

City of Belfast
BOATHOUSE at STEAMBOAT LANDING
Wednesday, September 17, 2014
6:00 p.m.

Special City Council Meeting & Public Hearing

1) Call to order

2) Present: Mayor Walter Ash, Jr.; Councilors Mary Mortier, Roger Lee, Michael Hurley and Nancy Hamilton, and City Manager Joseph Slocum, and Admin. Assistant Manda Cushman.

Absent: Councilor Eric Sanders

3) Adoption of the agenda

Councilor Hamilton, seconded by Councilor Mortier, made a motion to adopt the agenda. This motion was approved, 4-0.

4) Explanation of Meeting and Hearing Process. - Wayne Marshall, City Planner. (The official public hearing announcement is provided below).

The Belfast City Council, at a Special Council meeting to occur on Wednesday, September 17, 2014, at the Boathouse at Steamboat Landing, beginning at 6:00 p.m., shall conduct a public hearing regarding proposed amendments to the City of Belfast Code of Ordinances. Persons who may be affected by the proposed amendments are encouraged to attend the public hearing and offer comment to the Council. Public comment on the proposed amendments also can be submitted by the hearing date in writing to following address; City of Belfast, Code and Planning Department, 131 Church Street, Belfast, Maine, 04915, or via email to public@cityofbelfast.org.

Copies of the proposed amendments can be inspected during normal business hours, Monday - Friday, 8:00 am - 5:00 pm, at the Code and Planning or City Clerk's offices in Belfast City Hall located at 131 Church Street or at the Belfast Free Library. The proposed amendments also can be viewed on the City of Belfast website, cityofbelfast.org. Questions regarding the proposed amendments should be directed to Wayne Marshall, City Planner, at 338-1417 x 25, or at wmarshall@cityofbelfast.org.

The proposed amendments affect areas located inside or near the Route 1 Bypass, and apply to the following provisions of the City Code of Ordinances:

- Article V, District Regulations, Division 1, Generally. Section 102-301. Amendments to Official Zoning Map

- Article V, District Regulations, Division 30. Establishment of Table of Uses for the following zoning districts located Inside the Bypass or near the Bypass: Residential 1, Residential 2, Residential 3, Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2.
- Article V, District Regulations, Division 31. Establishment of a Table of Dimensional Regulations for the following zoning districts located Inside the Bypass or near the Bypass: Residential 1, Residential 2, Residential 3, Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2.
- Article V, District Regulations, Division 6, Residential I Urban District; Division 8, Downtown Commercial District; Division 10, Waterfront '1A' District; Division 11.5, Waterfront Mixed use District; and Division 23, Health Care District. Current Ordinance provisions for the above zoning districts will be eliminated.
- Article X, Contract Rezoning, Division 3, Bradbury Manor, is proposed to be amended to establish Contract Rezoning provisions for certain properties located in the proposed Residential 1 and Residential 2 zoning districts.
- Article X, Contract Rezoning, Division 4, Waterfront Mixed Use District and Waterfront Development District, is proposed to be amended. Amendments recognize the establishment of the Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts, and the requirement that all properties in the Waterfront Mixed Use 1 District, except a single family house located on Field Street, be required to use the contract rezoning process.

NOTE TO READER: The proposed Ordinance amendments can be found on line on the City website, cityofbelfast.org. Go to City Government, Planning and Codes heading. There is a folder on this page entitled: "September 17 Hearing - Zoning Ordinance Amendments".

5) **Residential 1 Zoning District Proposed Ordinance Amendments-** Presentation by Wayne Marshall, City Planner

6) **Council Public Hearing on Proposed Ordinance Amendments for the Residential 1 zoning district.**

1. Bob Adler, 16 Church Street asked about we see for implications in terms of management of these setbacks going from requirements to recommendations and whether or not the properties of contract rezoning will be required to update their buildings accordingly to codes?
2. Christopher Hyk, Church Street spoke about his opposition to spot zoning, noting that he feels it could have negative impacts on neighbors and taxes and that the City should let the market work and leave the residential area as it is for residential habitation.
3. Trish Kelski, co-owner of Harbor View House spoke about being in favor of contract rezoning and the ability repurpose homes and fill in a niche that is not currently served, keeping

them viable and useful to communities- referencing the improved use of the Pratt House as a daycare as an example of this.

4. Karna Olsson, High Street spoke about being in favor of contract rezoning, and her & her husband's personal experience of being able to contract rezone their property which has allowed them to continue live in home.
5. Phil Brown, 199 High Street, spoke about being in favor of repurposing homes such as the Pratt House and his experience as part of the Comprehensive Planning Committee for five years.

City Planner Wayne Marshall was asked to address two of the questions that were submitted:

1. It is not a City rule it is a State rule to be in compliance of State law code regulations.
2. The setbacks are required, but we are not requiring someone to build their house to that standard, their will now be flexibility in that you can build to the minimum, but you are not required to build to that.

7) Residential 2 Zoning District Proposed Ordinance Amendments - Presentation by Wayne Marshall, City Planner

8) Council Public Hearing on Proposed Ordinance Amendments for the Residential 2 zoning district.

1. Larry Jones asked about whether or not within the R2 zone, not within contract rezoning, if you have a single family building can you demo that building a use the lot for multifamily?

City Planner Wayne Marshall was asked to address two of the question that was submitted:

1. Yes.

9) Residential 3 Zoning District Proposed Ordinance Amendments - Presentation by Wayne Marshall, City Planner

10) Council Public Hearing on Proposed Ordinance Amendments for the Residential 3 zoning district.

No comments.

11) Downtown Commercial Zoning District Proposed Ordinance Amendments - Presentation by Wayne Marshall, City Planner

12) Council Public Hearing on Proposed Amendments for the Downtown Commercial zoning district

1. Ed Hemmingsen, 40 Main Street spoke about his concerns about the effect of a 38 foot height limit on his property investments within downtown.

- 13) **Waterfront Mixed Use 1 and Waterfront Mixed Use 2 Zoning Districts Proposed Ordinance Amendments** - Presentation by Wayne Marshall, City Planner
- 14) **Council Public Hearing on Proposed Amendments for the Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts**

No comments.

- 15) **Council discussion and potential action on any or all of the proposed Zoning Ordinance amendments on which public comment was accepted at the above public hearings. This is the Second Reading of the above amendments and the Council has the authority to adopt the amendments presented at the above hearings at the conclusion of the public hearing.**

Councilors discussed setting up a Work Session to discuss the proposed Zoning Ordinance amendments picking the following dates as options:

First choice: Monday, September 22nd at 6:30 p.m.

Second choice: Monday, September 29th at 6:30 p.m.

Confirmation of a date will be sent later this week.

16) **Other Business**

City Planner Wayne Marshall discussed the estimated cost to get specific heights on downtown buildings (+/- 1ft), in which he received a quote of \$700.00 and approximately one week to get that information for Councilors.

Councilor Hurley, seconded by Councilor Mortier, made a motion to hire Kappa Mapping to get specific heights on downtown buildings. This motion was approved, 3-0 (Councilor Lee left the meeting early).

17) **Adjournment**

Councilor Hamilton, seconded by Councilor Mortier, made a motion to adjourn the meeting at 7:40 p.m. This motion was approved, 3-0.

HEREBY CERTIFY THAT THE ABOVE
IS A TRUE COPY OF INFORMATION
ON THE RECORD WHICH IS IN MY
OFFICIAL CUSTODY

ATTEST



AMANDA CUSHMAN, BELFAST MAINE