU16 budget.

TOWN OF POLAND, MAINE

FY19 Proposed Budget BUDGET SUMMARY

	FY18	PROPOSED	Difference
ADMINISTRATION	\$ 554,268	\$ 583,125	\$ 28,857
COMMUNITY SERVICES	\$ 281,927	\$ 309,043	\$ 27,116
PUBLIC WORKS	\$ 565,720	\$ 560,299	\$ (5,421)
SOLID WASTE	\$ 197,416	\$ 204,605	\$ 7,189
PUBLIC SAFETY	\$ 979,926	\$ 1,035,812	\$ 55,886
FINANCIAL SERVICES	\$ 787,698	\$ 855,481	\$ 67,783
CAPITAL IMPROVEMENT PLAN	\$ 806,610	\$ 757,500	\$ (49,110)
TIF ALLOCATION AMOUNT	\$ 1,470,650	\$ 1,500,422	\$ 29,772
MUNICIPAL EXPENSE TOTAL	\$ 5,644,215	\$ 5,806,287	\$ 162,072
COUNTY TAX	\$ 780,898	\$ 825,107	\$ 44,209
MUNICIPAL/COUNTY EXPENSE	\$ 6,425,113	\$ 6,631,394	\$ 206,281
APPLIED NON TAX REVENUES	\$ 1,807,040	\$ 1,875,116	\$ 68,076
<i>*Not including BETE and Homestead</i>			
MUNICIPAL/COUNTY NET TO BE RAISED	\$ 4,618,073	\$ 4,756,278	\$ 138,205

Town of Poland, Maine
April 6 & April 7, 2018
Annual Election & Town Meeting Warrant

To: Amie Juergens, a resident of the Town of Poland in the County of Androscoggin in the State of Maine.

Greetings: In the name of the State of Maine you are hereby required to notify and warn the inhabitants of the Town of Poland qualified to vote in Town affairs, to meet upstairs at the Town Hall in the said Town of Poland on Friday the 6th day of April, A.D. 2018 at eight o'clock in the forenoon to act on articles 1 and 2 of this warrant and to meet at the Poland Regional High School, 1457 Maine Street on Saturday the 7th day of April, 2018 at nine o'clock in the forenoon to act on articles 3 through 28 of this warrant to wit:

MUNICIPAL ELECTION NOTICE

You are hereby notified that the Municipal Election, set forth in Article 2 of this Warrant, will be determined on a printed ballot by referendum vote in conformity with sections 2528 to 2532 of Title 30-A of the Maine Revised Statutes, as amended, at the Poland Town Hall, 1223 Maine St., on Friday, April 6, 2018. The polls will be open between the hours of 8:00 AM and 7:00 PM on Friday, April 6, 2018.

The Annual Town Meeting portion of the Warrant (the business meeting for articles 3 through 28 of this warrant) will be held at the Poland Regional High School, 1457 Maine Street, on Saturday, April 7, 2018 beginning at 9:00AM.

Unless specifically noted in the article, the budget appropriation, and financial items voted on in this warrant are for the Town's 2019 fiscal year covering the period July 1, 2018 through June 30, 2019.

The Registrar of Voters, Nicole M. Pratt, gives notice that the registrar's office will be in session from 8:00 AM to 7:00 PM at the Town Hall on Friday, April 6, 2018 for the purpose of registering new voters and correcting the current list of voters.

Article 1. To choose a Moderator to preside at said election and town meeting.

Note: Town Charter Regulation - A quorum to elect a Moderator and to proceed with an election process shall be a minimum of ten (10) registered voters.

Article 2. To elect by secret ballot two (2) Selectpersons for a term of three (3) years, two (2) Library Trustees, one (1) for a term of three (3) years and one (1) for a term of one (1) year, three (3) RSU #16 School Directors, two (2) for a term of three (3) years and one (1) for a term of one (1) year, and two (2) Budget Committee Members for a term of three (3) years.

Note: Municipal Officials' terms begin April, 2018; RSU Directors' terms begin July, 2018.

LEGISLATIVE ARTICLES

Article 3. To see if the Town will vote to adopt the **Maine Moderator's Manual** as prepared by the Maine Municipal Association as the parliamentary procedure at Town Meeting for the ensuing year, or see what action the Town will take.

Note: Town Charter Requirement - The business portion of the Town Meeting requires that a minimum of one hundred (100) registered voters be present, and the quorum must stand for the remainder of the business meeting. Except as provided for within the Charter, the general law shall govern the calling of and proceedings at the Town Meeting.

Article 4. To see if the Town will vote to adopt the 2018 Amendment to the **Poland Comprehensive Land Use Code**-Section 508.18.G-H “Amendments to the regulation of temporary non-commercial signs? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)* **Planning Board recommends approval.**

Article 5. To see if the Town will vote to adopt the 2018 Amendment to the **Poland Comprehensive Land Use Code**-Section 1100 “Amendments to Building Standards from the 2009 MUBEC to adopting the 2015 MUBEC rules? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)* **Planning Board recommends approval.**

Article 6. To see if the Town will vote to adopt the 2018 Amendment to the **Poland Comprehensive Land Use Code**- Sections 509.11.B; and 807.1 “Amendments to the Back Lot Driveway and Street Construction Standards” ordinances? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)* **Planning Board recommends approval.**

Article 7. To see if the Town will vote to adopt the 2018 Amendment to the **Official Town of Poland Zoning Map**- “Amendments to the wetlands associated with great ponds and rivers, which are “moderate” or “high” value waterfowl and wading bird habitat, including nesting and feeding areas on the Town of Poland Official Zoning Map from Resource Protection District to Limited Residential Zoning District” ordinance as depicted on attached Map 7A? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)* **Planning Board recommends approval.**

Article 8. To see if the Town will vote to adopt the 2018 Amendment to the **Official Town of Poland Zoning Map**- “Amendments to the wetlands associated with great ponds and rivers, which are “moderate” or “high” value waterfowl and wading bird habitat, including nesting and feeding areas on the Town of Poland Official Zoning Map from Resource Protection District to Limited Residential Zoning District” ordinance as depicted on attached Map 7B? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)* **Planning Board recommends approval.**

Article 9. To see if the Town will vote to adopt the 2018 Amendment to the **Official Town of Poland Zoning Map**- “Amendments to the wetlands associated with great ponds and rivers, which are “moderate” or “high” value waterfowl and wading bird habitat, including nesting and feeding areas on the Town of Poland Official Zoning Map from Resource Protection District to Limited Residential Zoning District” ordinance as depicted on attached Map 7C, which specifically changes only Map 37 Lot 13 & 13A? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)* **Planning Board recommends approval.**

Article 10. To see if the Town will vote to adopt the 2018 Amendment to the **Poland Comprehensive Land Use Code**- Sections 506.2.H “Amendments to allow vehicle repair in the Rural Residential 2 Zone” ordinances? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)* **Planning Board does not recommend approval.**

Article 11. To see if the Town will vote to adopt the 2018 Amendment to the **Poland Comprehensive Land Use Code**-Sections 1103.A “Amendments to NFPA 70 and the National Electric Code from the 2014 Editions to the 2017 Editions? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)*
Planning Board recommends approval.

MUNICIPAL ARTICLES

Article 12.

- 1) To see if the Town will vote to make all taxes assessed for the Town's 2019 fiscal year, July 1, 2018 through June 30, 2019, due in two (2) installments, with the first half (1/2) of the total amount assessed due and payable on **October 1, 2018**, and the remaining half (1/2) due on **April 1, 2019**; and to charge **interest** at the **rate** of eight percent (**8.00%**) per year computed on a daily basis on any portion of the installment due that remains outstanding as of November 1, 2018 or May 1, 2019, and
- 2) To see if the Town will vote, pursuant to Title 36 M.R.S.A., section 506-A, to set the **interest rate** to be paid by the Town on **abated taxes** at three percent (3.00%), and
- 3) To see if the Town will permit the Tax Collector or their designee to waive **accidental tax interest payment shortages** in an amount not to exceed \$5.00.

Board of Selectpersons and Budget Committee recommend approval.

Article 13. To see if the Town will vote to appropriate the following **non-property tax resources** to reduce the total amount authorized to be raised by taxation,

	<u>FY 2018-19</u>
State Municipal Revenue Sharing:	\$ 215,940
Motor Vehicle Excise:	\$ 1,100,000
MDOT LRAP:	\$ 73,000
Investment Interest:	\$ 13,000
Ambulance Service Fees:	\$ 205,000
All Other Anticipated Revenues:	\$ 893,176
TOTAL	<u>\$ 2,500,116</u>

and further to see if the Town will authorize the Board of Selectpersons and Treasurer to accept any additional revenues or funds that may be used to reduce the amount required to be raised by taxation. **Board of Selectpersons and Budget Committee recommend approval.**

Article 14. To see if the Town will vote to authorize the use of funds from the Jane Ricker Trust, totaling **\$50,961**, and the AB Ricker Fund, totaling **\$15,059**, for the purpose of supplementing the Ricker Memorial Library operating budget for Fiscal Year 2019 in accordance with the Town’s Investment Policy. **Board of Selectpersons and Budget Committee recommend approval.**

Article 15. To see if the Town will vote to raise and appropriate **\$583,125** for Town **Administration** in the program areas indicated in the following accounts:

Administration	\$ 429,978
Contracted Services	\$ 91,270
Buildings & Grounds	\$ 49,540
CATV Administration	\$ 12,337
TOTAL	<u>\$ 583,125</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 16. To see if the Town will vote to raise and appropriate \$309,043 for **Community Services** in the program areas indicated in the following accounts.

Planning & Comm. Development	\$ 107,464
Parks & Recreation	\$ 73,482
Health Officer	\$ 2,145
Beach Maintenance	\$ 5,230
Conservation/Lake Protection	\$ 14,000
General Assistance	\$ 10,000
Social Service Agencies	\$ 4,000
Ricker Library	\$ 82,822
Ball Fields	\$ 9,900
TOTAL	<u>\$ 309,043</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 17. To see if the Town will authorize the Board of Selectpersons to expend \$56,500 from existing balances of the Town's **Tax Increment Finance (TIF) District I** Account, consistent with 30-A M.R.S.A. § 5251-5261, for the purpose of 2018-2019 funding of the Poland Community and Economic Development Committee (CEDC). **Board of Selectpersons and Budget Committee recommend approval.**

Article 18. To see if the Town will vote to raise and appropriate \$764,904 for **Public Works** and **Solid Waste** Departments in the program areas indicated in the following accounts.

Public Works Department	\$ 560,299
Solid Waste Department	\$ 204,605
TOTAL	<u>\$ 764,904</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 19. To see if the Town will vote to raise and appropriate \$1,035,812 for **Public Safety** in the program areas indicated in the following accounts.

Fire Rescue Department	\$ 704,762
Sheriff / Police Services	\$ 246,315
Dispatching	\$ 40,735
Animal Control Officer	\$ 10,000
Streetlights	\$ 14,000
Hydrants	\$ 15,000
Emergency Mgmt Agency	\$ 5,000
TOTAL	<u>\$ 1,035,812</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 20. To see if the Town will vote to raise and appropriate **\$855,481** for **Financial Services** in the program areas indicated in the following accounts.

Non-TIF Debt	\$ 226,088
Insurances and Benefits	\$ 629,393
TOTAL	<u>\$ 855,481</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 21. To see if the Town will appropriate from **Tax Increment Financing (TIF) District I** an estimated total amount of **\$652,613**, depending on actual mil rate, as follows:

Estimated Annual Revenue:	\$ 716,793
2003E (28.23%)	\$ 36,947
2006C (100%)	\$ 110,294
2000FR (100%)	\$ 160,058
2012E (14.14%)	\$ 21,764
Annual Hydrant Fee (Est.)	\$ 27,000
Administrative Support (48%)	\$ 15,673
Legal, Assessing and Accounting	\$ 2,500
Other Expenses	\$ 28,000
CEA Payment – PSB (40%)	\$ 193,877
CEDC	\$ 56,500
TOTAL:	<u>\$ 652,613</u>

Estimated Balance to TIF I	\$ 64,180
Estimated Cumulative Balance of TIF 1	\$ 197,487

Board of Selectpersons and Budget Committee recommend approval.

Article 22. To see if the Town will appropriate from **Tax Increment Financing (TIF) District II** an estimated total amount of **\$552,436** depending on actual mil rate, as follows:

Estimated Annual Revenue:	\$ 656,329
2010F (96%)	\$ 277,225
Administrative Support (44%)	\$ 14,367
Legal, Assessing and Accounting	\$ 2,500
Other Expenses	\$ 480
CEA Payment – PSB (40%)	\$ 257,864
TOTAL:	<u>\$ 552,436</u>

Estimated Balance to TIF II	\$ 103,893
Estimated Cumulative Balance of TIF II	\$ 482,751

Board of Selectpersons and Budget Committee recommend approval.

Article 23. To see if the Town will appropriate from the **Downtown Village Tax Increment Financing (TIF) District** an estimated amount of **\$73,658**, depending on actual mil rate, as follows:

Estimated Annual Revenue	\$ 127,300
CEA Payment – JTK Holdings (50%)	\$ 14,858
2010B (100%)	\$ 40,137
2010F (4%)	\$ 11,551
Administrative Support (8%)	\$ 2,612
Legal, Assessing and Accounting	\$ 2,000
Vehicle Maintenance	\$ 2,500
TOTAL	<u>\$ 73,658</u>

Estimated Balance to DTV TIF	\$ 53,642
Estimated Cumulative Balance of DTV	\$ 291,714

Board of Selectpersons and Budget Committee recommend approval.

Article 24. To see if the Town will vote to raise and appropriate **\$757,500** for the FY19 **Capital Improvement Program** for the Capital Reserve accounts indicated below:

<u>Capital Project</u>	<u>Amount</u>
Town Roads Reserve	\$ 430,000
Public Works Reserve	\$ 130,000
Solid Waste Reserve	\$ 9,500
Municipal Facilities Reserve	\$ 10,000
Fire Rescue Reserve	\$ 140,000
Law Enforcement Reserve	\$ 12,500
Revaluation Reserve	\$ 15,000
Conservation Reserve	\$ 1,000
Planning & Comm. Dev. Reserve	\$ 9,500
TOTAL	<u>\$ 757,500</u>

Board of Selectpersons and Budget Committee recommend approval.

Article 25. To see if the Town will vote to raise and appropriate **\$825,107** for 2018-2019 County Taxes. **Board of Selectpersons and Budget Committee recommend approval.**

Article 26. To see if the Town will vote to raise and appropriate **\$40,000** for **Overlay** for the purposes of granting tax abatements and addressing unforeseeable emergencies through the building of undesignated fund balance. **Board of Selectpersons and Budget Committee recommend approval.**

Article 27. To see if the Town will vote to adopt the “Town of Poland Retail Marijuana Moratorium Ordinance”. *(A copy of the proposed ordinance is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)* **Board of Selectpersons recommends approval.**

Article 28. To see if the Town will vote to exceed the LD1 property tax levy limit. **Board of Selectpersons and Budget Committee recommend approval.**

Note: Must be voted by written secret ballot.

Given under our hands this 9th day of March, 2018.

Walter J. Gallagher, Vice Chairperson

Stanley L. Tetenman, Chairperson

James G. Walker, Jr., Selectperson

Janice A. Kimball, Selectperson

Mary-Beth Taylor, Selectperson

A majority of the Municipal Officers of Poland, Maine

ATTEST: A True Copy

Judith A. Akers, Town Clerk

RETURN

Pursuant to the within notice, I have notified and warned the voters of the Town of Poland, Maine to meet at the time and place for the purposes therein named, by posting this day an attested copy of the within warrant, at the Post Offices in Poland / Poland Spring, East Poland, and West Poland; also at the Town Office, and at the A. B. Ricker Memorial Library and Community House, the same being conspicuous and public places in said Town.

Amie Juergens
Resident of the Town of Poland

Date: March 9, 2018

Article 4. To see if the Town will vote to adopt the 2018 Amendment to the **Poland Comprehensive Land Use Code**-Section 508.18.G-H “Amendments to the regulation of temporary non-commercial signs? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)*

**AMENDMENT TO COMPREHENSIVE LAND USE CODE
SECTION 508.18(G) AND (H)
REGULATION OF TEMPORARY NON-COMMERCIAL SIGNS**

508.18 Signs

G. Signs Allowed in all Districts without a Permit from the Code Enforcement Officer - The following types of signs may be erected in all zoning districts without obtaining a permit from the Code Enforcement Officer.

1. Public Safety Zones - Governmental bodies may erect and maintain signs necessary for the public safety and welfare, or as required by law, ordinance or governmental regulation.
2. Posting Private Property - Signs are permitted to post private property for the following or similar conditions; no hunting, no fishing, no snowmobiling, no trespassing, and shall comply with the current State of Maine standards.
3. Temporary Signs - Temporary signs listed below shall not be placed in a position that will impair vision, obstruct traffic, or in any manner create a hazard or nuisance to the general public.

a. ~~Organization Signs—Signs and banners advertising charitable functions, notices of meetings, and similar noncommercial signs. These may be placed for a period not exceeding ten (10) days prior to the event and shall be removed within two (2) days after the event or meeting.~~ Temporary noncommercial signs of any type shall meet the requirements of 23 M.R.S.A. §1913-A(1)(L).

b. Real Estate Signs

(1) Two (2) temporary Real Estate signs advertising the sale, lease or rental of a parcel or structure, may be placed on the sale, lease, or rental property. Within the Farm and Forest, Rural Residential, and Village Zones the maximum sign size shall be six (6) sq. ft.

(2) Subdivision of four (4) lots or more shall be allowed one (1) thirty-two (32) square foot Real Estate Development sign. In addition, each lot in the Subdivision shall be allowed one (1) six (6) square foot temporary Real Estate sign.

(3) Within the Shoreland Area, temporary Real Estate signs shall not be more than ~~th~~ three (3) sq. ft.

Article 4 Continued

(4) For Commercial Development other than Subdivisions, in the General Purpose, Farm and Forest, and Village Zones, a temporary Real Estate sign of thirty-two (32) sq. ft. shall be permitted. One thirty-two (32) square foot sign per six hundred (600) linear feet of road frontage, for a maximum of three (3) signs per development, is allowed.

Such signs, as described in this Section, shall be removed by the owner or his agent within ten (10) days of such sale, lease, or rental. Temporary Open House directional signs shall be removed within twenty-four (24) hours after the Open House is over. The sign(s) may be attached to a building or be freestanding.

c. Construction - A temporary construction sign, providing a general identification of a project and those responsible therefore, may be erected on the construction site provided it shall not exceed sixteen (16) sq. ft. for residential construction, and shall be removed within ten (10) days after the project completion. For commercial development in the General Purpose, Farm and Forest, Village, and Rural Residential Zones, a temporary Construction sign of thirty-two sq. ft. (32 sq. ft.) is permitted.

Commercial Development Projects are defined as any project other than one and two family dwellings and accessory residential structures.

d. Home Sales - A sign advertising a temporary home, yard, garage, barn or basement sale on the premises may be placed for no more than three (3) days prior to said sale and shall be removed within twenty-four (24) hours of the end of the sale. Maximum number of Yard Sale signs limited to two (2) per year.

~~e. Political Signs—Signs of temporary nature relating to political candidates, election issues, or similar matters shall not exceed six (6) sq. ft. and may be placed for a period of six (6) weeks prior to the election on private property only, with the property owner's permission. Such signs shall be removed within one (1) week following the election.~~ Reserved.

f. Temporary Signs, Banners, Decorations - Upon approval of the Municipal Officers, temporary signs, banners, flags and other decorations may be attached to or suspended from public canopies when in relation to a special event.

g. Signs that are located and displayed inside the building, whether visible outside of the building through a window or door.

4. Occupant Signs - Any residential property may contain one (1) sign not exceeding six (6) sq. ft. in area and being noncommercial in nature. These signs may be freestanding or attached to a building or structure.

Article 4 Continued

a. House Numbering Signs - In conformance with the Street Naming and House Numbering Ordinance of the Town of Poland, Maine adopted November 9, 1995.

5. Flags

a. Any flag of a commercial nature shall be considered a sign.

b. An Open for Business flag (not to exceed fifteen (15) sq. ft.) is permitted, one (1) to a business, displayed during operating hours only, and to be removed at the end of the business day. Square footage not counted in total signage.

6. Public Notices - Legal Notices, Identification, Informational or Directional signs erected or required by governmental bodies.

7. Architectural Features - Integral, decorative or architectural features of buildings, except letter, trademarks, moving parts or lights.

8. Memorials - Memorial signs or tablets, names of buildings and date of erection when cut into masonry, bronze or other noncombustible materials.

9. Off Premise Business Promotional Signs - Business Promotional signs attached to fences surrounding nonprofit recreational sports facilities. Signs shall not exceed the height of the fencing that they are attached to, and in no case shall they be more than ten (10) feet in height.

H. Signs Requiring a Code Enforcement Officer Sign Permit - The following types of signs may be erected in all Zoning Districts except shoreland zones following the issuance of a permit from the Code Enforcement Officer. Such signs shall not be counted toward the total area of signage allowed.

1. Identification Signs - A sign identifying a lawfully existing home occupation, home child or group child care facilities operated in conjunction with a residential use, is allowed on the premises, providing the sign does not exceed four (4) sq. ft. in display area.

2. Institutional Signs - A single sign may be erected for noncommercial purposes in connection with any church, museum, library, school or similar public structure. Such signs shall not exceed twenty-five (25) sq. ft. in display area.

3. Driveway Signs - Entrance and Exit signs may be placed at driveways and shall not obstruct the view of traffic. Such signs shall not exceed two (2) sq. ft.

4. Farm Products - Not more than two (2) signs advertising the sale of farm or forestry products available on the premises. Each sign shall not exceed sixteen (16) sq. ft.

Article 4 Continued

5. Building Directory - A sign may be attached at the entrance to a building to identify the occupants for pedestrians entering the building and shall be in addition to any other signs permitted by this Section. A Building Directory sign shall not exceed six (6) sq. ft.

6. Advertising and Promotional Signs - Signs, banners and similar specialty advertising devices used temporarily in conjunction with special commercial events or sales, provided they are used for ten (10) working days or less and are located on or attached to the premises where the sale or event is occurring. Within the first eighteen (18) months of the opening of a new business, these types of devices may be utilized for not more than one hundred eighty (180) days after opening, provided they do not exceed the allowable sign area.

Article 5. To see if the Town will vote to adopt the 2018 Amendment to the **Poland Comprehensive Land Use Code**-Section 1100 “Amendments to Building Standards from the 2009 MUBEC to adopting the 2015 MUBEC rules? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)*

CHAPTER 11 - BUILDING STANDARDS 109

1100 SHORT TITLE - This Chapter shall be known and may be cited as the “Building Code Standards for the Town of Poland, Maine” in conjunction with the Building Code Standards and Adoption of the ~~2009~~ **2015** International Building Code (IBC), ~~2009~~ **2015** International Residential Code (IRC), ~~2009~~ **2015** International Existing Building Code (IEBC), ~~2009~~ **2015** International Energy Conservation Code (IECC) and 2009 International Mechanical Code (IMC), all of which are hereby incorporated by Reference. The following standards have also been adopted E-1465-2006, (Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings), ASHRAE 62.1 - 2007 (Ventilation for Acceptable Indoor Air Quality) ASHRAE 62.2 - 2007 (Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings) ASHRAE 90.1 - 2007 (Energy Standard for Buildings except Low-Rise Residential Buildings) editions without addenda. ¹

Article 6. To see if the Town will vote to adopt the 2018 Amendment to the **Poland Comprehensive Land Use Code**- Sections 509.11.B; and 807.1 “Amendments to the Back Lot Driveway and Street Construction Standards” ordinances? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)*

509.11 Back Lots and Back Lot Driveways¹

B. A back lot driveway shall be created either:

1. Over a right-of-way on a front lot that meets applicable street frontage requirements along a street that meets the Town’s construction and design standards for a Collector, Minor or Private street; or.
2. Over a portion of land belonging to the back lot which has a minimum of 50 feet of frontage but less than the required amount of frontage on a street that meets the Town’s construction and design standards for a Collector, Minor or Private Street.
3. **Regardless of above requirements, if any lot division requires Subdivision Review, a back lot driveway shall not be permitted.**

Table 807.1 / STREET DESIGN STANDARDS

Type	I	II	III			IV ²
Description	Arterial	Collector	Minor ⁴	Private ⁴	Mobile Home Park ⁴	Back Lot ⁴
Min. R/W Width	80'	60'	60'	60'	23'	60' ⁽³⁾
Min. Pavement or Gravel Travel Width	24-44'	24'	20'	20'	20'	12'
Min. Shoulders	5' ¹	3' ¹	3' ¹	3' ¹	3' ¹	2' ¹
Sidewalk ²	5-8'	5'	5'	N/A	5'	N/A
Max. Gradient	5.00%	6.00%	10.00%	10.00%	10.00%	12.00%
Min. Radius at Centerline	800'	200'	150'	150'	150'	150
Min. Tangent Between Reverse Curves	300'	200'	100'	100'	100'	N/A
Pavement or gravel Crown	1/4"/ft.	1/4"/ft.	1/4"/ft.	N/A	1/4"/ft.	1/2"/ft
Angle at Intersections (Degrees)	85-95	85-95	90	90	90	75
Max. Gradient Within 75' of Intersection	2.00%	2.00%	2.00%	2.00%	2.00%	3.00%
Min. Curb Radius at Intersections	30'	20'	15'	15'	15'	15

1. For Roads or Backlot Driveway terminuses the road shoulders shall be extended an additional one (1) foot along the road terminus and turnouts from the first point of curvature to the return point of tangency of the hammerhead turnout or the cul-de-sac.³
2. Sidewalks shall be required for all public road/street designs proposed in the Downtown Village District. Designs for Public Road/Streets to be located in all other zoning districts may include designated areas for sidewalks, or other means of pedestrian access, but may not be a requirement. Final approval for all sidewalk locations in districts other than the Downtown District, with their associated design details which are planned for or intended to be supplemental to a public street(s) offering, or for any path, trail, or access intended to be used by the general public with the intent to be accepted, or maintained by the Town of Poland shall be reviewed and approved by the Planning Board.⁴
3. The Planning Board may approve a back lot driveway right-of-way with a minimum width of fifty feet (50') if it determines that no alternative exists. The right of way must be conveyed by deed

¹ Added 4-4-2015

² Added 4-4-2015

³ Added 12/6/2014

⁴ Added 12/6/2014

Article 6 Continued

recorded in the Androscoggin County Registry of Deeds to the owner of the back lot.⁵

4. On a dead end street requiring a terminus, the grade within 80' of the centerline of the terminus center shall not exceed 1.00% grade.
5. For Roads or Backlot Driveway terminuses the road shoulders shall be extended an additional one (1) foot along the road terminus and turnouts from the first point of curvature to the return point of tangency of the hammerhead turnout or the cul-de-sac.⁶
6. Sidewalks shall be required for all public road/street designs proposed in the Downtown Village District. Designs for Public Road/Streets to be located in all other zoning districts may include designated areas for sidewalks, or other means of pedestrian access, but may not be a requirement. Final approval for all sidewalk locations in districts other than the Downtown District, with their associated design details which are planned for or intended to be supplemental to a public street(s) offering, or for any path, trail, or access intended to be used by the general public with the intent to be accepted, or maintained by the Town of Poland shall be reviewed and approved by the Planning Board.⁷
7. The Planning Board may approve a back lot driveway right-of-way with a minimum width of fifty feet (50') if it determines that no alternative exists. The right of way must be conveyed by deed recorded in the Androscoggin County Registry of Deeds to the owner of the back lot.⁸
8. On a dead end street requiring a terminus, the grade within 80' of the centerline of the terminus center shall not exceed 1.00% grade.

⁵ Added 4-4-2015

Article 7. To see if the Town will vote to adopt the 2018 Amendment to the **Official Town of Poland Zoning Map**- “Amendments to the wetlands associated with great ponds and rivers, which are “moderate” or “high” value waterfowl and wading bird habitat, including nesting and feeding areas on the Town of Poland Official Zoning Map from Resource Protection District to Limited Residential Zoning District” ordinance as depicted on attached Map 7A? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)*

EXISTING MAP 7A

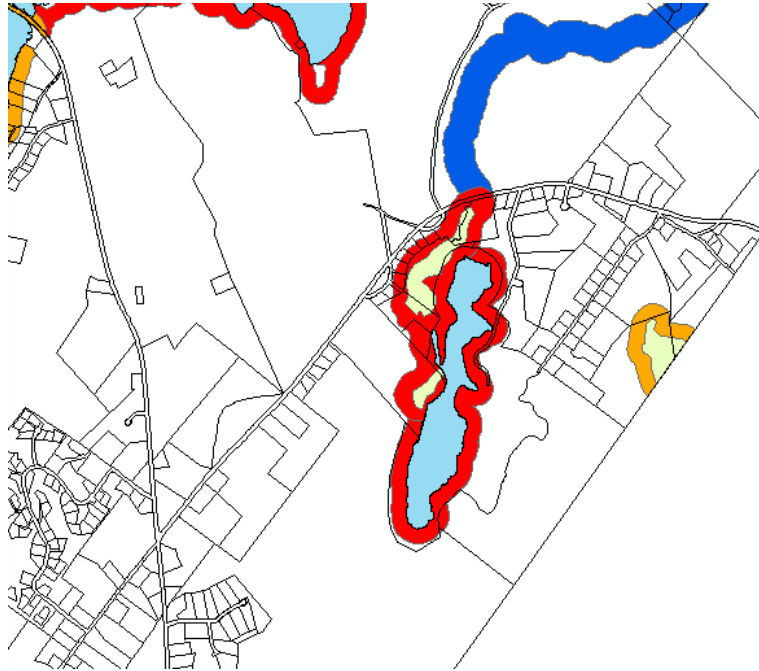


PROPOSED MAP 7A

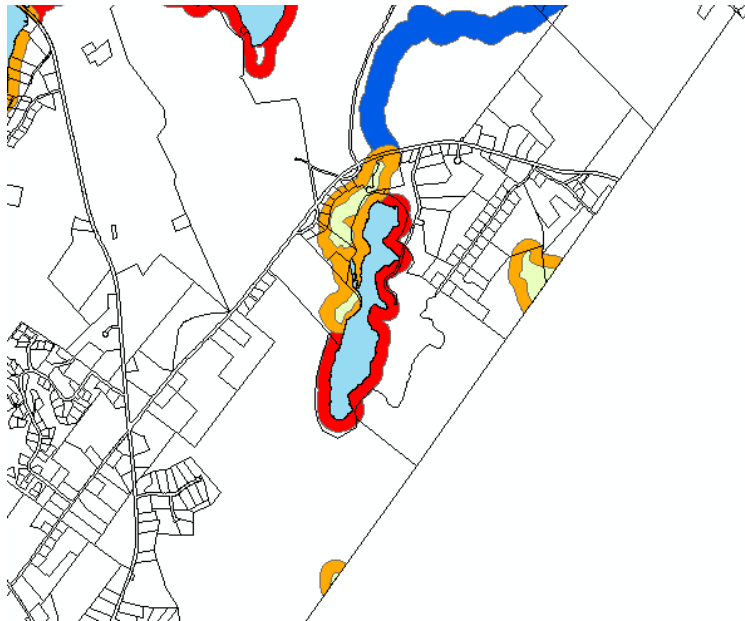


Article 8. To see if the Town will vote to adopt the 2018 Amendment to the **Official Town of Poland Zoning Map**- “Amendments to the wetlands associated with great ponds and rivers, which are “moderate” or “high” value waterfowl and wading bird habitat, including nesting and feeding areas on the Town of Poland Official Zoning Map from Resource Protection District to Limited Residential Zoning District” ordinance as depicted on attached Map 7B? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)*

EXISTING MAP 7B



PROPOSED MAP 7B

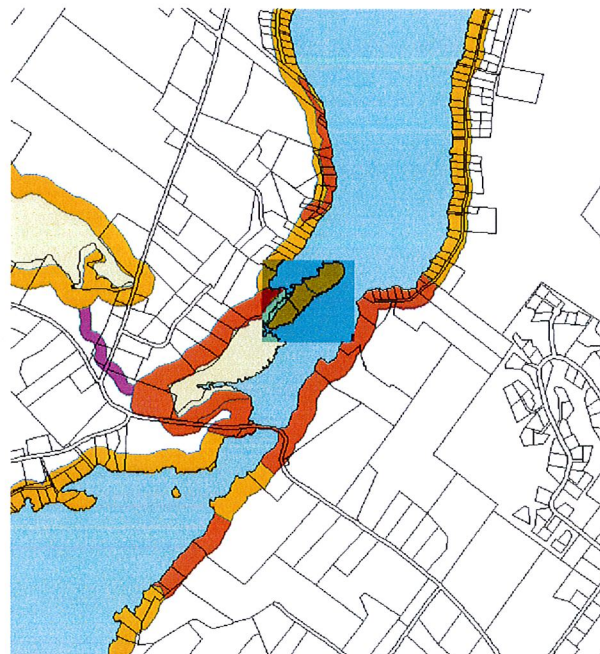


Article 9. To see if the Town will vote to adopt the 2018 Amendment to the **Official Town of Poland Zoning Map**- “Amendments to the wetlands associated with great ponds and rivers, which are “moderate” or “high” value waterfowl and wading bird habitat, including nesting and feeding areas on the Town of Poland Official Zoning Map from Resource Protection District to Limited Residential Zoning District” ordinance as depicted on attached Map 7C, which specifically changes only Map 37 Lot 13 & 13A? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)*

EXISTING MAP 7C



PROPOSED MAP 7C



Article 10. To see if the Town will vote to adopt the 2018 Amendment to the **Poland Comprehensive Land Use Code**- Sections 506.2.H “Amendments to allow vehicle repair in the Rural Residential 2 Zone” ordinances? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)*

H. Rural Residential 2

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer:

- Single Family Dwelling
- Accessory Uses & Structures
- Housing, Manufactured Definition A & C
- Accessory Apartment
- Accessory Residential Structure
- Offsite Accessory Structure
- Two Family/Duplex Dwelling
- Home Occupation
- Home Day Care
- Farm Stand
- Signs
- Filling 200 to 5,000 yards

2. Permitted Uses Requiring Planning Board Approval:

- Filling of More than 5,000 yards

3. Permitted Commercial, Industrial, Institutional, Governmental and Other Uses Requiring a Site Plan Review:

- Accessory Uses & Structures
- Antenna, Saucer, Tower (Commercial)
- Bed & Breakfast
- Day Care Facility
- **Vehicle: Repair**
- Farm Market (the lot upon which the farm market is located shall be at least twenty acres in size and shall be a working farm)
- Gravel Pits & Quarries
- Sewerage Pumping Station
- Congregate Care Facility
- Library
- Museum
- Religious Institution
- Municipal or State Recreation Facilities
- Schools
- Cemeteries
- Utilities, Service Structure

4. Permitted Uses Requiring Subdivision Review:

- Cluster Development
- Planned Residential Development
- Any development defined as a Subdivision by 30-A M.R.S.A § 4401

5. The following uses are allowed without a permit provided that they are not associated with any other use or activity requiring a permit or other approval under the provisions of this Code:

- Agriculture
- Filling less than 200 cubic yards
- Timber Harvesting
- Utilities (Above & Below Ground)

6. All uses that are not expressly listed above shall be prohibited.

Article 11. To see if the Town will vote to adopt the 2018 Amendment to the **Poland Comprehensive Land Use Code**-Sections 1103.A “Amendments to NFPA 70 and the National Electric Code from the 2014 Editions to the 2017 Editions? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting)*

1103 OTHER CODES ADOPTED IN CONJUNCTION WITH THE BUILDING CODE STANDARDS FOR THE TOWN OF POLAND

A. The following codes, standards, rules and their amendments as adopted and revised by the State of Maine, listed in this section, are hereby incorporated by reference.

- a. State of Maine International Plumbing Rules based on the 2009 Uniform Plumbing Code.
- b. State of Maine Subsurface Waste Water Rules 2011 version dated January 18, 2011.
- c. 2014 NFPA 70 (National Electric Code NEC ~~2014~~ 2017)
- d. 2009 NFPA 101 (National Fire Protection Association Life Safety)
- e. 2006 NFPA 211 (National Fire Protection Association Standard for Chimneys, Fireplaces, and Solid Fuel Burning Appliances)
- f. 2008 NFPA 96 (National Fire Protection Association Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations)

Town of Poland Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs

WHEREAS, a ballot initiative to legalize, regulate and tax marijuana for non-medicinal purposes known as the “Marijuana Legalization Act” was passed in a State-wide referendum election on November 8, 2016 and codified in the Maine Revised Statutes in Chapter 417 of Title 7 (the “Act”); and

WHEREAS, the Maine Legislature amended the Act to delay its effective date to February 1, 2018 in order to allow rulemaking to occur to regulate and control of the cultivation, manufacture, distribution, sale and testing of retail marijuana and retail marijuana products and for the enforcement of the Act; and

WHEREAS, the State of Maine has not yet enacted rules and the Legislature is considering additional amendments to the Act that may impact local regulation of retail marijuana establishments and retail marijuana social clubs; and

WHEREAS, the Act authorizes municipalities to regulate the number of retail marijuana stores and the location and operation of retail marijuana social clubs and retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, as those terms are defined in the Act, as well as the option to prohibit the operation of retail marijuana social clubs and retail marijuana establishments, including stores, cultivation facilities, manufacturing facilities and testing facilities within its jurisdiction; and

WHEREAS, the Town, under its home rule authority, its police power generally, and under 30-A M.R.S.A., chapter 187, subchapter 3 (“land use regulation”), as provided by the Act, or as otherwise provided by current law, has the authority to impose reasonable restrictions, conditions, and limitations on such retail marijuana establishments and social clubs; and

WHEREAS, the unregulated location and operation of retail marijuana establishments and retail marijuana social clubs within the Town of raises legitimate and substantial questions about the impact of such retail establishments and social clubs on the Town, including questions of the compatibility of retail marijuana establishments and social clubs with existing uses and development in residential, commercial and industrial zoning districts; the possible connection of retail marijuana establishments and social clubs with medical marijuana cultivation facilities and dispensaries; the potential adverse health and safety effects of retail marijuana establishments and social clubs on the community if not properly regulated; the possibility of illicit sale and use of marijuana and marijuana products to minors and misuse of marijuana and marijuana products by those who would abuse the uses authorized under the new law; potential criminal activity associated with the cultivation, manufacturing, sale and use of marijuana and marijuana products for non-medicinal purposes and the potential increased burden on the public safety agencies serving the Town in responding to the same; and the adequacy of the Town’s streets and infrastructure to accommodate the additional traffic and/or population that may result from the presence of retail marijuana establishments or social clubs; and

WHEREAS, the Town’s current ordinances, including but not limited to the Comprehensive Land Use Code, and other applicable local laws are not adequate to prevent serious public harm that could be caused by the unregulated development and operation of retail marijuana establishments and social clubs and other uses authorized by the Act, thereby necessitating a moratorium; and

WHEREAS, the Town needs time to review the Act, as may be further amended, and to review its own Ordinances to determine the implications of future proposed retail marijuana establishments and/or social clubs to develop reasonable ordinances governing the location and operation of such retail establishments and social clubs to address the concerns cited above; and

Town of Poland Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs

WHEREAS, the possible effect of the location and operation of retail marijuana establishments and/or retail marijuana social clubs within the Town has serious implications for the health, safety and welfare of the Town and its residents; and

WHEREAS, a moratorium is necessary to prevent an overburdening of public facilities that is reasonably foreseeable as the result of retail marijuana establishments and social clubs and other uses authorized by the Act being located in the Town; and

NOW, THEREFORE, the Town of Poland hereby enacts this Moratorium Ordinance On Retail Marijuana Establishments and Retail Marijuana Social Clubs, and Retail Marijuana Social Clubs and, in furtherance thereof, the Town does hereby declare a moratorium on the location, operation or licensing of any retail marijuana social clubs and any retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, within the Town.

Section 1. Title

This ordinance shall be known as the Town of Poland Retail Marijuana Moratorium Ordinance.

Section 2. Declaration of Moratorium

The Town does hereby declare a moratorium on all retail recreational marijuana activity, and the location, operation or licensing of any and all "Retail Marijuana Social Clubs" and "Retail Marijuana Establishments," as defined in 7 M.R.S.A. § 2442, including but not limited to, retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities within the Town, whether as a principal or an accessory use, but not including personal use or home cultivation as authorized by 7 M.R.S.A. § 2452. No person or organization shall engage in any retail recreational marijuana activity or develop or operate a Retail Marijuana Establishment or Retail Marijuana Social Club within the Town on or after the effective and applicability dates of this Ordinance.

Section 3. Administration

During the time this moratorium ordinance is in effect, no officer, official, employee, office, administrative board or agency of the Town shall accept, process, approve, deny, or in any other way act upon any application for a license, building permit, any other type of land use approval or permit and/or any other permits or licenses related to a Retail Marijuana Establishment, Retail Marijuana Social Club or retail recreational marijuana activities.

Section 4. Governance

This Ordinance will not affect or limit the privileges or rights afforded by the Maine Medical Use of Marijuana Act (22 M.R.S.A. §§ 2421 – 2430-B) to qualifying patients, primary caregivers, or registered dispensaries, including cultivation facilities associated with any of those classifications.

Section 5. Violations

If any retail recreational marijuana activity is conducted, or Retail Marijuana Establishment or Retail Marijuana Social Club is established, in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance and the Town shall be entitled to all rights available to it pursuant to 30-A M.R.S.A. § 4452, including, but not limited to, fines and penalties, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations.

Town of Poland Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs

Section 6. Enforcement

This Ordinance may be enforced by any duly authorized law enforcement officer, as well as other individuals specifically designated by the Board of Selectpersons.

Section 7. Severability

Should any portions of this Ordinance be declared invalid by court, the remaining portions of this Ordinance shall remain in full force and effect. This ordinance may be repealed at any Town Meeting by majority vote.

Section 8. Effective Date; duration.

This Ordinance shall take effect upon adoption by the Town of Poland at a Town Meeting. This Ordinance shall remain in effect for 180 days from the effective date, unless earlier repealed by Town Meeting vote or extended by vote of the Board of Selectpersons.