



TOWN OF WINSLOW, MAINE

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114 Benton Avenue
Winslow, ME 04901

Public Hearing: April 11, 2022

TOWN COUNCIL

ORDINANCE NO. 05-2022

AN ORDINANCE

Providing for: An Amendment to Chapter 14, Article III, Section 14-35, paragraph F, changing the public notice requirement from fourteen (14) days to seven (7) and adding the following language as indicated in the underlined text in the attached document: "The cost of said notification shall be borne by the applicant".

BE IT ORDAINED by the Town Council of the Town of Winslow, as follows:

WHEREAS, the Town wishes to standardize the public notice for all Public Hearing notices across the Town Code and this will bring the Zoning Ordinance into alignment with Section C-212 of the Town Charter, Rules and Procedure; and

WHEREAS, the cost of certified mailings has increased significantly to over \$7 per letter, which places an undue financial burden on the taxpayers of the Town of Winslow to benefit a commercial entity or single landowner; now, therefore

BE IT ORDAINED by the Town Council that Chapter 14, Article III, Section 14-35, paragraph F be amended by changing the public notice requirement from fourteen (14) days to seven (7) and adding the following language as indicated in the underlined text in the attached document: "The cost of said notification shall be borne by the applicant".

SPONSORED BY: Administration

IN THE TOWN COUNCIL

April 11, 2022

First Reading 7 0
accepted rejected

May 9, 2022

Second Reading 7 0
adopted rejected

Rosa DelVain
Town Clerk

APPROVED: May 9, 2022

CHAIRMAN: [Signature]
[Signature]
[Signature]
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The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 14-35 Application procedure.

All applications for site review shall follow the procedure outlined below:

- A. Site Review application forms shall be obtained from the Code Enforcement Officer.
- B. All site review applications shall be submitted to the Code Enforcement Officer. A dated receipt shall be issued to the applicant. An application file shall be established for the site review proposal. All submissions and correspondence regarding the application shall be maintained in the file. One complete copy of the site review application and applicable submissions shall be submitted to the Code Enforcement Officer for review.
- C. Within 30 days of the receipt of the site review application, the Code Enforcement Officer shall determine whether the application is complete and notify the applicant in writing of its determination. If the application is not complete; the Code Enforcement Officer shall notify the applicant in writing of the specific additional material needed to complete the application.

The application shall be considered complete when all the site review submission requirements are included or when the applicant files a written waiver request as per § 14-34.

- D. The Code Enforcement Officer shall place the site review application on the Planning Board Agenda for a public hearing within 30 days of determining that it has received a complete application. A complete copy of the site review application shall be kept on file at the Town Office and shall be available for public review.

The applicant shall submit eight copies of the complete application and applicable submissions to the Code Enforcement Officer at least 14 days prior to the scheduled public hearing. The Code Enforcement Officer shall mail or deliver one copy of the complete application to each Planning Board member at least 10 days prior to the public hearing.

- E. The Code Enforcement Officer shall publish a notice of the date, time, place, and purpose of the public hearing, in a newspaper of general circulation in the Town, at least seven days prior to the hearing.
- F. The Code Enforcement Officer shall notify by registered, return receipt mail, the applicant, and all property owners immediately abutting the proposed site at least ~~14~~ 7 days prior to the public hearing. The cost of said notification shall be borne by the applicant. A record of all persons mailed a public hearing notice shall be maintained in the site review application file.

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Property owners immediately abutting the site shall mean all parties listed by the Town Tax Assessor as those against whom taxes are assessed, and shall further include any property owner immediately opposite on the opposite side of a public or private road from the site or within 500 feet of the property line of the proposed site.

- G. Within 60 days of public hearing the Planning Board shall make a final decision as per § 14-33.
- H. The deadline for making a final decision may be extended by the Planning Board for a period not to exceed 60 days, under the, following conditions:

- (1) The Planning Board voted to deny a waiver request as per § 14-34.
- (2) The Planning Board voted to require additional studies be performed or required additional information be submitted in order to meet the review criteria.

If the additional application materials or studies are not submitted to the Planning Board within the additional prescribed time period, the Planning Board shall vote to deny the application or accept a request by the applicant to withdraw the application. The application may be resubmitted to the Planning Board at later date according to the requirements for a new application proposal.

- I. The Code Enforcement Officer shall maintain one complete copy of the application, decision forms and all applicable submissions in the site review application file.