

Chapter 39

ENVIRONMENTAL COMMISSION

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[HISTORY: Adopted by the Town Board of the Town of Maine 5-11-1982 by L.L. No. 5-1982. Amendments noted where applicable.]

GENERAL REFERENCES

Planning Board — See Ch. 111.

Subdivision of land — See Ch. 400.

Zoning Board of Appeals — See Ch. 182.

Zoning — See Ch. 450.

§ 39-1. Legislative intent.

The preservation and improvement of the quality of the natural and man-made environment within the Town of Maine, in the face of population growth, urbanization and technologic change with their accompanying demands on natural resources, are found to be of increasing and vital importance to the health, welfare and economic well-being of present and future inhabitants and require forthright action by the governing body of the Town of Maine. It is recognized that the biologic integrity of the natural environment on which man is dependent for survival and the natural and functional beauty of our surroundings which condition the quality of our life experience cannot be protected without the full cooperation and participation of all the people of the Town of Maine working in partnership with local and state officials and with various public and private institutions, agencies and organizations. Establishment of a commission for conservation of the environment is a necessary step in fostering unified action on environmental problems.

§ 39-2. Establishment of the Commission.

The Town Board of the Town of Maine hereby creates a commission which shall be known as the Town of Maine Commission for Conservation of the Environment, hereinafter called "the Commission."

§ 39-3. Membership.

- A. The Commission shall consist of five members of which five shall be appointed by the Town Board and who shall serve at the pleasure of the Town Board of the Town and the remainder shall be ex-officio members as provided herein. Persons residing within the Town of Maine who are interested in the improvement and preservation of environmental quality shall be eligible for appointment as a member of the Commission. Vacancies on the Commission shall be filled in the same manner as the original appointment except that a vacancy occurring other than by the expiration of term of office

shall be filled only for the remainder of the unexpired term. The first two members appointed shall hold office for a term of one year, the second three members appointed shall hold office for a term of two years, and the successors of all five initial appointees shall be appointed for full terms of two years each.

- B. The Town Supervisor, Town Board, the Chairman of the Planning Board, and other officials that may be hereafter designated by the Town Board shall be ex-officio members of the Commission.

§ 39-4. Officers, meetings and committees.

The Maine Town Board shall designate a member of the Commission to act as Chairman thereof. At the first meeting of the Commission its members shall elect from among themselves a recording secretary. The Commission shall adopt rules and procedures for its meetings. It shall keep accurate records of its meetings and activities and shall file an annual report as provided in § 39-6 of this chapter.

§ 39-5. Powers and duties of the Commission.

The powers and duties of the Commission shall be to:

- A. Advise the Maine Town Board on matters affecting the preservation, development and use of the natural and man-made features and conditions of the Town insofar as beauty, quality, biologic integrity and other environmental factors are concerned and, in the case of man's activities and developments, with regard to any major threats posed to environmental quality, so as to enhance the long-range value of the environment to the people of the Town.
- B. Develop and, after receiving general approval by resolution of the Maine Town Board, conduct a program of public information in the community which shall be designed to foster increased understanding of the nature of environmental problems and issues and support for their solutions.
- C. Conduct studies, surveys and inventories of the natural and man-made features within the Town of Maine and such other studies and surveys as may be necessary to carry out the general purposes of this chapter.
- D. Maintain an up-to-date inventory or index of all open spaces in public or private ownership within the municipality, including but not limited to natural landmarks, glacial and other geomorphic or physiographic features; streams and their floodplains, swamps, marshlands, and other wetlands; unique biotic communities; scenic and other open areas of natural or ecological value; and of the ownership, present use, and proposed use of such open areas, so as to provide a base of information for recommendations by the Commission for their preservation and/or use.
- E. Seek to coordinate, assist, and unify the efforts of private groups, institutions, and individuals within the Town of Maine in accord with the purposes of this chapter.
- F. Maintain liaison and communications with public and private agencies and organizations of local, state, and national scope whose programs and activities have an impact on the quality of the environment or who can be of assistance to the Commission.
- G. Working in cooperation with the Planning Board, recommend from time to time to the Town Board features, plans and programs relating to environmental improvement for inclusion in the Master Plan of the Town of Maine, and, similarly, recommend to the Maine Town Board appropriate and desirable changes in existing local laws and ordinances relating to environmental control or recommend new local laws and ordinances.

- H. Prepare, print and distribute books, maps, charts and pamphlets in accord with the purposes of this chapter.
- I. Obtain and maintain in orderly fashion maps, reports, books and other publications to support the necessary researches of the Commission into local environmental conditions.
- J. When authorized by resolution of the Town Board of the Town of Maine, the Commission may accept by gift, grant, devise, bequest or otherwise, property both real and personal in the name of the Town of Maine as may be necessary to conserve and otherwise properly utilize open spaces and other land and water resources within the boundaries of the Town of Maine. Such real property may be accepted in fee for land and water rights or as any lesser interest; development right; easement, including conservation easement; covenant or other contractual right, including conveyance with limitations or reversions.
- K. Carry out such other duties as may be assigned from time to time by the Maine Town Board.

§ 39-6. Reports.

The Commission shall submit an annual report to the Maine Town Board not later than the first day of April of each year concerning the activities and work of the Commission and from time to time shall submit such reports and recommendations as may be necessary to fulfill the purposes of this chapter.

§ 39-7. Compensation and expenses.

The members of the Commission, including ex-officio members, shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within the appropriations made available therefor.

§ 39-8. Construction.

This chapter shall be deemed an exercise of the powers of the Town of Maine to preserve and improve the quality of the natural and man-made environment on behalf of the present and future inhabitants thereof. This chapter is not intended and shall not be deemed to impair the powers of any other public corporation.