

TOWN of ROCKPORT, MAINE

TOWN MEETING GAZETTE

2009

Rockport's 2009 Annual Town Meeting will be held Tuesday, June 9, and Wednesday, June 10. Residents may register to vote at the Town Office Monday through Friday from 8:00 AM to 5:00 PM or on Election Day at the polls. Remember to bring proof of residency. If you have any questions, please call Linda Greenlaw, town clerk and registrar of voters at 236-9648. Town Meeting is your opportunity to have a voice in Rockport's future.

BALLOT VOTING - Tuesday, June 9

The polls will be open from 8:00 AM to 8:00 PM at the Rockport Town Office, 101 Main Street, to act on Articles 1 through 8 of the Annual Town Meeting Warrant. Absentee ballots are also available at the Rockport Town Office from 8:00 AM to 5:00 PM Monday through Friday, prior to voting day.

Article 1 is for the election of a moderator to preside at Town Meeting. The polls open upon the election of the moderator.

Article 2 is for the election of the following:

- Two Select Board members for three year terms (Select Board members shall serve as Overseers of the Poor and Wastewater Commissioners). There are three candidates: Alexandra (Sani) Fogel, Dale Landrith, and Thomas (Tom) Murphy. Voters may also write in candidates.
- One director of Maine School Administrative District #28 for a three-year term (serves concurrently on the Five Town CSD School Board). There

are no candidates. Voters may write in candidates.

- Two members of the Library Committee for a three-year term. There is one candidate: Mariann Lehmann. Voters may also write in candidates.
- Three members of the Budget Committee for a term of three years. There is one candidate: Helen Shaw. Voters may also write in candidates.

Articles 3 through 8, described below are proposed amendments/additions to the Rockport Land Use Ordinance. The full text of the amendments is available at the Town Office.

Article 3: The proposed changes to **Section 300** will address conflicting language regarding drive-throughs and take-outs at restaurants, convenience stores and other businesses, and will lead to a close examination of the definitions related to these uses. The proposed changes should also provide better clarity on this subject.

Section 700 had not been updated since its inception in its modern format in 1996. The proposed changes reflect a general housekeeping update including language reflecting consistency between **Section 700** and the Zoning Board By-Laws and Enabling Ordinance, updates on Board operating procedures, a minor change in heavy equipment hours of operation to be consistent with **Section 800** of the Ordinance, and adjustments in the application procedure to be consistent with other Sections of the Ordinance.

Proposed changes to *Section 1100* would allow off-premise agricultural signs, which will make Rockport's Ordinance consistent with state law, which allows off-premises agricultural signs, additional flexibility and size for ladder signs, adding business names to entrance signs, and adding additional size for gasoline brand and pricing signs.

Article 4: Proposed changes to *Section 812* reflect events of the past year including the spike in the cost of energy from resources derived from fossil fuels and the economic downturn that has increased the demand for energy savings, while maintaining a harmonic balance for land uses and the public's well-being for safety, sound, and aesthetics.

The proposed minor change for *Section 901.5* is for the front-, side- and rear-yard setback distances in clustered residential subdivisions to be consistent with the 901.4 standards.

Proposed changes to *Section 913.4* should encourage patterns of development that are consistent with the historical development of structures on the harbor side of Central Street, with dimensional changes that are proposed for structures on the harbor side of Central Street.

Article 5: The changes proposed for *Section 914* include an updated text to be in alignment with the Department of Environmental Protection (DEP) requirements for Best Management Practices and Maine Forest Service requirements for Best Forestry Practices while intending to scale down requirements for small projects without negatively impacting water quality.

Changes for *Section 915* include alignment with the DEP for Best Management Practices, Maine Forest Service for Best Forestry Services, and Maine Agriculture for Best Management Practices as found in their publications, while intending to scale down requirements for small projects without negatively impacting water quality.

The Shoreland Zoning provisions in the Rockport Land Use Ordinance were updated and approved by voters and DEP in 2008. The town was asked by DEP to add a very minor provision regarding saplings that inadvertently was left out of the previous draft. This is accomplished by amending *Section 1415.16*.

Article 6: This proposed change to *Section 814* will replace the two-page "Vendors and Peddlers Ordinance" that was adopted as a standalone ordinance in 1991. This revision improves the clarity of the language, the internal administration of this process, and the ability to monitor this activity.

Article 7: The *Modified 907 District* was added to the Land Use Ordinance in 2005 to create a more village-friendly gateway to Rockport at two locations: the Rockland line and West Rockport Village. Logic suggested that another area of Route One from the Chuck Dorr Sign Shop to The Helm, where approximately 70 percent of the existing structures are in conformity with the existing *Modified 907 District* standards, was a natural area to add to the *Modified 907 District*. Changing this section of Route One from the existing "907" to "*Modified 907*" would enhance the existing village character of this section of Route One, expand design and development options on the Rockport Elementary School East school site, and encourage patterns of development consistent with this part of Rockport.

Article 8: West St. Extension wetlands and Maces Pond areas – proposed Resource Protection District: These areas have been identified by Inland Fisheries and Wildlife as high- and moderate-value wetlands and significant inland waterfowl and wading bird habitat. The Maces Pond area currently has both "*resource protection*" and "*all other*" zoning. The West St. Extension wetlands are currently "*all other.*" Proposed changes would move these areas into "*Resource Protection.*" Our Ordinance *does allow* the development of

one- and two-family residences in a resource protection district.

OPEN VOTING - Wednesday, June 10

Articles 9 through 30 will be voted on at the open portion of the Annual Town Meeting to be held at 7:00 PM, June 10, at the Rockport Opera House. Please refer to the 2009 Annual Report, pages 73–78 for the articles and budget details.

Article 9 is the *revenue* side of the proposed FY09–10 budget. It includes the anticipated non-property tax revenue that offsets the proposed expenditures and reduces the property tax commitment. Three substantial revenue reductions should be noted. Excise Tax revenue is decreased by \$65,000 based on projections by the town clerk and finance director. Interest received on town funds is reduced by \$25,000. The Community Development Department is anticipating less construction activity for the upcoming year, so Plumbing Inspection Fees, Planning Board Fees, and Building Permit Fees have been reduced.

Articles 10 through 17 present the appropriation (expenditure) side of the proposed FY09–10 budget. If approved, along with the approval of Article 9, the estimated tax commitment for municipal services will decrease by 2.06%. Gross appropriations decreased by 3.22%. Some of the decrease was offset by the 5% drop in anticipated revenues.

Article 10, General Government: Please refer to the Annual Report for a detailed breakdown. The appropriation for General Government is down by 5.6%.

Article 11, Public Assistance: Reflecting the general state of the economy, General Assistance is up by 32.7% or \$5,078. The state reimburses the town 50% of the non-administrative costs which is reflected in the anticipated revenue.

Article 12, Public Safety: Please refer to the Annual Report for a detailed breakdown. The appropriation for Public Safety is down by 5.7%.

Article 13, Public Works: Please refer to the Annual Report for a detailed breakdown. The appropriation for Public Works, which includes the town's share of running the Mid-Coast Solid Waste facility, is down by 2.4%.

Article 14, Culture and Recreation: Please refer to the Annual Report for a detailed breakdown. The appropriation for Culture and Recreation is up by 12.6%. Please note that this is the second year for including the entire library budget. This year's budget includes both those appropriations funded through taxation and those funded through library sources. The town is responsible for wages, benefits, and wastewater fees. The Library Committee is responsible for the remaining appropriations and the offsetting revenue (Library Reimbursement—see Article 9 [G]).

Article 15, Long-Term Debt: Please refer to the Annual Report for a detailed breakdown. Debt payments are down 25.8%. The debt for the Revaluation Loan has been retired.

Article 16, County Fees: Please refer to the Annual Report for a detailed breakdown. County Fees are up 0.6%.

Article 17, Cemeteries: The appropriation for cemetery expenses is up 36.3%. The increase is primarily the result of a 37% increase in the mowing contract for the town.

Articles 18 through 28 are annual housekeeping articles.

Article 18 moves unexpended balances to the Undesignated Fund Balance and authorizes the Select Board to use monies from the Undesignated Fund Balance to pay for deficits in the upcoming fiscal year.

Article 19 authorizes the Select Board to fund property tax abatements from the tax overlay account.

Article 20 authorizes the Select Board to dispose of tax-acquired properties.

Article 21 authorizes the Select Board to dispose of real estate acquired by non-payment of wastewater fees acquired properties.

Article 22 sets the tax due dates.

Article 23 sets the tax delinquency dates and establishes the interest rate for unpaid taxes.

Article 24 establishes the interest rate for unpaid wastewater charges.

Article 25 authorizes the Select Board and treasurer to accept gifts, real estate, etc. on behalf of the town.

Article 26 authorizes the Select Board to accept conservation easements on behalf of the town.

Article 27 waives foreclosure of tax lien mortgages when ownership would be contrary to the town's best interest.

Article 28 authorizes the Select Board to enter into boundary line agreements.

Article 29 establishes a "tax club" payment plan for commercial and residential property taxes. This allows taxpayers to pay their real estate taxes in 12 monthly installments without incurring interest costs.

Article 30 allows the Select Board to apply and to accept grant funds if successful. The town wishes to apply for two (2) Community Development Block Grants: one on behalf of Yachting Solutions for \$100,000 to assist the company with product diversification efforts and the other for the Legacy Rockport Fund for \$10,000 to help with the associated costs in developing the fund program.