

ANNUAL TOWN MEETING WARRANT
June 9 and 10, 2015

County of Knox

To: Randy Gagne, Constable of the Town of Camden, Maine

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of Camden, required by law to vote in town affairs, to meet at the Camden Public Safety Building, Washington Street in said Town on Tuesday, June 9, 2015 at 8:00 a.m. in the forenoon to 8:00 p.m. in the afternoon to vote on Articles 1 and 5 at which time the meeting will adjourn. The adjourned meeting will be reopened at the Camden Opera House Auditorium on Wednesday, June 10, 2015 at 7:00 p.m., then and there to act on the remaining articles in the warrant. All of said Articles being set out below, to wit:

Article 1

To elect a moderator to preside at said meeting.

THE POLLS WILL OPEN AS SOON AS ARTICLE ONE HAS BEEN ACTED UPON AND WILL REMAIN OPEN TO VOTE ON ARTICLES 2 THROUGH 5 BY SECRET BALLOT UNTIL EIGHT O'CLOCK IN THE EVENING.

Article 2

To elect by secret ballot

Two Select Board Members for a three year term (Select Board members shall serve as Overseers of the Poor, Assessors and Wastewater Commissioners); and

One Director of Maine School Administrative District #28/CSD #19 for three year terms; and

One member of the Personnel Board for a three year term.

Article 3

Shall the town vote to amend the Camden Zoning Ordinance, Article XII, Site Plan Review, Section 1 Purpose and Applicability and Section 6 Criteria to add a new overlay to the following zones: Highway Business 2 District (B2), Highway Transition 3 District (B3), Neighborhood Service 4 District (B4), River Business District (BR), and Transitional River Business (B-TR)

Note: The full text of the proposed amendment to be enacted by this article has been certified by the Chairperson of the Select Board and is attached to this Warrant.

Article 4

Shall the town vote to amend the Camden Zoning Ordinance, Article VIII, District Regulations, Section 7 Traditional Village District (V) to eliminate the ability to apply for low impact uses as defined by the Zoning Ordinance on lots located wholly or in part within 500 feet of a business or industrial district.

Note: The full text of the proposed amendment to be enacted by this article has been certified by the Chairperson of the Select Board and is attached to this Warrant.

Article 5

Shall the town vote to amend the Camden Zoning Ordinance, Article VIII, District Regulations, Section 6 Village Extension District (VE) to eliminate the ability to apply for low impact uses as defined by the Zoning Ordinance on lots located wholly or in part within 500 feet of a business or industrial district.

Note: The full text of the proposed amendment to be enacted by this article has been certified by the Chairperson of the Select Board and is attached to this Warrant.

(The following articles (6-16) will be "FLOOR" articles to be voted on by registered voters on Wednesday, June 10, 2015 at 7:00 p.m. in the Camden Opera House.)

Article 6

Shall the Town vote to set November 15 or the next regular business day thereafter, and May 15 or the next regular business day thereafter, as due dates for taxes and to fix the rate of interest on unpaid taxes at 7% per year?

Article 7

Shall the Town vote to authorize the Select Board and Treasurer, on behalf of the Town, to apply for and accept grants, gifts, real estate and other funds, including trust funds, that may be given or left to the Town?

Article 8

Shall the Town vote to authorize the Select Board to dispose of tax acquired property in any manner which the Select Board deems in the best interest of the Town of Camden, provided however that the Apollo Tannery property as described in Book 3148 Pages 278 and 280, excluding the fee interest in the land burdened by the Coastal Mountains Land Trust Declaration recorded in Book 4093 Page 81, shall be disposed of subject to the requirements of Article 10 of the Town Warrant from the Annual Town Meeting held on June 10, 2008?

Article 9

Shall the Town vote to authorize the Select Board to dispose of personal property pursuant to the Town's Purchasing Regulations, as amended; and further authorize the Town Manager to dispose of personal property pursuant to the Town's Purchasing Regulations, as amended, which has a market value of less than three thousand dollars?

Article 10

Shall the Town vote to authorize the Select Board, following a public hearing, to transfer an amount not to exceed ten percent (10%) of the unexpended balances from any budgetary category to another budgetary category of the annual budget, subject to the limitations contained in this Article, during the period from April 1 to the date of the annual town meeting in June? The transfer of unexpended balances from various budgetary categories shall not increase the expenditure in any budgetary category by an amount which exceeds two-twelfths (2/12) of the budgeted amount approved for that budgetary category by the annual town meeting?

Article 11

Shall the Town vote to appropriate \$1,760,150 from non-property tax revenue sources to be used in reducing the property tax commitment for the expenditures in the following article for the 2015-2016 fiscal year?

The Budget Committee and Select Board both recommend.

Article 12

To see what sums of money the Town will vote to appropriate and raise, net of non-property tax revenues, for the 2015-2016 fiscal year budget for the following purposes, or act thereon:

	<u>Budget Committee Recommends</u>	<u>Select Board Recommends</u>
A. GENERAL GOVERNMENT	\$1,681,048	\$1,684,689
B. PUBLIC SAFETY	\$1,916,846	\$1,916,846
C. HIGHWAYS, STREETS & BRIDGES	\$1,433,658	\$1,433,658
D. HEALTH & WELFARE	\$ 27,150	\$ 27,150
E. LEISURE SERVICES	\$ 955,094	\$ 955,094
F. CEMETERIES	\$ 90,000	\$ 90,000
G. DEBT/CAPITAL/CONTINGENCY	<u>\$1,051,173</u>	<u>\$1,043,673</u>
Total Proposed Expenditures A through G:	\$7,154,969	\$7,151,110

Article 13

To see if the town will vote to increase the property tax levy limit established by State law to cover the municipal budget approved by all the preceding articles, if necessary.

Article 14

Shall the Town vote to elect one person to serve on the Board of Trustees of the W. H. Pascal Fund for a term of three years?

Article 15

- A. To elect nine members for three year terms each (terms expire in 2018) to serve on the Budget Committee.
- B. To elect two members for a two year term to expire in 2017 to serve on the Budget Committee.
- C. To elect one member for a one year term to expire in June 2016 to serve on the Budget Committee.

Article 16

To elect three members and two alternate members to serve as a Budget Committee Nominating Committee for a one year term expiring in June 2016.

The Select Board gives notice that the Registrar of Voters will be in session at the Camden Town Office for the purpose of accepting and correcting the voting list during regular business hours Monday through Friday 8:00 a.m. – 3:30 p.m. and at the polls Tuesday, June 9, 2015 from 8:00 a.m. – 8:00 p.m.

You must be a Camden registered voter to vote in any election.

Given under our hands this 15th of May, 2015.

CAMDEN SELECT BOARD

Martin Cates, Chairperson

Donald White, Vice-Chairperson

John R. French, Jr.

James Heard

Leonard Lookner

A True Attest Copy: _____
Katrina Oakes, Town Clerk

RETURN

I certify that I have notified the Voters of Camden of the time and place of the Town of Camden Annual Town Meeting, Five Town CSD Budget Validation Referendum, and MSAD #28 Budget Validation Referendum to be held June 9 and June 10, 2015 by posting an attested copy of the Notice of Warrants a the Camden Public Safety Building, Camden Town Office, Camden Public Library, and the Camden Post Office on _____, 2015.

Randy Gagne, Constable

Article XII Site Plan Review

Section 1. Purpose and Applicability

The purpose of site plan review is to assess the impact of new development on surrounding properties, municipal facilities and services, and the natural environment. Only uses that have been established as permitted uses, either as a matter of right or as a result of successful review as a special exception, are intended to be able to proceed to site plan review. Therefore, the purpose of site plan review is not to establish the right of a use to be located in the area proposed, but rather it is to assure that the way the use is designed and placed on a parcel is appropriate to its surroundings. This section shall apply to:...

- (9) Proposals to apply a Business Opportunity Zone Overlay to a parcel (or parcels) within the B-2, B-3, B-4, B-R or B-TR zoning districts. In addition to the Approval Criteria found in Section 6. Approval Criteria, (1) – (10) below, applications for a BOZ Overlay shall undergo a review of design standards unique to the BOZ Overlay found at Section 6. Approval Criteria, (12). Applicants should tailor all submissions required for Site Plan Review to address these standards.

(Item 9 added – 6/2/2015)

Section 6. Approval Criteria

The following criteria are to be used by the Planning Board in judging applications for site plan reviews and shall serve as minimum requirements for approval of the site plan. The site plan shall be approved unless in the judgment of the Planning Board the applicant is not able to reasonably meet one or more of these standards. In all instances the burden of proof shall be on the applicant and such burden of proof shall include the production of evidence necessary to complete the application.

- (1) ...
- (12) Overlay Design Standards for the Business Opportunity Zone (BOZ) Article IX Section 16, which are in addition to and/or supersede the Standard District regulations for the parcel(s) current zone.
- (a) Floor Area Ratio (FAR), Building Height and Design:
- i) A maximum FAR (floor area ratio) of 2.0 is permitted. Floors below grade shall not be included in FAR calculations.
 - ii) Buildings are encouraged to be taller with more floors (rather than low and wide). Height is limited to three usable floors above grade. Maximum height for a building with a flat roof – 33 feet; with a parapet added – 37 feet; and with a sloped roof - 46 feet maximum height.

iii) Any continuous wall greater than fifty feet in length shall be interrupted by a different wall plane or an architectural feature of at least eight feet in length.

(b) Landscaping

Landscaping sufficient to ring the boundaries of the developed space along the property line is required. A total of one major native species deciduous tree, 10-14' tall, 3-4" diameter at breast height (dbh) or two 6-8 foot conifers or two 6-8 foot tall flowering trees is required for each 75 feet of property line length with a minimum that 50% of these trees shall be major trees. The trees shall be placed along the borders of the property in order to provide required screening and in locations where they will appear as if they grew there naturally based on other existing vegetation, topography and relation of the buildings to neighboring properties. In addition, twelve 2-3 foot tall shrubs per acre are required. The shrubs shall be located to act as screening or to highlight design features such as entry doors, sidewalks and signage. Landscape berms, placed boulders and plant groupings are encouraged to make the site more attractive. For any multi lot applications submitted for BOZ approval as one application the property line for landscape calculations shall be the property boundary between the properties constituting the site plan and any adjacent properties.

Preservation of existing specimen trees or beneficial naturally vegetated areas is encouraged and can be considered as a possible partial offset to the required landscaping.

(c) Utilities

Utilities including electric, phone, cable and propane shall be buried on site.

(d) Parking

Parking requirements within the BOZ may be flexible and creative parking solutions are encouraged such as the use of motorcycle or bicycle parking areas. Parking shall be 80% of the standard parking requirements for the total of all uses based on the requirements of Article X, Part II, Section 4 however, no grandfathered spaces or fees in lieu of spaces are allowed. Parking areas should be grouped so that multiple buildings will utilize adjacent spaces and businesses should consider shared parking. Service areas (dumpsters, etc.) shall be screened.

(e) Traffic

Traffic is to be controlled so that businesses within the BOZ can send out delivery trucks in the morning and receive them back at end of day.

(Item 12 added - June ?, 2015)

Section 7. Traditional Village District (V)**A. Purpose**

The Traditional Village District encompasses the older residential neighborhoods near the center of the community, where historically a majority of the Town's population lived within walking distance of the central business district and governmental and cultural facilities. The purpose of this district is to maintain these highly livable neighborhoods, which include single family homes, small-scale multifamily structures, compatible residential-scale businesses, and a distinct village design.

B. Permitted Uses

The following uses are permitted in the Traditional Village District:

The following resource protection uses:

- (1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

The following resource production uses:

- (2) Timber harvesting

The following residential uses:

- (3) Single family dwellings
- (4) Two-family dwellings
- (5) Multifamily dwellings
- (6) Open space residential developments that meet the standards of Article IX
- (7) Accessory apartments

The following municipal and institutional uses:

- (8) Cemeteries
- (9) Churches

The following commercial uses:

- (10) Outdoor storage of boats, provided the screening standards of Article X, Part II, Section 3(5) are met
- (11) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance
- (12) Hotels or motels with more than ten (10) but fewer than fifteen (15) sleeping rooms on lots of 3.5 or more acres, provided that the sleeping rooms are in existence and used as such and are located wholly within one structure existing as

of June 8, 1993, and further provided that any restaurant facilities located therein shall prepare food and serve meals only to overnight guests of that hotel or motel.

The following water-dependent uses:

- (13) Municipal boat ramps and municipal piers

The following utility uses:

- (14) Essential services
- (15) Road construction

The following accessory activities:

- (16) Accessory uses
- (17) Home occupations
- (18) Homestay

A¹ following a listed use means the use must be located wholly within structures existing as of the date of adoption of this Ordinance.

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

The following residential uses:

- (1) Community living uses
- (2) Elderly congregate housing
- (3) Nursing and convalescent homes
- (4) Rooming houses

The following municipal and institutional uses:

- (5) Community buildings
- (6) Municipal uses
- (7) Nursery schools and day care centers
- (8) Public schools
- (9) Quasi-public facilities

The following commercial uses:

- ~~(10) Low impact uses, as defined in this Ordinance and not otherwise allowed in this district, on lots that are located wholly or in part within 500 feet of a business or~~

~~industrial district (B-1, B-2, B-3, B-H, B-TH, B-R, B-TR or I), and that meet the terms of Article VII, Section 4(9) (amended 11/14/06)~~

- ~~(4110)~~ Expansion of hotels or motels with ten or more rooms offered for rent, legally in existence as of March 11, 1985, within a lot of record existing as of March 11, 1985, subject to conformity with applicable space and bulk standards
- ~~(4211)~~ Inns on lots of 2 or more acres ¹
- ~~(4312)~~ Funeral homes

The following utility uses:

- ~~(4413)~~ Public utilities

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

- (1) The standards of performance of Article X, Parts I and II, shall be observed.
- (2) The following space and bulk standards shall apply:

MINIMUM LOT AREA	
Residential	10,000 sq.ft.
Nonresidential	10,000 sq.ft.
MINIMUM LOT AREA PER DWELLING UNIT	
Single Family	10,000 sq.ft.
Accessory Apartments	No increase in lot area required
Two-Family Dwellings	7,500 sq.ft.
Multifamily Dwellings	7,500 sq.ft.
Elderly Congregate Housing	3,000 sq.ft.
MINIMUM STREET FRONTAGE	
Residential	75 feet
Nonresidential	75 feet

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MINIMUM SETBACKS	
Residential	
Front	15 feet, except where the following lots with existing buildings have established a uniform setback relationship (See Definitions) to the street, any new building shall be set back from the edge of the right-of-way of the street no more than a maximum distance which is 5 feet greater than the average setback for those two adjacent lots on each side of the subject lot and no less than a minimum distance which is 5 feet less than the average setback for those two adjacent lots on each side of the subject lot; provided, however, that such a building on the subject lot shall be no closer to the right-of-way of the street than the building closest to the edge of that right-of-way on those 4 adjacent lots. Where a uniform setback relationship exists, accessory structures or additions to existing structures shall be set no less than two feet further back than the actual setback of the principal building unless that actual setback is greater than the maximum setback.
Side	10 feet, provided the sum of both side yards is at least 25 feet, however, any structure that has an existing nonconforming side setback shall have a setback requirement of 15 feet on each side. <i>(Amended – 11/15/05)</i>
Back	15 feet
Normal high water mark	See Article X, Part I, Section 1(9)(j)
Nonresidential	
Front	Same as residential
Side	15 feet
Back	15 feet
Normal high water mark	See Article X, Part I, Section 1(9)(j)
Side and back yard for nonresidential use abutting a residential use	25 feet

Table continued on next page

MAXIMUM BUILDING COVERAGE	25%
MAXIMUM GROUND COVERAGE	
General	None, provided that the area between the front property line and the wall of the building or structure closest to the street and running the full width of the wall, except the driveway, shall not be used for parking.
Shoreland Area	20%
MAXIMUM BUILDING OR STRUCTURE HEIGHT	
Residential	30 feet
Nonresidential	30 feet
MINIMUM DISTANCE BETWEEN PRINCIPAL BUILDINGS ON SAME LOT	30 feet

- (3) Screening
Nonresidential uses abutting a residential use or a district other than a business or industrial district shall provide screening in accordance with the standards in Article X, Part II, Section 3, of this Ordinance.
- (4) Shoreland Area
Properties within shoreland areas shall comply with the additional standards set forth in Article X, Part I, Section 1, of this Ordinance.
- (5) Historic Areas
Properties within historic areas shall comply with the additional standards set forth in Article X, Part I, Section 3 of this Ordinance.

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Section 6. Village Extension District (VE)**A. Purpose**

The Village Extension District lies outside of the traditional village but includes lands that have, or can reasonably be expected to receive within the next ten years, public water and sewer; can be readily provided with other municipal services; and can support a significant share of the new development anticipated in the Town during the next ten to fifteen years. The purpose of the district is to provide a range of housing opportunities and of compatible, small-scale economic opportunities. The intent is to do so within a setting that emulates the character of villages: with streets designed for safe and convenient use by both pedestrians and motor vehicles and at a scale appropriate for walkable neighborhoods; a mix of activities that serve some of the routine needs of neighborhood residents; and a sense of security and protected investments.

B. Permitted Uses

The following uses are permitted in the Village Extension District:

The following resource protection uses:

- (1) Uses listed in Section 1 of this Article, Natural Resource Protection District, Paragraph B

The following resource production uses:

- (2) Agriculture
- (3) Timber harvesting

The following residential uses:

- (4) Single family dwellings
- (5) Two-family dwellings
- (6) Open space residential developments that meet the standards of Article IX
- (7) Cottages
- (8) Mobile home parks
- (9) Accessory apartments

The following municipal and institutional uses:

- (10) Cemeteries
- (11) Churches

The following commercial uses:

- (12) Outdoor storage of boats, provided the screening standards of Article X, Part II, Section 3(5) are met
- (13) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance

The following water-dependent uses:

- (14) Municipal boat ramps and municipal piers

The following utility uses:

- (15) Essential services
- (16) Road construction

The following accessory activities:

- (17) Accessory uses
- (18) Home occupations
- (19) Homestay

A¹ following a listed use means the use must be located wholly within structures existing as of the date of adoption of this Ordinance.

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

The following municipal and institutional uses:

- (1) Community buildings
- (2) Quasi-public facilities
- (3) Municipal uses
- (4) Nursery schools and day care centers
- (5) Private schools
- (6) Public schools

The following utility uses:

- (7) Public utilities
- (8) Commercial parking facilities, provided there is no demolition of buildings existing as of the date of adoption of this Ordinance

The following commercial uses:

- (9) Inns located on lots of 2 or more acres¹
- ~~(10) Low impact uses, as defined in this Ordinance and not otherwise allowed in this district, on lots that are located wholly or in part within 500 feet of a business or industrial district (B-1, B-2, B-3, B-H, B-R, B-TR, or I), and that meet the terms of Article VII, Section 4(9).~~

The following residential uses:

- ~~(4110)~~ Community living uses
- ~~(4211)~~ Elderly congregate housing served by public sewer
- ~~(4312)~~ Nursing and convalescent homes

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

- (1) The standards of performance of Article X, Parts I and II, shall be observed.
- (2) The following space and bulk standards shall apply:

	Sewer	No Sewer
MINIMUM LOT AREA		
Residential	10,000 sq.ft.	40,000 sq.ft.
Nonresidential	10,000 sq.ft.	40,000 sq.ft.
MINIMUM LOT AREA PER DWELLING UNIT		
Single Family	10,000 sq.ft.	40,000 sq.ft.
Accessory Apartments	No increase in lot area required	No increase in lot area required
Two-Family Dwellings	7,500 sq.ft.	40,000 sq.ft.
Multi-Family Dwellings (as part of open space subdivisions)	7,500 sq.ft.	Not permitted

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	Sewer	No Sewer
Elderly Congregate Housing	3,000 sq.ft.	Not permitted
MINIMUM STREET FRONTAGE		
Residential Lots created as part of subdivisions approved by the Planning Board after the date of adoption of this ordinance	50 ft., and the average for all lots in the subdivision is between 75 ft. and 90 ft.	100 feet
Other lots	75 feet	100 feet
Nonresidential	75 feet	100 feet
MINIMUM SETBACKS		
Residential		
Front	15 feet, except where the following lots with existing buildings have established a uniform setback relationship (See Definitions) to the street, any new building shall be set back from the edge of the right-of-way of the street no more than a maximum distance which is 5 feet greater than the average setback for those two adjacent lots on each side of the subject lot, and no less than a minimum distance which is 5 feet less than the average setback for those two adjacent lots on each side of the subject lot; provided however that such a building on the subject lot shall be no closer to the right-of-way of the street than the building closest to the edge of that right-of-way on those four adjacent lots. Where a uniform setback relationship exists, accessory structures or additions to existing structures shall be set no less than two feet further back than the actual setback of the principal building unless that actual setback is greater than the maximum setback.	25 feet

Table continued on next page

	Sewer	No Sewer
Side	10 feet, provided the sum of both side yards is at least 30 feet, however, any structure that has a side setback of less than 10 feet shall have a setback requirement of 15 feet on each side. <i>(Amended – 11/15/05)</i>	15 feet
Back	15 feet	15 feet
Normal high water mark	See Article X, Part I, Section 1(9)(j)	See Article X, Part I, Section 1(9)(j)
Nonresidential		
Front	Same as residential	Same as residential
Side	15 feet	15 feet
Back	15 feet	15 feet
Side and back yard for nonresidential use abutting a residential use	25 feet	25 feet
MAXIMUM BUILDING COVERAGE	25%	10%
MAXIMUM GROUND COVERAGE		
General	None, provided that the area between the front property line and the wall of the building or structure closest to the street and running the full width of the wall, except the driveway, shall not be used for parking.	None, provided that the area between the front property line and the wall of the building or structure closest to the street and running the full width of the wall, except the driveway, shall not be used for parking.
Shoreland Area	20%	20%
MAXIMUM BUILDING OR STRUCTURE HEIGHT		
Residential	30 feet	30 feet
Nonresidential	30 feet	30 feet
MINIMUM DISTANCE BETWEEN PRINCIPAL BUILDINGS ON SAME LOT	30 feet	30 feet

- (3) Screening
Nonresidential uses abutting a residential use or a district other than a business or industrial district shall provide screening in accordance with the standards in Article X, Part II, Section 3, of this Ordinance.
- (4) Shoreland Area
Properties within shoreland areas shall comply with the additional standards set forth in Article X, Part I, Section 1, of this Ordinance.
- (5) Historic Area
Properties within historic areas shall comply with the additional standards set forth in Article X, Part I, Section 3 of this Ordinance.