

# *Town Warrant*

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## Town Meeting Warrant Ordinance Change Appendices

### *Important dates:*

#### **Town Election: 3/3/2023**

- Absentee ballots are available starting February 3rd, 2023 (1 month before the Election) through the Clerk's Office.
- The cut off for Absentee Ballot voting is Tuesday, February 28<sup>th</sup>, 2023 at 4pm (3 business days before the Election)
- The Secret Ballot will be held on Friday, March 3<sup>rd</sup> from 4pm to 8pm at the Town Office.
- The Ballot includes one Selectmen Position (3-year term), Two School Board Positions (1 3-year term and 1 1-year term)

#### **Town Meeting: 3/4/2023**

- Held at the Minot Consolidated School on Saturday, March 4<sup>th</sup> starting at 9am until the completion of all warrant articles.

## Town Meeting Warrant

To **Danielle E. Loring, a Constable in the Town of Minot in the County of Androscoggin.**

Greetings:

In the name of the State of Maine you are hereby required to notify and warn the inhabitants of said Town of Minot, qualified by law to vote in town affairs, to meet at the Minot Town Office, in said Town on **Friday, March 3, 2023 at three forty-five o'clock (3:45) in the afternoon, then and there to act upon Article 1 by secret ballot and by secret ballot on Article 2 as set below, the polling hours therefore to be from four o'clock (4) in the afternoon until eight o'clock (8) in the evening.** The Registrar will be in session at the Minot Town Office at three o'clock in the afternoon (3:00pm), of said meeting day for the purpose of correcting the list of voters.

And to notify and warn said inhabitants to meet at the Minot Consolidated School, in said Town on **Saturday, March 4, 2023 at nine (9) o'clock in the morning,** The Registrar will be in session at the Minot Consolidated School, Minot at eight o'clock in the morning (8:00am) on Saturday, March 4, 2023, of said meeting day for the purpose of correcting the list of voters. Said inhabitants to meet then and there to act on Article 3 through the completion of the Warrant as legally posted, to wit:

- Article 1.** To elect by written ballot a **Moderator by Secret Ballot** to preside at said meeting and give him/her power to appoint tellers.
- Article 2.** To elect by secret ballot **one (1) Selectmen** for a term of three (3) years, to elect **one (1) member** of the **Superintending School Committee** for a term of three (3) years and to elect **one (1) member** of the **Superintending School Committee** for a term of one (1) year.
- Article 3.** To hear and act on the **report of the Town Officers and acceptance of the Town Report.**
- Article 4.** To elect one (1) **Assessor** for a **three (3) year term.**

**Article 5.** To see what action the Town will take in regard to setting the **salaries of Selectmen, Assessors, and Overseer of the Poor.** Recommendations are as follows:

	<u>Amount Requested</u>	<u>Budget Committee Recommends</u>
Selectmen	\$1,500.00 each	\$1,500.00 each
Chairman of Selectmen	\$ 500.00	\$ 500.00
Three Assessors	\$ 50.00 each	\$ 50.00 each
Chairman of Overseer of Poor	\$ n/a	\$ n/a

**Article 6.** To see if the Town will vote to adopt amendments to **Chapter 5: Shoreland Zoning and Chapter 14: Definitions** of the Land Use Code of the Town of Minot as adopted March 4, 2006 and amended through March 5, 2022, by adding the underlined language and deleting the strikethrough type as shown.

Proposed ordinance changes are appended in Town Report immediately following Town Meeting Warrant Articles.

The Planning Board Recommends Article 6  
The Board of Selectmen Recommend Article 6

**Article 7.** To see if the Town will vote to adopt amendments to **Chapter 2, Section 301.4: Codes by Reference** of the Land Use Code of the Town of Minot as adopted March 3, 2006 and amended through March 5, 2022, by adding the underlined language type as shown.

Proposed ordinance change is appended in Town Report immediately following Town Meeting Warrant Articles.

The Planning Board Recommends Article 7  
The Board of Selectmen Recommend Article 7

**Article 8.** To see if the Town will vote to adopt amendments to **Chapter 4, Section 501.10: Accessory Apartment and Chapter 14: Definitions** of the Land Use Code of the Town of Minot as adopted March 3, 2006 and amended through March 5, 2022, by adding the underlined language type as shown.

Proposed ordinance change is appended in Town Report immediately following Town Meeting Warrant Articles.

The Planning Board Recommends Article 8  
The Board of Selectmen Recommend Article 8

**Article 9.** The Town of Minot hereby establishes a Board of Appeals. The Board which has been acting as a Board of Appeals is hereby reestablished as the Appeals Board. The actions which it has taken prior to adoption of this Article are hereby declared to be the acts of the legally constituted Board of Appeals of the Town of Minot.

The Selectmen Recommend Article 9

**Article 10.** To see if the Town of Minot will vote to carry forward the unexpended balances in the following **Reserve Accounts** and to authorize the Selectmen to expend funds from these **Reserve Accounts** for the purposes for which they were established:

- Town Office Equipment Reserve Account**, balance of **\$73.03**
- Highway Capital Equipment Reserve Account**, balance of **\$11,599.90**
- Plow Truck Reserve**, balance of **\$60,341.00**
- General Assistance Donation (Eda’s Elf Fund) Reserve Account**, balance of **\$5,541.39**
- Town Well Reserve Account**, balance of **\$11,998.95**
- Cemetery Reserve Account**, balance of **\$7,315.21**
- Minot Community Events Reserve**, balance of **\$1,083.44**
- Fire Department Apparatus Reserve**, balance of **\$10,000.00**
- Fire Department Grant Reserve**, balance of **\$7,077.92**
- Fire Department Capital Equipment Reserve**, balance of **\$7,031.39**
- IT Reserve**, balance of **\$22,292.00**
- Conservation Committee Reserve**, balance of **\$100.00**
- Assessing Services Reserve**, balance of **\$500.00**

Selectmen recommend to carry forward all balances by a vote of 5 yes 0 no  
Budget Committee Recommends to carry forward all balances by a vote of 4 yes 0 no

**Article 11.** To see if the Town will vote via paper ballot to exceed the **property tax levy limit of \$1,546,827** established for the Town of Minot by State law in the event that the municipal budget approved under the following articles will result in a tax commitment that is greater than that property tax levy limit.

**Article 12.** To authorize the Selectmen to appoint and set salaries for any necessary Town Officials that are not elected); and to see what sum the Town will vote to raise and appropriate for **Town Salaries and Benefits**. (\$398,165.00 in 2022, expended \$366,173.43)

Selectmen Recommend	<b>\$413,286.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$413,286.00</b>	vote: 4 yes 0 no

**Article 13.** To see what sum the Town will vote to raise and appropriate for **Town Office Maintenance and Supplies** (\$25,550.00 in 2022, expended \$33,176.39)

Selectmen Recommend	<b>\$34,050.00</b>	vote: 5 yes	0 no
Budget Committee Recommends	<b>\$34,050.00</b>	vote: 5 yes	0 no

**Article 14.** To see what sum the Town will vote to raise and appropriate for **Interdepartment & IT Services** for the ensuing year:

Mileage Reimbursement  
Contract services (payroll, tax billing, trash removal...etc.)  
Advertising  
Deed and Lien services  
Annual Software Licensing  
Hardware Upgrades  
Network Security

(\$33,250.00 in 2022, expended \$30,414.78).

Selectmen Recommend	<b>\$30,400.00</b>	vote: 5 yes	0 no
Budget Committee Recommends	<b>\$30,400.00</b>	vote: 5 yes	0 no

**Article 15.** To see what sum the Town will vote to raise and appropriate for **Operating Costs of the Town Garage and Equipment Repair.** (\$82,250.00 in 2022, expended \$87,655.31)

Selectmen Recommend	<b>\$93,400.00</b>	vote: 5 yes	0 no
Budget Committee Recommends	<b>\$93,400.00</b>	vote: 5 yes	0 no

**Article 16.** To see if the Town will vote to raise and appropriate for the **New Peterbilt Plow Truck Reserve**, which will be used toward any down payment or initial payment when for anticipated financing. (\$60,341.00 in 2022, expended \$0).

Selectmen Recommend	<b>\$60,341.00</b>	vote: 5 yes	0 no
Budget Committee Recommends	<b>\$60,341.00</b>	vote: 5 yes	0 no

**Article 17.** To see what sum the Town will vote to raise and appropriate for **Winter Roads** for the ensuing year (\$287,615.00 in 2022, expended \$266,436.34)

Selectmen Recommend	<b>\$345,000.00</b>	vote: 5 yes	0 no
Budget Committee Recommends	<b>\$345,000.00</b>	vote: 5 yes	0 no

**Article 18.** To see what sum the Town will vote to raise and appropriate for the **Maintenance of Common Roads, Culverts, Bridges and Bushes** for the ensuing year. (\$257,710 in 2022, expended \$254,732.17)

Selectmen Recommend	<b>\$255,500.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$255,500.00</b>	vote: 5 yes 0 no

**Article 19.** To see what sum the Town will vote to raise and appropriate for the **Minot Municipal Fire Department including the Rescue Division** for the ensuing year (\$126,685.00 in 2022, expended \$104,378.61)

Selectmen Recommend	<b>\$87,441.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$87,441.00</b>	vote: 5 yes 0 no

**Article 20.** To see what sum the Town will vote to raise and appropriate for **Principal Payments and Interest.** (\$465,798.00 in principal and interest in 2022, expended \$465,798.00)

Paving Bond (3 of 3):	Principal:	\$336,202.00
	Interest:	\$ 5,649.00

Selectmen Recommend	<b>\$341,851.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$341,851.00</b>	vote: 5 yes 0 no

**Article 21.** To see what sum the Town will vote to raise and appropriate for **Contract Assessing & GIS Services.** (\$22,500.00 in 2022, expended \$22,000.00)

Selectmen Recommend	<b>\$25,000.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$25,000.00</b>	vote: 5 yes 0 no

**Article 22.** To see what sum the Town will vote to raise and appropriate for the **Code Enforcement and Planning** for the ensuing year. (\$44,684.00 in 2022, expended \$46,954.84)

Selectmen Recommend	<b>\$56,150.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$56,150.00</b>	vote: 5 yes 0 no

**Article 23.** To see what sum the Town will vote to raise and appropriate for the **Annual Audit** of the Town books and officer's accounts. (\$8,650.00 in 2022, expended \$11,029.00)

Selectmen Recommend	<b>\$8,650.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$8,650.00</b>	vote: 5 yes 0 no

**Article 24.** To see what sum the Town will vote to raise and appropriate for **Legal Fees** for the ensuing year. (\$10,000.00 in 2022, expended \$13,562.22)

Selectmen Recommend	<b>\$10,000.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$10,000.00</b>	vote: 5 yes 0 no

**Article 25.** To see what sum the Town will vote to raise and appropriate for the **County Tax** set by Androscoggin County. (\$313,390.00 in 2022, Expended \$313,390.00)

Selectmen Recommend	<b>\$313,390.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$313,390.00</b>	vote: 4 yes 0 no

**Article 26.** To see what sum the Town will vote to raise and appropriate for **Solid Waste Disposal & Contract Services.** (Raised \$60,600.00 in 2022, expended \$59,634.77)

Selectmen Recommend	<b>\$62,600.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$62,600.00</b>	vote: 5 yes 0 no

**Article 27.** To see what sum the Town will vote to raise and appropriate for **Street Lights.** (\$2,600.00 in 2022, expended \$2,557.68)

Selectmen Recommend	<b>\$3,000.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$3,000.00</b>	vote: 5 yes 0 no

**Article 28.** To see what sum the Town will vote to raise and appropriate for **Municipal Organizations and Contracts.** (\$19,697.00 in 2022, expended \$19,669.54)

Maine Municipal Association (MMA)	\$3,800
Androscoggin Valley Council of Governments (AVCOG)	\$3,959
Greater Androscoggin Humane Society (GAHS)	\$3,928
TRIO	\$9,200

Selectmen Recommend	<b>\$20,887.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$20,887.00</b>	vote: 4 yes 0 no

**Article 29.** To see what sum the Town will vote to raise and appropriate for **Town Insurance.** (\$49,878.00 in 2022, expended \$41,236.00)

Selectmen Recommend	<b>\$53,550.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$53,550.00</b>	vote: 4 yes 0 no

**Article 30.** To see what sum the Town will vote to raise and appropriate for **Library Services** with the Auburn Public Library. (\$22,000.00 in 2022, expended \$22,000.00)

Selectmen Recommend	<b>\$22,000.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$22,000.00</b>	vote: 5 yes 0 no

**Article 31.** To see what sum the Town will vote to raise and appropriate for the **Animal Control Officer**. (\$3,850.00 in 2022, expended \$3,587.67)

Selectmen Recommend	<b>\$3,850.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$3,850.00</b>	vote: 5 yes 0 no

**Article 32.** To see what sum the Town will vote to raise and appropriate for **General Assistance** (Health and Welfare). (Raised \$2,000.00 in 2022, expended \$1,959.31)

Selectmen Recommend	<b>\$2,000.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$2,000.00</b>	vote: 5 yes 0 no

**Article 33.** To see what action the Town wishes to take regarding the **cable franchise agreement fees** received annually from the Charter/Spectrum. Selectmen request **2023 revenues** be used for the purposes of broadband expansion. (\$ in **2023**)

Selectmen Recommend designating **the 2023 cable franchise agreement fees for broadband expansion**

vote: 5 yes 0 no

Budget Committee Recommends **the 2023 cable franchise agreement fees for broadband expansion**

vote: 5 yes 0 no

**Article 34.** To see what action the Town wishes to take regarding the **snowmobile registration refund** received annually from the Maine Department of Inland Fisheries and Wildlife. (Minot Moonshiners request **2023 snowmobile registration reimbursement** be donated to their club for trail maintenance. (\$ in **2023**))

Selectmen Recommend the donation of **the 2023 snowmobile registration reimbursement to the Minot Moonshiners for trail maintenance**

vote: 5 yes 0 no

Budget Committee Recommends **“Same”**

vote: 5 yes 0 no



**Article 35.** To see what sum the Town will vote to raise and appropriate for **Elections and Annual Town Meeting.** (\$7,000.00 in 2022, expended \$6,804.07)

Selectmen Recommend	<b>\$8,550.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$8,550.00</b>	vote: 4 yes 0 no

**Article 36.** To see what sum the Town will vote to raise and appropriate for the funding care and maintenance of **Minot's Cemeteries.** (Raised \$5,000.00 in 2022, expended \$6,338.92)

Selectmen Recommend	<b>\$5,000.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$5,000.00</b>	vote: 5 yes 0 no

**Article 37.** To see what sum the Town will vote to raise and appropriate for the funding **Recreational Field Maintenance.** (Raised \$5,000 in 2022, expended \$5,144.97)

Selectmen Recommend	<b>\$10,000.00</b>	vote: 5 yes 0 no
Budget Committee Recommends	<b>\$10,000.00</b>	vote: 5 yes 0 no

**Article 38.** To see what sum the Town will vote to raise and appropriate to be donated to **Charitable Organizations.** (\$0.00 raised in 2021)

*Requests:*

Androscoggin Home Healthcare & Hospice	\$ 500
SafeVoices	\$ 250
Seniors Plus	\$ 500
Maine Public	\$ 100
Community Concepts	\$2000
Tri- County Mental Health Services	\$1000
<u>Community Health and Counseling Services</u>	<u>\$ 50</u>
<b>TOTAL:</b>	<b>\$4,400</b>

Selectmen make no recommendation	vote: 5 yes 0 no
Budget Committee Recommends <b>\$0.00</b>	vote: 5 yes 0 no

**Article 39.** Shall the Town vote to accept the **categories of funds** listed here as provided by the Maine State Legislature (Categories), and further authorize the Town to expend any such funds (Selectmen so recommend): American Rescue Plan Act (ARPA) Funds; Municipal Revenue Sharing; Local Roads Assistance Program; State Aid to Education; Public Library Aid Per Capita; Civil Emergency (FEMA) Funds; Snowmobile Registration Money; Tree Growth Reimbursement; General Assistance Reimbursement; Veteran's Exemption and Homestead Exemption Reimbursement; and State and Federal Grants or other funds.

**Article 40.** To see what action the Town wishes to take to establish a **due date for payment for the 2023 property taxes** and to set the interest rate applied to delinquent accounts.

Selectmen and Budget Committee Recommends **December 15, 2023**, with interest charged thereafter at the State maximum rate of 8%

**Article 41.** To see what action the Town wishes to take to establish an **overpayment interest rate**.

Selectmen recommend a rate 4 percentage points less than the delinquent rate as allowed by State law for overpayments resulting from abatements not pre-payment of taxes.

**Article 42.** To see if the Town will vote to give the **Selectmen** the **authority** to use whatever sum they deem advisable from surplus to **lower the 2023 tax rate**. (Selectmen so recommend).

**Article 43.** To see if the Town will give the **Selectmen** the authority to **estimate the Excise Tax Revenue** and use the same to **lower the 2023 tax rate** (Selectmen so recommend).

**Article 44.** To see if the Town will vote to authorize the Selectmen to **spend an amount not to exceed 25% of the budgeted amount in each category of the 2024 annual budget** during the period of **January 1, 2024 through the 2024 Annual Town Meeting**.

**Article 45.** To see what action the Town wishes to take regarding authorizing the **Tax Collector** to **collect interest and costs** before applying funds to the principal of the oldest outstanding tax assessment. (Selectmen so recommend).

**Article 46.** To see if the Town will vote to authorize the **Selectmen to overdraft accounts** with **uncontrollable expenditures** when necessary and such overdraft will come out of the Undesignated Fund Balance.

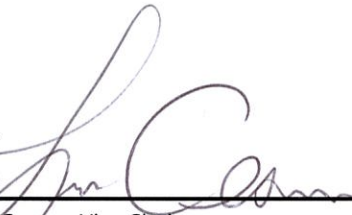
**Article 47.** To see if the Town will vote **to authorize the Town Treasurer**, with approval of the **Selectmen**, **to sell and dispose of any real estate acquired by the Town** for non-payment of taxes thereon, on such terms as they deem advisable and in the best interest of the Town and execute quitclaim deeds without covenant for any such property. Except that the Selectmen shall use the special sale process required by Title 36 MRS § 943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner(s).

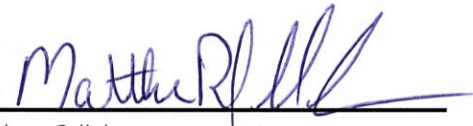
**Article 48.** To see if the Town will vote **to authorize the Selectmen to procure a temporary loan or loans** in anticipation of taxes, for the purpose of paying obligations of the Town, such loan or loans to be paid during the ensuing year out of money raised during the ensuing year by taxes.

**Article 49.** To see if the Town will vote to authorize the **Selectmen and Town Treasurer** to sell and assign **unmatured tax liens** for not less than the unpaid interest and costs.

To transact any business that may legally come before this meeting.

X   
Daniel Gilpatric, Chairman

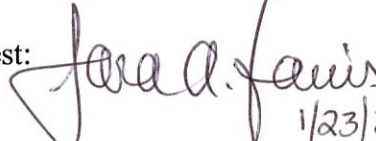
X   
Lisa Cesare, Vice Chairman

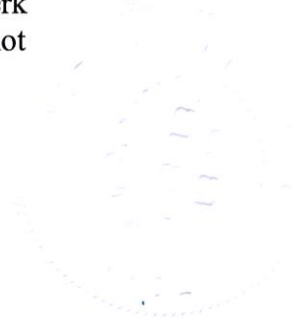
X   
Matthew Callahan

X   
Brittany Hemond

X   
William Perry

A true copy of the Warrant

Attest:  1/23/2023  
Sara Farris, Town Clerk  
Town of Minot



**CONSTABLE'S RETURN**

County of Androscoggin, ss

By virtue of the within warrant to me directed, I have warned and notified the inhabitants of the Town of Minot to assemble at the time and place and for the purpose therein named, by having posted attested copies of the Warrant at the Minot Town Office, Minot Post Office and the Minot Consolidated School, the same being public and conspicuous places within the said Town of Minot the 24<sup>th</sup> day of February in the year of our Lord two thousand and twenty-three, the same being at least seven days before the appointed time for said meeting.

Dated at Minot this 24<sup>th</sup> day of February, two thousand and twenty-three.

Attest: \_\_\_\_\_

**X**

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Danielle E. Loring, Constable

# *Appendices*

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## Proposed Ordinance Change Appendices:

ARTICLE 6: Shoreland Zoning and Definition Changes (Chapter 14)

ARTICLE 7: Chapter 2, Section 301.4: Codes by Reference

ARTICLE 8: Chapter 4. Section 501.10: Accessory Apartments, and  
Definition Changes (Chapter 14)

ARTICLE 9: No Appendices

# Article 6 Proposed Changes

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Proposed change would:

1. Comply with requirements made by the Department of Environmental Protection (DEP) for Chapter 1000 changes that were made last year.

## Chapter 5

### Shoreland Zoning

#### 5-401.5 Nonconforming Lots

- C Contiguous Lots - Vacant or Partially Built: If two or more contiguous lots or parcels are in single or joint ownership of record at the time of or since adoption or amendment of this Chapter, if any of these lots do not individually meet the dimensional requirements of this Chapter or subsequent amendments, and if one or more of the lots are vacant or contain no principal structure the lots shall be combined to the extent necessary to meet the dimensional requirements.

This provision shall not apply to two or more contiguous lots, at least one of which is non-conforming, owned by the same person or persons on ~~the effective date of this Chapter~~ [March 7, 2022](#) and recorded in the Registry of Deeds if the lot is served by a public sewer or can accommodate a subsurface sewerage disposal system in conformance with the State of Maine Subsurface Waste Water Disposal Rules; and

1. Each lot contains at least 100 feet of shore frontage and at least 20,000 square feet of lot area; or
2. Any lots that do not meet the frontage and lot size requirements of 5-401.5(C)(1) are reconfigured or combined so that each new lot contains at least 100 feet of shore frontage and 20,000 square feet of lot area.

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## Chapter 14

### 14-101 Definitions

**Increase in Nonconformity of a Structure:** Any change in a structure or property which causes further deviation from the dimensional standard(s) creating the nonconformity such as, but not limited to, reduction in water body, tributary stream or wetland setback distance, increase in lot coverage, or increase in height of a structure. Property changes or structure expansions which either meet the dimensional standard or which cause no further increase in the linear extent of the nonconformance of the existing structure shall not be considered to increase the nonconformity. For example, there is no increase in nonconformity if the expansion extends no further into the required setback area than does any portion of the existing nonconforming structure.

# Article 6 Cont.

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**Industrial:** The assembling, fabrication, finishing, manufacturing, packaging or processing of goods or the extraction of minerals.

**Institutional:** a non-profit or quasi-public use, or institution such as a church, library, public or private school, hospital, or municipally owned or operated building, structure or land used for public purposes. A use for education, health care and similar activities where professional staff provide a service to a specific population. Uses include schools both public and private, and nursing homes by way of example.

**Minimum Lot Width:** The closest distance between the side lot lines of a lot. When only two lot lines extend into the shoreland zone, both lot lines shall be considered to be side lot lines.

**Non-conforming condition** – non-conforming lot, structure or use which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendment took effect.



# *Article 7 Proposed Changes*

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Proposed change would:

1. Update Universal Plumbing Code to be consistent with State of Maine regulations

## **Chapter 2.301.4 Codes by Reference**

Pursuant to MRS Title 30-A§3003, shall the Town adopt the following codes by edition: NFPA 13: Standard for the Installation of Sprinkler Systems (2016), NFPA 70: National Electrical Code (2017), NFPA 101: Life Safety Code (2018), and 2021 Universal Plumbing Code. These shall supersede any code reference in the Minot Land Use Code.

# Article 8 Proposed Changes

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Proposed change would:

Update the 4-501.10 to have more clear language regarding the definition of accessory dwelling units and limit the size.

## Chapter 4: Land Use Control Standards

### 4-501.10 Accessory ~~Apartment~~ Dwelling Units

An accessory ~~apartment~~ dwelling unit may be located in structures legally existing at the adoption of this Code including structures located on legally existing nonconforming lots. They may also be located on a residential lot meeting the residential lot dimensions in Sections 4-201.1 when there is a primary residential structure present. An accessory ~~apartment~~ dwelling unit may be created with a permit issued by the Code Enforcement Officer provided that the following are met:

- A. The additional dwelling unit shall be a complete, separate house-keeping unit that is isolated from the original dwelling unit and ~~must~~ may be attached to, detached from, or located within the principal dwelling or an accessory garage.
- B. The additional dwelling unit shall be designed so that the appearance of the structure remains that of a single-family dwelling, with the exception of emergency egress, if so required.
- C. The design and size of the additional dwelling units conform to all applicable standards of Chapter 2, Building Standard, and all other applicable codes.
- ~~D. Adequate off street parking shall be provided which does not encroach upon required setbacks.~~
- ~~D~~E. Subsurface sewage disposal shall comply with all provisions of the State of Maine Subsurface Wastewater Disposal Rules.
- ~~E~~F. Where there is on existing single-family dwelling unit on a conforming lot or a legally existing non-conforming lot, the owner shall be allowed up to have up to two (2) accessory dwelling units as follows: one (1) accessory unit within or attached to the existing dwelling unit; one (1) unit detached from the existing dwelling unit; or one of each.
- ~~F. Accessory apartments are limited to one per principal single family home or duplex. Where there are zero (0) dwelling units located on a conforming lot or a legally existing non-conforming lot, the owner shall ne allowed to have up to two (2) dwelling units on the lot. Where more than one principal residential structure is on a lot, there may be one accessory apartment for each principal residential structure, provided that Section 4-201.4 of this Land Use Code is met.~~
- G. Subdivision approval has been received for any project that meets subdivision criteria.

# Article 8 Cont.

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H. Accessory dwelling units will be a minimum of 500 square feet in size, but no more than 700 square feet.

## Chapter 14: Definitions

**Accessory ~~Apartment~~ Dwelling Units:** An accessory dwelling unit is either attached to or shares a wall with a ~~principal residential~~ single-family dwelling unit, is ~~or~~ located within an existing single-family dwelling unit, or is a new structure on a lot containing a single-family dwelling unit for the primary purpose of creating an accessory dwelling unit ~~residential structure~~ which is legally located on a lot, including a legally existing nonconforming lot of record, ~~which and~~ is subordinate to the primary use and which is used for residential purposes as a complete separate housekeeping unit. ~~and which has no more than one bedroom and a total of no more than four rooms including a bathroom. The~~ An accessory dwelling can be no less than 500 square feet no more than 700 sq. ft. [Amended March 5, 2022]